

REVIEW OF LOCAL GOVERNMENT ASPECTS OF THE REVIEW OF PUBLIC ADMINISTRATION

EMERGING FINDINGS

BACKGROUND

1. At the 5 July 2007 Executive Committee meeting proposals for a review of the decisions of the RPA as they relate to local government were agreed, together with proposals for governance of the review, its timeline and key milestones.
2. At subsequent meetings of the Executive Sub-Committee on local government reform and modernisation, a baseline position and work plan for the review was agreed and progress reports noted.
3. The review is being taken forward in three strands. The first strand is developing a shared vision for local government. The second is considering the number of councils and the third is focussing on the functions to transfer to local government. All three strands interlink, and in addition, the review is also considering as cross-cutting issues the decisions of the previous administration to develop a council-led community planning process and the complementary power of well-being.
4. The Sub-Committee has now reached an interim position on the key decisions of the review. It now wishes to take the views of stakeholders on this position before putting final recommendations to the Executive Committee for consideration and decision. The Sub-Committee wishes to emphasise that this review is the first stage of an ongoing process that will seek to achieve the vision for Local Government.

PURPOSE

5. This paper provides an account of the interim position of the Executive Sub-Committee on the key decisions of the review. Each of the three strands of the review are reported on together with the related views of the Sub-Committee.

VISION

6. The approach to this work, which has been supported by consultants commissioned by the Department, has been twofold: desk research and stakeholder engagement. The desk-based research, which has sought to establish the characteristics of local government in Northern Ireland and elsewhere, has been used to support and facilitate stakeholder engagement. Stakeholder interviews and focus groups were conducted during August and September and culminated in a Conference on 12 September, when all findings were tested with a wide stakeholder audience representative of all sectors.
7. The desk research looked at local government in the other UK jurisdictions, the Republic of Ireland and further afield. It is clear from this work that local government elsewhere is going through a period of considerable reform with evidence showing a growing recognition of the need to move local government closer to people and a re-examination of the balance of power between regional and local government. Other key trends are an increasing focus on strengthening local government and a greater emphasis on co-ordinating services to meet local needs.
8. This research provided the basis for the stakeholder engagement process. Throughout this process there has been a general consensus that the current review provides a significant opportunity to transform local government in Northern Ireland in terms of strengthening and enhancing local democracy, achieving real improvements in the quality of life for people and in the efficiency and effectiveness of service delivery.
9. In addition to endorsing the four principles of strong local government, subsidiarity, equality and good relations and common boundaries which underpinned the original RPA exercise and which the Executive has endorsed, stakeholders identified a number of key issues which they feel should be influential in the review process. These are as follows:-
 - the vision for the future of local government should be the major influence in determining the functions and the numbers of councils;

- the vision for local government should be closely linked to a vision for the Northern Ireland public service as a whole (with greater clarity between the roles of central and local government);
- the interests of the citizen should be at the centre of not only the vision for local government but also all decisions relating to the new arrangements;
- the focus should be on improving the quality of life, health and well-being of the community;
- there should be a more integrated approach to public service delivery across Northern Ireland in order to achieve greater efficiencies and effectiveness (across the public, private and community/voluntary sectors);
- councils should be empowered to take risks, innovate and take difficult decisions within the parameters of new scrutiny and performance arrangements in order to respond flexibly to local need; and
- a vision should be evolving rather than fixed and should be adapted to reflect the changing external environment over time.

10. Overall, stakeholders engaged in the review process described the optimum future arrangements for local government as being those which would improve the quality of life for people and which would create communities that are sustainable, vibrant, healthy, prosperous and stable and that are people-centred. Community planning is seen as the critical tool in delivering these arrangements.

11. The members of the Executive Sub-Committee have noted the emerging findings of the work on vision. They share the views expressed as to the future role of the sector and are keen to engage with stakeholders to discuss how this role might be delivered in the context of a wider discussion on council numbers and functions. The desire to create councils of sufficient scale to optimise service delivery needs to be balanced with the clearly expressed wish of stakeholders of enhancing the role of the citizen in service planning and delivery. Embracing more fully the principle of subsidiary and local delivery of services needs to be balanced with the cost implications of such service delivery models.

12. The members of the Executive Sub-Committee have noted the comments of stakeholders that any vision for local government should evolve over time. They have also noted from the desk based research that the experience of local government elsewhere indicates that reform programmes typically have a lifespan of 10 years or more. They would wish to explore with stakeholders the timeframe over which any reform programme could be achieved, whether the change process should be phased, and how the progress of this could be monitored.

