

STRATEGIC LEADERSHIP BOARD

MINUTES OF MEETING HELD ON 5 DECEMBER 2008

Belfast City Council Learning and Development Centre

Members:	Cllr Sammy Wilson, MP, MLA	Environment Minister, Chair
	Cllr Helen Quigley	SDLP NILGA
	Ald Arnold Hatch	UUP NILGA
	Cllr John Mathews	Alliance NILGA
	Cllr Alex Maskey, MLA	Sinn Fein
	Cllr John O'Kane	SDLP
	Cllr Tony Hill	Alliance
	Cllr Sean Begley	Sinn Fein NILGA
	Cllr Jim Wells, MLA	DUP
	Peter McNaney	LG Adviser (RPA Working Group)
	Ashley Boreland	LG Adviser (Ards BC)
	John McGrillen	LG Adviser (SOLACE)
	Paul Simpson	DOE
	Cynthia Smith	Planning Service
Apologies:	Stephen Peover	DOE
	Paul Priestly	DRD
	David Ferguson	DSD
	Ald Sam Gardiner, MLA	UUP
	Cll Joanne Bunting	DUP, NILGA
Joint Secretariat:	Ian Maye	DOE Joint Secretary
	Heather Moorhead	NILGA Joint Secretary
In Attendance:	Graham Craig	Special Adviser to the Minister
	Nora Winder	NILGA
	Sheena Mairs	NILGA
	Helen Richmond	NILGA (minute taker)
	James Hutchinson	DOE
	Catherine Ley	DOE
	Paula O'Neill	DOE
	Speers Charters	DOE
	John Murphy	DOE
	Brenda Mooney	DOE
	Louise Thompson	DOE
	Siobhan Tweedie	DOE

Actions

- 1 **WELCOME AND MINUTES OF LAST MEETING**
- 1.1 The Chair welcomed everyone to the meeting.

1.2 Apologies were noted from Stephen Peover, Paul Priestly, David Ferguson, Joanne Bunting and Ald Gardiner.

1.3 The minutes were agreed subject to the following amendments:-

A new paragraph 3.3.3 should be included to read "*The Minister stated his commitment to the transfer of functions to local government to ensure strong local government*".

The first line of paragraph 5.3 should be amended to read "Cllr Hill expressed his annoyance *at the NILGA Planning Working Group* not having been consulted prior to the change of telephone number to contact Planning Service....".

Joint Secretariat to circulate amended minutes in tracked changes to members before they are published in their final form on the website

2 **MATTERS ARISING**

2.1 **Impact of Reduced Rates Revenue**

Cllr Quigley advised that a meeting has been secured with Finance Minister, Nigel Dodds, on 16 December to discuss the serious impact of the reduced rates revenue. NILGA will be suggesting both short term and long term solutions to alleviate the negative impact on local government. The need for a formal relationship between the councils and Land and Property Services in relation to rates will also be discussed. The Minister agreed to reinforce this with Mr Dodds once the meeting has taken place.

DOE to coordinate

2.2 **Local Government View on the RPA Planning Oversight Paper.**

Ald Hatch indicated that local government acknowledges the importance of addressing potential conflict of interest issues where the district council is the applicant, and with the requirement for central government to call in applications raising regional issues. It recognises that these are necessary for the effective running of a two tier planning system. In relation to further intervention Members effectively ruled out options A and D, but consider that there was not enough information at this stage to enable them to make a substantive decision on whether option B or option C was preferable. The key issue identified through discussion is whether to have a very broad legislative intervention power or have specific intervention powers.

Ald Hatch agreed to present a definitive local government view on the proposed planning oversight powers at the next SLB meeting, following the forthcoming joint NILGA/ Planning Service seminar on 18 December to discuss and consider the future shape of planning in Northern Ireland.

NILGA to coordinate

2.3 **Local government view on staff transferring to local government on secondment.**

Ald Hatch advised that local government was unable to provide a definitive view at this stage on the transfer of staff issue. He indicated that while some councils are clearly opposed to the secondment of employees, there is a general consensus that further detail is required on the exact nature of the functions and employees to whom secondment could potentially apply before a definitive position can be agreed. He advised that the Human Resources Working Group, under Policy Development Panel C, will also investigate the pros and cons of secondment as well as seeking a legal opinion on the compatibility with TUPE and the Acquired Rights Directive and that PDP C will report back to

NILGA to coordinate

SLB at the January meeting.