COUNCIL NUMBERS

13. In revisiting the decision on council numbers the members of Executive Sub-Committee considered how the original decision was made. They reviewed the considerable amount of analysis and research that was taken into account by the previous administration. Factors that have been taken into account include:-
- service delivery scale;
 - coterminosity;
 - population distribution and employment patterns;
 - equality, social need and rural issues;
 - access to services given existing public sector infrastructure;
 - local identity;
 - the influence of natural geography in creating communities; and
 - the rating wealth base of possible council areas.
14. The Executive Sub-Committee, whilst acknowledging the complexity of the decision making process on numbers, noted that the overall effect was to create council areas that were as similar as possible over a range of characteristics.
15. The Executive Sub-Committee, whilst accepting the need for and benefit of reducing some of the existing diversity between councils, feels that this should be balanced by creating councils of a scale that promotes the ability of communities to identify and interact with their local council.

16. The Executive Sub-Committee continues to acknowledge the importance of coterminosity in enhancing the effectiveness of the community planning process but will look to other service providers to address this issue once the council boundaries are agreed. The planned programme of stakeholder engagement will enable other service providers to articulate their views on this issue.
17. The members of the Executive Sub-Committee are continuing their deliberations on council numbers. They welcome views on what factors should be the key determinants of council numbers. They are keen to test with stakeholders their contention that whilst seeking to achieve some conformity between councils is an acceptable driver for change, it needs to be balanced with the creation of councils of a scale that promotes the ability of communities to identify and interact with their local council.

TRANSFER OF FUNCTIONS

18. In considering what functions should transfer from central and other parts of the public sector to local government, the RPA placed emphasis on the key objective of creating strong local government and, in particular, the principle of subsidiarity which implies that powers should be delegated to the most local level consistent with effectiveness and efficiency. It was also the view that councils needed to have a certain critical mass of services if they were to fulfil their proposed leadership role in the community planning process.
19. Against this background, the RPA decisions, announced by the previous administration in November 2005 and March 2006, proposed that in addition to its existing responsibilities, local government should be given a range of new or enhanced functions (e.g. fire and rescue service, planning, local roads maintenance and development, urban regeneration and certain housing related functions).
20. In this strand the Executive Sub-Committee has reviewed the original RPA decisions on the new or enhanced functions proposed for local government. In accordance with the Terms of Reference, the review has been limited to consideration of the

decisions announced by the previous administration. It has also revisited options, considered in the March 2005 consultation paper, which Ministers wished to be considered.

21. In taking forward the review the Sub-Committee has taken account of a range of key factors. These have included:-

- a series of Departmental position papers, each agreed by the respective Executive Minister, setting out new or revised transfer proposals along with estimates of the related costs and staff numbers;
- the views of Ministerial colleagues obtained in follow up bilateral meetings;
- the view of stakeholders, outlined in the preceding sections of this paper, on the vision for local government and their endorsement of the principle of subsidiary; and
- the economies of scale of regional delivery balanced against the potential local responsiveness and local accountability benefits of services delivered by councils.

22. The summary table at Annex A of this paper:-

- sets out the functions which the Executive Sub-Committee currently proposes for an initial tranche of transfers to local government;
- outlines how the current proposals vary from the RPA proposals approved by the previous administration; and
- provides an outline of the rationale Ministers have given for the current proposals along with other key comments.

23. The key functions proposed for transfer are:-

DOE

- Planning – local Development Plan functions (including town centre and subject plans), Development Control and Enforcement
- Built Heritage – Spot Listing and Local Listing of Buildings

DCAL	<ul style="list-style-type: none"> • Armagh County Museum • Leisure and Recreation facilities • Local Sports • NI Museums Council • Local Arts • Local Events
DARD	<ul style="list-style-type: none"> • Rural Development
DRD	<ul style="list-style-type: none"> • Local Roads Public Realm • Donaghadee Harbour
DSD	<ul style="list-style-type: none"> • Urban Regeneration and Community Development
DETI	<ul style="list-style-type: none"> • Local Tourism • Local Economic Development.

24. In addition, OFMDFM are considering proposals for the extension of local government responsibility for Civil Contingencies arrangements and for producing, as part of the community planning process, Good Relations Strategies and Plans.

25. Details of the key transfer proposals are set out, by Department, in the following paragraphs.

DOE – Planning

26. Rather than all of the development plan functions being transferred to local government, as proposed under the RPA, it is proposed that there should be a separation between the Area Plan and Local Plan functions, with central and local government taking forward different roles. Under the current model, the Department would be responsible for taking forward a number of strategic Area Plans covering groupings of district councils, while the new councils would be given powers to take forward more detailed Local Plans to reflect local needs. Just as Area Plans are required to be in conformity with the Regional Development Strategy, it is envisaged that the local Plans would be required to be in conformity with the Area Plans.

Guidelines will be required to clarify the respective remits of Area and Local Plans. The Department intends to bring forward proposals to reform the development plan process and these proposals will redefine the nature of Area and Local Plans and provide further detail on the roles of central and local government and the relationship between them in the development plan process. (see Annex A).

27. It is also proposed to transfer the bulk of development control functions, excluding regionally significant development proposals, to local government. This would give councils the final decision on the bulk of individual applications. However, the Minister would retain responsibility for more strategic applications which have relevance to Northern Ireland as a whole or to substantial parts of Northern Ireland. The enforcement function would also be the responsibility of local government.
28. It is, however, important to note the key points, set out in Annex A, about the number of possible models currently being considered for the transfer of local plans/subject plans, development control and enforcement. Considerable further work is needed to establish the relative costs and benefits of these models. However, for the purpose of illustration, the costs of transfer set out in paragraphs 43 and 44 assume a fully decentralised model.

DRD – Public Realm aspects of local roads functions

29. It is proposed that responsibility for the public realm aspects of local road functions would transfer to local government. The original RPA proposal was the full transfer of responsibility for the maintenance and development of all local roads and associated traffic management. The local roads public realm responsibilities include Roads Service work in relation to streetscaping, town and city centre environmental improvements, grass cutting/weed spraying, gully emptying, street lighting, off street car parking, pedestrian permits (i.e. the issue of permits to allow vehicular access to pedestrian areas), maintenance of amenity areas (e.g. tree planting, landscaping the

centre of roundabouts), alley-gating (e.g. the making of traffic regulation orders facilitating alley gating to avoid anti-social behaviour), permitting local events to be held on roads and the salting of footways.

30. Initial estimates of the costs and staff numbers involved with some of the public realm aspects of local roads have been included in paragraph 43. It is, however, important to stress that these estimates are high-level in nature and require further refinement.
31. It is also proposed that Roads Service would implement structural arrangements to facilitate coterminosity with new council boundaries and that arrangements would be developed to give councils greater influence over roads-related issues and decision-making within their respective areas. It is envisaged that councils would have a key role in helping to determine the relative priority of local road schemes and initiatives within the available budget. This would involve detailed discussion and engagement with Roads Service to reach agreement on the local roads programme and its delivery. Roads Service would be responsible for the delivery of the local roads programme with performance monitoring by the appropriate council.

DHSSPS – Fire and Rescue Service

32. The only function identified for transfer under RPA was the Northern Ireland Fire and Rescue Service. The proposal was that legislation would give each of the new councils responsibility for delivering a fire and rescue service within its area and that a Sub-Committee of councils would discharge the functions of the Fire Authority on a regional basis.
33. A robust case, which is summarised in Annex A, has been made in support of retaining the Service within the control of central government. The Fire and Rescue Service will continue their engagement with local communities on a range of issues.
34. The Minister of Health, Social Services and Public Safety is giving consideration to the potential for enhanced involvement of local government in the delivery of health and social care in Northern Ireland.

DSD

35. Under RPA it was proposed to transfer a range of housing related functions to local government. However, a case, which is summarised in Annex A, has been made in support of retaining the functions within the remit of the Northern Ireland Housing Executive (NIHE). This includes the importance of maintaining the NIHE's integrity as the strategic housing authority and that the transfer would weaken links with other key housing programmes and generate confusion amongst the public and other key interest groups about respective housing responsibilities.
36. The Northern Ireland Housing Council was earmarked for abolition under the original RPA proposals. However, the Minister for Social Development wants to retain the Council, along with statutory nominating rights to the body, and set it a more challenging remit.
37. In relation to urban regeneration and community development delivery functions it is still proposed that these should, over time, transfer to a strengthened and reformed local government. Because of the narrow skill base and the criticality of a range of physical regeneration schemes in particular the Minister for Social Development intends a phased approach to the transfer of functions with it being clear that local government is fit for purpose and capable of discharging them. DSD in parallel with DOE will want to oversee and orchestrate major strategic schemes of regional significance in the future. In the same vein DSD will reserve the right to see through to fruition major schemes initiated before the relevant transfer date.
38. It is important to note, however, that the Minister for Social Development will want to review the current corpus of urban regeneration legislation and is likely to bring forward proposals to modernise this. This will be critical to ensuring that local government in the future has an appropriate range of powers to pursue in particular urban regeneration.
39. The Minister for Social Development has raised an issue regarding the treatment of civil servants in her Department who would be affected by the proposals. The Minister is concerned that an approach based on relevant staff being compelled to

move to local government will lead to loss of morale and difficulties in attracting staff in the intervening period before transfer. The Minister would like this issue to be reviewed and the scope for more flexibility explored.