- 2.4 The Minister advised that the Executive was meeting on 11 December to consider the issue in relation to the Health and Education departments and asked that any definitive local government view is sent to him before this date.

**NILGA to
coordinate.**

3 POLICY DEVELOPMENT PANEL UPDATES

3.1 Policy Development Panel A update

- 3.1.1 In the absence of the Chair and Vice Chair of Panel A, Cllr John O’Kane spoke to the update report explaining that work was continuing and the Panel was meeting again on 18 December to begin work on governance arrangements for statutory Transition Committees (TCs). Early in the New Year the Panel will be examining wider issues relating to community planning such as pilot projects and guidance. The Chair thanked PDP A members for their commitment and progress made to date.

- 3.1.2 Peter McNaney emphasised that further guidance should be developed on the work that the voluntary TCs can now initiate for example audit of ICT systems, estates, finance systems etc.

- 3.1.3 He also said that in terms of community planning there is also work that can be undertaken by the voluntary TCs including consideration of the vision for the new councils and benchmarking process with other key areas such as health, education, policing, etc. Ian Maye agreed that further guidance would be necessary and stated that DOE Advisers had already begun some work on vision setting for the new councils.

3.1.4 Peter McNaney reiterated that in developing the governance framework for the statutory TCs, PDP A must include mechanisms for mediation and dispute resolution.

3.2 **Policy Development Panel B update**

3.2.1 The Chair of Panel B, Cllr Helen Quigley, spoke to the update report highlighting that a paper on Performance Management will be presented and discussed at the next Panel B meeting. The Minister acknowledged the work of PDP B and thanked the members.

3.3 **Policy Development Panel C update**

3.3.1 The Chair of Panel C, Ald Arnold Hatch, spoke to the update report and to the emerging proposals paper summarising the key issues. Ald Hatch highlighted the importance of addressing HR issues as quickly as possible and Ian Maye confirmed that the Local Government Staff Commission will issue their model Transfer Scheme for consultation in the New Year and that updated guidance on vacancy control would also issue soon for consultation.

3.3.2 Discussion took place on a number of policy proposals in the paper. The key points are set out below.

Page 7, Paragraph 2.3, Liabilities. “Local government should have option not to accept an asset from central gov and receive compensation in lieu”. Ald Hatch explained the rationale behind this proposal using the example whereby a transferring department proposed, as part of RPA, the transfer of an old building requiring considerable remedial work to a new council. He indicated that local government would like to have the option of refusing to accept an asset in certain circumstances but would require compensation from central government to cover any additional costs that may ensue. Senior DOE officials pointed out that the Department of Finance and Personnel (DFP) owned the buildings rather than the transferring departments, and suggested that it was too early to say that any buildings would be transferring from the Civil Service.

3.3.3 **Page 7, Paragraph 2.4, Cost of Services –“A financial assistance package would be required.”**

Ald Hatch clarified this point by explaining that if all information is not known at the time of setting of the rate and, as a result, there is a shortfall in revenue and no council reserves as a fall back on, it may be an option that DFP could set up a central reserve fund for Councils to borrow against.

3.3.4 **Page 13, Paragraph 4.2 - “Disposal and Vesting of Land”**

Ald Hatch explained the reference to social housing in this proposal. Although the provision of social housing is the responsibility of the Department of Social Development and not local government, historically there often have been difficulties securing suitable land. Local government, therefore, wants to include this reference to emphasise that, if required, the new council can give priority to lands that it wants to dispose of specifically to meet the need for social housing in the same manner local government can vest land to build a road. Ian Maye confirmed that the Department is examining the vesting regime across the transferring Departments with a view to rationalising it.