40. Acceding to this request would require a change to the policy that has been adopted to date in the NICS and the development of different/innovative HR approaches to managing this aspect of RPA implementation. However, it would require common application across all NICS areas affected by RPA and not just DSD staff whose work would transfer to local government.
41. If the Executive is minded to agree to this, DFP would bring forward proposals for delivering on such a commitment in a way which would aim to address the issue as flexibly as possible without impacting adversely on business continuity.
42. The Minister for Social Development is also giving consideration to moving responsibility for certain licensing regimes, including liquor licensing, to councils.

Costs and Staff

43. The table at Annex B summarises the estimated expenditure and staff numbers involved with the transfer proposals presented to date in this review. This will be updated as estimates are refined but the current position is that the “transfer package” now proposed comprises some £99m and 1,036 staff.
44. It is recognised that local delivery, as opposed to the regional delivery, of services can result in additional costs due to the diseconomies of scale arising from a move to decentralised delivery models. These include the cost of additional staff necessary to maintain service delivery standards. However, at this stage, only Planning Service has identified additional transfer costs. Assessment of organisational structures indicate that, if a completely decentralised model were chosen, on the basis of the existing system / processes, an additional 19 staff (at an annual cost of £400,000) would be required for a move to a 7 council model and that this would increase to 91 staff (at an annual cost of £3.2m) for an 11 council model and 196 staff (at an annual cost of some £6.9m) for a 15 council model. In addition to this, a one off cost

of some £6.1m has been identified for all models to cover relocation type costs. The position in respect of any additional costs arising from the proposed transfer of local roads public realm and urban regeneration/community development responsibilities is being considered.

45. The Executive Sub-Committee considers that the initial tranche of transfer of function proposals, set out in Annex A, makes a significant contribution to the strengthening of local government in general and to local government's delivery of the community planning process in particular. The Sub-Committee also considers that the proposals take account of the balance which needs to be struck between the benefits of local service delivery and the cost implications and economies of scale of regional service delivery.
46. The Executive Sub-Committee would welcome the views of stakeholders on the transfer of functions proposals.

COMMUNITY PLANNING

47. One of the original decisions of the RPA process was that councils would be required to lead a community planning process. This would require councils to consult with people about issues that affect their lives and allow people to have a say in the way in which their areas are developed. Based on the Scottish model this would place a statutory duty on public sector bodies to participate in the community planning process and to deliver on agreed outcomes. To facilitate the delivery of the community plan councils would also have a new power of well-being. This would allow them to take any action, not already the responsibility of another agency, linked with the community plan, that would improve the well-being of the local community or area.
48. The Executive Sub-Committee remains committed to these decisions and supports the proposal of local government leading and facilitating a community planning process in which councils will work closely with communities and service providers to identify and respond to need.

COUNCIL GOVERNANCE

49. Another of the decisions of the previous RPA process was that a system of council governance, with appropriate checks and balances, would be developed and placed on statute. The Executive Sub-Committee remains committed to this position and believes that if everyone is to have confidence in the new councils there needs to be a statutory system of safeguards. This would ensure fair and transparent decision-making processes and the protection of the rights of all the people of Northern Ireland.

MODERNISATION PROGRAMME

50. The Minister agreed that work on modernising local government should be driven forward in parallel with work to review the RPA structural and functional decisions. As a result, a two-strand modernisation programme is being developed. It is firstly intended to strengthen the way in which councils work by modernising their policy and legislative framework and addressing the capacity to deliver accountable, citizen-centred services. Secondly, it is intended to strengthen the way in which councils work in terms of delivering services in ways which are standardised, simple and value for money. The two strands are being taken forward by Sub-Groups of the Strategic Leadership Board.
51. Detailed work is being taken forward to address modernisation options, costs, benefits and timescales, but it is already clear that any modernisation programme is likely to require substantial resources. It is widely accepted that change and reform do have “upfront costs”, with efficiency savings being delivered over time. It is likely, therefore, that the costs associated with incentivising the modernisation of local government will have to be borne by central government. However, any funding programme must be designed in such a way as to maximise the development of co-operative and collaborative ventures across councils. The creation of a Challenge Fund is envisaged, administered by DOE, from which monies could be made available to councils to undertake modernisation schemes. Resources will be required to make the Challenge Fund a reality.

CONCLUSION

52. This paper provides a report of progress to date on the RPA Review and outlines the position of the Executive Sub-Committee on interim findings. Ministers are keen to engage with local government and other stakeholders to hear their views on the issues outlined in this paper. A number of events are planned, for late October/early November, at which stakeholders will be able to articulate and discuss their views. In addition this paper will be posted on the Local Government Reform page of the website of the Department of the Environment. Written responses are welcome and should be sent to the following address by **16 November 2007**:-

The RPA Review Team
Local Government Reform Division
Department of the Environment
6th Floor
Goodwood House
44-58 May Street
BELFAST BT1 4NN

53. The Executive Sub-Committee believes that proposals contained in this paper provide for a considered, balanced and meaningful reform of the system of local government, which will achieve stronger, more effective and efficient local government, delivering quality services within a framework of equality, and effective and robust protection of minority rights. However, the Sub-Committee recognises that the delivery of the vision for local government proposed in this paper will not be achieved by a single set of reform proposals, no matter how well devised those proposals might be. Achieving strong, effective and efficient local government will be a long term process that will require sustained effort over a considerable number of years, as is demonstrated by experience elsewhere in the UK, Ireland and beyond. The proposals set out in this paper mark the beginning of a process of reform and modernisation, not the end. It is clear that the Executive will need to develop a new, stronger and more sustained relationship with local government to ensure that further opportunities for modernisation and reform are identified, considered and implemented in a process of continuous improvement.

54. The Executive, through its endorsement of the RPA principles, has underlined its support for strong local government. It is committed to work in partnership with the sector to deliver world class services to the people of Northern Ireland. The decisions to be taken in the coming months on the future arrangements for local government are critical in delivering the shared goal of a better and more sustainable future for all our people.

TRANSFER OF FUNCTIONS TO LOCAL GOVERNMENT

DEPARTMENT	FUNCTIONS CURRENTLY PROPOSED FOR TRANSFER	DESCRIPTION OF FUNCTION	VARIANCE FROM RPA PROPOSALS	COMMENTS
DOE	Planning	<ul style="list-style-type: none"> • Local Plans, including town centre plans and subject plans. • Development control (excluding major planning applications which have regional or sub regional significance). • Enforcement. • Consultation on all Area Plans and strategic policies including Planning Policy Statements. 	<ul style="list-style-type: none"> • All of the development plan functions were to transfer to local government. 	<ol style="list-style-type: none"> 1. A number of possible models for the transfer of local plans/subject plans, development control and enforcement are being considered. (These include a single central body governed by a consortium of Councils, a small number of groups serving a number of Councils, maintenance of the current 6 Divisional Office structure serving a number of Councils and decentralisation to each Council). 2. Considerable work is needed to establish the relative costs and benefits of these models. However, for the purpose of illustration the costs set out in this report assume a fully decentralised model based on the existing processes/system. 3. Reform of the planning system will progress over the next 3 – 4 years in advance of any transfer of functions to ensure that the system transferred is 'fit for purpose'. 4. There is merit in considering the transfer of planning functions some 6 to 12 months after the establishment of Councils to allow the smooth transfer and to deal with the issues relating to staff transfer and capacity building.