3.3.5 **Page 14, Paragraph 4.3 - “Power to dispose of land at less than best price”. -**

Panel C considers that this is critical in terms of the new power relating to community planning and well being. It is considered that the threshold for consulting the Department when a council is selling land at less than “Best Price” should be raised so that the Department only requires to be consulted in exceptional circumstances and subject to certain conditions.

3.3.6 The Minister advised that the Finance Bill includes powers providing financial controls on councils regarding loans, reserves and staffing in the run up to 2011. It was acknowledged that it would be the role of the statutory TCs to agree any spending across the new council clusters.

3.3.7 The Vice Chair requested additional time for local government to consider Panel C’s policy proposals. It was, therefore, agreed that local government SLB members would provide a definitive view on the proposals before the next SLB meeting. **NILGA to coordinate.**

- 3.3.8 **Update on Assessment of Options for Local Government Service Delivery Consultancy Assignment**
Ald Hatch advised that the latest version of the assignment brief for the consultancy had been issued to SLB members. DFP approval of the consultancy has been secured and the process of appointing consultants had been initiated. The consultants are expected to be in appointed mid January with the Phase 1 report due by end of March.

4 **REPORT FROM LOCAL GOVERNMENT REFORM PLANNING DAY.**

- 4.1 Heather Moorhead gave an overview of the November Planning Day and stated that it had been a very useful event which had supported the development of a collectively agreed way forward and also highlighted the resource requirement necessary to deliver the programme.
- 4.2 The Chair also acknowledged that it was a useful communication event and referred to the importance of ensuring that each council member is aware of developments within the RPA. He indicated that this would be a key role for the Regional Transition Co-Ordination Group. Further consideration will be given to holding similar events on a periodic basis.
- 4.3 It was also agreed that it was important to take a strategic approach to communications and that other bodies – including NILGA, Transition Committees and Transition Management Teams – also have key roles to play in communicating developments.

5 **REGIONAL TRANSITION CO-ORDINATING GROUP (RTCG)
FIRST MEETING UPDATE**

5.1 Paul Simpson provided an outline of the inaugural meeting of the RTCG. A high level Work Plan was agreed by the Group with a key priority being the establishment of a proposed Local Government HR Co-ordinating Group to advise on regional human resource and staff transfer implementation issues. Representatives of the RTCG will be liaising with PDP C on proposed arrangements for the establishment of the Group, its remit and composition.

5.2 RTCG also consider that it is essential to have clarity on the detail of the functions and associated resources which are to transfer from central government and its associated public bodies. The Group has, therefore, asked each of the relevant Departments to prepare transfer of function position papers, to be assimilated into an overarching paper, for consideration at the next RTCG meeting on Monday 15 December 2008.

5.3 It was also agreed that a Transfer Of Functions Working Group, comprising representatives of central and local government, should be established through PDP C as a matter of priority. It is considered that the deliberations of the Group will be an important contribution to the Service Delivery consultancy assignment. As a further strand a specific “task and finish” technical group will be established to facilitate detailed discussions with Roads Service.

6 **JOINT SECRETARIAT PAPER: WINDING DOWN OF OLD
COUNCILS**

6.1 Cllr J O’Kane welcomed this initial evaluation of the issues involved in winding down of the old councils. Following discussion it was agreed that further details on the role of the Winding Down Manager were required.

**DOE to
coordinate**

7 **PLANNING SERVICE PRESENTATION – EMERGING PROPOSALS ON PLANNING REFORM**

7.1 Cynthia Smith provided an overview of the emerging proposals on planning reform and indicated that they will issue for public consultation in the New Year. The need for early capacity building for councillors in relation to planning was agreed.

7.2 There was some discussion on the role the Transition Committees could play in shaping the Area Plans for their own areas. It was agreed that the Planning Service would prepare a scoping paper outlining the preparatory work that the TCs could undertake prior to the transfer of planning functions.

Planning Service

8 **DATE OF NEXT MEETING**

8.1 The next meeting will take place on 23 January 2009 at 10.00 am in the Belfast City Council Learning and Development Centre

9 **ANY OTHER BUSINESS**

9.1 It was noted that, from January 2009, Cllr Sean McPeake will replace Cllr Alex Maskey as a member of the SLB.