DEPARTMENT	FUNCTIONS CURRENTLY PROPOSED FOR TRANSFER	DESCRIPTION OF FUNCTION	VARIANCE FROM RPA PROPOSALS	COMMENTS
	Built Heritage	<ul style="list-style-type: none"> • Authority to Spot List (i.e. issue a temporary Building Preservation Notice) to enable District Councils to add a building to the “statutory list” on a temporary basis, subject to notification by the Department. • Not a transfer of function but authority to draw up non statutory “local lists” of buildings that are of architectural and/or historic interest. 	<ul style="list-style-type: none"> • No Change. • No Change in principle (see note opposite). • Deferment of a decision on the future of the Local Staff Commission. 	<ol style="list-style-type: none"> 1. Under RPA it was proposed that councils would be given authority to draw up non statutory “local lists” of buildings that are of architectural and/or historic interest. EHS remains committed to the principle of “local listing” and proposes to publish a consultation paper and the alteration of Planning Policy Statement 6 to ensure that this non statutory concept can be of more than symbolic use in the defense of local heritage. 1. Under the RPA the functions of the Local Staff Commission were to be transferred to local government. However, a decision on the future of the commission has been deferred pending the outcome of a review which is examining whether, and to what extent, there is a continuing need for its functions to be performed. This will take account of the range of factors including proposals for a wider Public Sector Commission.
DCAL	Armagh County Museum	Transfer of entire functions to local government.	No Change	
	Leisure and Recreation (local water recreation facilities)	Transfer of a number of identified water recreation assets/sites with public facilities such as canoe steps, riverside paths, car parks, etc.	No Change	
	Local Sports	Councils to have direct delivery responsibility or decision making input for some £1.3 million of Sports Council funds.	No Change	

DEPARTMENT	FUNCTIONS CURRENTLY PROPOSED FOR TRANSFER	DESCRIPTION OF FUNCTION	VARIANCE FROM RPA PROPOSALS	COMMENTS
	NI Museum Council	The functions of the NI Museum Council, a company limited by guarantee, to transfer.	No Change	
	Local Arts	The Arts Council and the new councils to agree local arts and culture plans.	No Change	
	Local Events	Transfer of some of £400,000 of the NI Events company budget to local government for local festivals.	<ul style="list-style-type: none"> • No Change at present, to be further reviewed. 	<ol style="list-style-type: none"> 1. Under RPA the NI Events company was to transfer from DCAL to the NI Tourist Board. However, some £400,000 of its budget, the Communities Festival Fund (CFF), was to transfer to local government. Ministers for DETI and DCAL are considering the future of the company but the current position is that the CFF will transfer to local government.
				<ol style="list-style-type: none"> 1. Under the RPA consideration was given to transferring responsibility for the Library Service to local government. It was, however, subsequently decided that the library service should be delivered by a new body at regional level (The Library Authority). As a result of that agreement, the Libraries Bill was introduced into the Assembly and is being taken through the legislative process. DCAL has, however, confirmed that the operation of the Library Authority will be reviewed, at an appropriate point following the establishment of the new councils, to ensure that there is effective engagement in the community planning process led by local government.

DEPARTMENT	FUNCTIONS CURRENTLY PROPOSED FOR TRANSFER	DESCRIPTION OF FUNCTION	VARIANCE FROM RPA PROPOSALS	COMMENTS
DARD	Partial Delivery of EU Rural Development Programme	Partial Delivery of Rural Development Programme	No Change	1. Under the new Rural Development Programme, the Rural Development Council will not have a delivery function. DARD continues to negotiate with existing councils to engage their early involvement in the delivery of the new Rural Development Programme 2007-2013.
			<ul style="list-style-type: none"> The NI Fishery Harbour Authority function of managing the 3 fishery harbours should not transfer to Councils. 	1. Under RPA it was proposed that the functions of the NI Fishery Harbour Authority were to be transferred to local government. However, It is not now proposed that these functions be transferred. The Department of Agriculture and Rural Development proposes to examine how RPA objectives, particularly those of greater democratic accountability, can be achieved through strengthening and amending existing arrangements.
DRD	Public Realm aspects of local roads functions	<ul style="list-style-type: none"> Responsibility for public realm aspects of local roads functions to transfer to local government (e.g. grass cutting, weed spraying, gully emptying, street lighting, off street parking, pedestrian zone permits, maintenance of amenity areas, alley-gating, permitting local events to be held on roads salting of footways). Roads Service to implement structural arrangements to facilitate coterminosity with council boundaries, arrangements developed to give councils greater influence over roads related issues and decision-making within their areas; 	<ul style="list-style-type: none"> RPA proposed the full transfer of responsibility for the maintenance and development of local roads and associated traffic management. It was estimated that this would have incurred costs of £20m for set up and year-on-year additional costs of £22m for a 7 council model, £29m for an 11 council model and £39m for a 15 council model. 	1. The transfer of local roads public realm functions, particularly street lighting and off street car-parking, all require detailed engagement with local government.

DEPARTMENT	FUNCTIONS CURRENTLY PROPOSED FOR TRANSFER	DESCRIPTION OF FUNCTION	VARIANCE FROM RPA PROPOSALS	COMMENTS
	Donaghadee Harbour	Transfer of functions of Donaghadee Harbour Commissioners to Local Government.	<ul style="list-style-type: none"> • No Change 	
			<ul style="list-style-type: none"> • RPA proposed that rural transport (subsequently subsumed within the proposal to establish a Public Transport Authority) and Rathlin Ferry transfer to local government. 	<ol style="list-style-type: none"> 1. The Public Transport Authority proposals, including arrangements to give new councils a greater say in the delivery of public transport services in their area, are to be considered further. 2. It is proposed that responsibility for Rathlin Ferry remain with central government. A specific central government policy supporting the needs of the Rathlin inhabitants, is favoured
DHSSPS	None	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • Removal of NI Fire and Rescue Service. 	<ol style="list-style-type: none"> 1. The Fire and Rescue Service was to transfer to local government as a shared operational service. The governance proposal was that a sub committee of Councils would discharge the functions of the Fire Authority on a regional basis. 2. Key points made in support of retaining the Service with central government include:- <ul style="list-style-type: none"> • the RPA rationale for transfer was not based on any assessment or judgement that an improvement in service or any other benefits would result. Further assessment by DHSSPS has not identified any benefits;

DEPARTMENT	FUNCTIONS CURRENTLY PROPOSED FOR TRANSFER	DESCRIPTION OF FUNCTION	VARIANCE FROM RPA PROPOSALS	COMMENTS
				<ul style="list-style-type: none"> • NIFRS provides a regional service based on an annual assessment of risks, which is issued for consultation, on a regional basis. The resulting Risk Management Plan determines what and when risks are likely to arise, what and when assets need to be deployed to mitigate or meet the risk – all on a regional basis, • the regional nature of the NIFRS is considered to have allowed the development of one of the most highly regarded, effective and efficient fire and rescue service in the UK, • the cost of this Service would be borne equally by councils. It, therefore, runs the risk that Councils might seek to increase provision within a DC area because it has the capacity to pay for it or seek to mitigate costs by charging because appliances are responding to calls from other Council areas; and • the transfer would be unique, in legislative terms, bringing a regional body within the control of local government, whereas the norm is to expect regional services to come under the control of the Executive and scrutiny of the Assembly.

DEPARTMENT	FUNCTIONS CURRENTLY PROPOSED FOR TRANSFER	DESCRIPTION OF FUNCTION	VARIANCE FROM RPA PROPOSALS	COMMENTS
DSD	Urban Regeneration and Community Development Delivery Functions	<p>The operational delivery functions listed below:-</p> <ul style="list-style-type: none"> • Physical development – environmental improvement schemes, comprehensive development and urban development grant. • Area based regeneration – Neighbourhood renewal • Some community development programmes and support for the voluntary and community sector. 	<p>1. Deletion of the housing related functions listed below:-</p> <ul style="list-style-type: none"> • Urban Renewal Areas. • Housing in multiple occupation. • Private Sector Grants. • Group repair. • Unfitness. • Traveller site provision. • Energy conservation. • Supporting People. 	<p>1. It is not proposed to transfer the Housing related functions proposed under the RPA. The proposal is based on an analysis which include the following points:-</p> <ul style="list-style-type: none"> • transferring some housing functions to local councils could undermine the NIHE's integrity as the strategic housing authority and weaken links with other key programmes; • local housing interests, politicians and existing councils have not expressed any enthusiasm for the transfer of housing functions; • Giving some housing powers to local government, in addition to the existing arrangements may serve to confuse the public and key interest groups about respective responsibilities. It would also complicate lines of accountability for housing issues. <p>2. The transfer of Urban Regeneration & Community Development delivery functions are agreed in principle but with the following caveats:</p> <ul style="list-style-type: none"> • a phased approach to the transfer of functions is adopted and takes place only when it is clear that local government is fit for purpose and capable of discharging said functions;

DEPARTMENT	FUNCTIONS CURRENTLY PROPOSED FOR TRANSFER	DESCRIPTION OF FUNCTION	VARIANCE FROM RPA PROPOSALS	COMMENTS
				<ul style="list-style-type: none"> • the skills base in a number of specialised areas is sufficiently expanded to support an increased number of councils, whether 11 or 15; • DSD reserves the right to take forward strategic schemes – this would mirror DoE’s approach; • DSD reserves the right to oversee schemes in train, that is, those schemes initiated before the relevant transfer date; and • in view of ongoing concerns regarding staff morale and the problems of attracting staff to jobs in the period prior to transfer, DSD Minister would like this issue to be reviewed and scope given for a more flexible approach. • the Department will also want to review the current corpus of urban regeneration legislation – this may result in modernisation proposals. Up to date legislation is critical to ensuring that local government has in the future an appropriate range of powers to pursue urban regeneration. <p>3. The DSD Minister is also considering moving responsibility for certain licensing regimes, including liquor licensing, to councils over time.</p>

DEPARTMENT	FUNCTIONS CURRENTLY PROPOSED FOR TRANSFER	DESCRIPTION OF FUNCTION	VARIANCE FROM RPA PROPOSALS	COMMENTS
DETI	Local Tourism	<ul style="list-style-type: none"> • Smaller Scale tourism accommodation. • Local Marketing. • Local Product Development (i.e visitor attractions, activity packages, be spoke training and development of an evening economy). • Visitor Servicing. • Business Support (i.e provision of advice and guidance to the local tourism sector). • Planning – specifically, comment on applications for hotels and other tourist related buildings. 	<ul style="list-style-type: none"> • No Change 	<ol style="list-style-type: none"> 1. These are the same functions identified in the RPA. However, more strategic descriptors have been provided.
	Local Economic Development	<ul style="list-style-type: none"> • Start a Business Programme (SABP) and Enterprize Shows. • Youth Entrepreneurship (Princes Trust/Shell Livewire). • Investing in Women. • Social Economy. • Neighbourhood Renewal, subject to a CSR bid being successful. 	<ul style="list-style-type: none"> • Neighbourhood Renewal is an additional function proposed for transfer. 	<ol style="list-style-type: none"> 1. Neighbourhood Renewal will only be transferred if the £1.8 million CSR bid is successful. 2. Invest NI currently has £1.8 million from the Renewing Communities Fund to develop enterprise initiatives with Protestant working class areas of Belfast over the next 2 years. This activity is highly localised in nature and as such it would be more appropriate for Council management (could be complete by time of transfer).

DEPARTMENT	FUNCTIONS CURRENTLY PROPOSED FOR TRANSFER	DESCRIPTION OF FUNCTION	VARIANCE FROM RPA PROPOSALS	COMMENTS
OFMDFM	(Paper Being Considered by Ministers)			
DE	None	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • No Change 	<ol style="list-style-type: none"> 1. The DE position is unchanged. The one function that was considered previously, Youth Services, was retained within the remit of the Education and Skills Authority (ESA), as it was felt that informal education and development provided by this service is an important and integral part of the education system as a whole. Responses to the RPA consultation showed strong support for this view.
DEL	None	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • No Change 	<ol style="list-style-type: none"> 1. The DEL position is unchanged. It has been emphasised that no DEL type responsibilities are carried out by local authorities in GB.
DFP	None	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • No Change 	

ANNEX B

**TRANSFER OF FUNCTIONS
SUMMARY OF COSTS AND STAFF NUMBERS (USING 2006/07
EXPENDITURE)**

DEPARTMENT	CURRENT TRANSFER PROPOSALS		
	FUNCTION	£000's	STAFF
DOE	Planning	919 ⁽¹⁾	610
	Built Heritage	0	0
DCAL	Armagh County Museum	185	6
	Leisure & Rec Sites	63	0
	Local Sports	0	0
	Local Arts	1,700	0
	NI Museum Council	253	6
	Local Events	400	0
DARD	Rural Development	0 ⁽²⁾	0
DRD	Roads Public Realm Functions	15,000 ⁽³⁾	200 ⁽³⁾
	Donaghdee Harbour	134	2
DSD	Urban Regeneration / Comm. Development	73,604	200

DEPARTMENT	CURRENT TRANSFER PROPOSALS		
	FUNCTION	£000's	STAFF
DETI	Local Economic Development	5,700 ⁽⁴⁾	8
	Local Tourism	1,000	4
OFMDFM	TBC	0 ⁽⁵⁾	0
DE	NONE	-	-
DEL	NONE	-	-
DFP	NONE	-	-
<u>Totals</u>	<u>Current Transfer Totals</u>	<u>98,958</u>	<u>1,036</u>

- (1) This is a net figure which takes account of some £19.5M receipts.
- (2) In the 2007/13 period, which is outside the timescale of the summary, there is some £100M EAFDR funding.
- (3) These are high level estimates and are to be refined.
- (4) This is a net figure. In addition there is some £4.4M of matched funding receipts for the ERDF.
- (5) The position on proposals (enhanced responsibility for Civil Contingency arrangements and for providing Good Relations Strategies and Plans) is to be confirmed.