

GOVERNANCE SUB GROUP

MINUTES OF MEETING HELD ON 3 MAY 2006

AT THE MOUNT CONFERENCE CENTRE, BELFAST

ATTENDEES:

Victor Brownlees	Armagh City and District Council (Chairperson)
Nora Winder	Armagh City and District Council
Gerry Miller	Belfast City Council
Cathy Pringle	DoE Planning Service
Julie Wilson	NIO
Damien McMahon	Derry City Council
Drew Haire	OFMDFM
Denver Lynn	Local Government Audit Office
Ashley Boreland	Ards Borough Council
Liam Hannaway	Banbridge District Council
Frances McCandless	NICVA
Michaela Glass	DRD Roads Service
Duncan Morrow	Community Relations Council
Janet Cooper	DoE
Liz Walker	DoE

Action

1. The Chair welcomed everyone to the first meeting of the Local Government Taskforce Governance sub group and detailed briefly the background, objectives and make up of the sub group. He explained that the purpose of the sub group was to inform an issues paper on governance which will identify:
 - key principles of governance to be included in the new Local Government Restructuring Order;
 - a range of options relating to how the new councils will operate; and
 - a range of more detailed issues to be addressed by guidance.

This work needed to be completed by 30 June 2006 when a report highlighting the legislative requirements and a “roadmap” showing the way to achieve implementation of the sub group’s recommendations would be presented to the Local Government Taskforce.

He explained the involvement of the political representatives on the sub group and said that a series of structured interviews with each of the party political advisors, academics from the QUB School of Governance, University of Ulster and INLOGOV at the University of Birmingham had already taken place. These interviews would also inform the issues paper.

Following member introductions, a brief discussion ensued regarding

the role of local government in Northern Ireland.

2. Definition of Good Governance

Members were asked for comments on their definition of good governance. A lengthy discussion took place surrounding this issue and it was agreed that the following points provided the basis on which to build a governance structure suitable for a modern and efficient local government which will serve the needs of the citizen in the 21st century.

The Nolan principles of public life. These include selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

The “Good Governance Standards for Public Services”, developed by the Independent Commission for Good Governance in Public Services builds on the Nolan principles and aims to set a universal standard of good governance relevant to local councils. It comprises six core principles each with its own supporting principles. These include:

- i focusing on the organisations purpose and outcomes for service users,
- ii performing effectively in clearly defined functions and roles,
- iii promoting values and demonstrating values of good governance through behaviour,
- iv taking informed transparent decisions and managing risk,
- v developing capacity,
- vi engaging stakeholders and making accountability real.

The Council of Europe’s European Charter of local self government.

Discussion took place in relation to good practice elsewhere. The Chair explained that he had looked at governance structures within Europe and the USA. He had a very useful meeting with officers from the Office of the Deputy Prime Minister (ODPM) in London and meetings had been arranged with the Scottish Executive and the Department of Environment, Heritage and Local Government in Dublin. Information from these meetings will also feed into the issues paper on governance currently being prepared

The Chair asked the group to explore the idea of what form the governance structure might take within the new councils. It was agreed that the new decision making processes should incorporate the following three main areas – citizen engagement, accountability and democratic representation / service delivery.

Citizen Engagement

It was recognised that under this heading, there were some cross cutting issues with other sub groups, eg community planning and

capacity building. It was accepted that democratic accountability with open and transparent decision making was essential. A mechanism should be put in place to ensure accessibility for citizens and to engage with local communities, eg area committees with the co-option of community representatives. Such groups could be used within the scrutiny process as well as holding other public bodies to account and contributing to the council's vision and strategic plans.

Accountability

It was agreed that whilst checks and balances were considered to be essential within the governance system to prevent abuse of power, it was important that these should not be overly prescriptive.

Although central government will remain responsible for the policy and statutory frameworks within which individual transferred functions will operate, a series of checks and balances need to be agreed in relation to specific transferred functions.

Local Government Division is currently drafting a new Code of Conduct for elected members. A working group made up of representatives from the NI Local Government Association (NILGA), Local Government Staff Commission and Society of Local Authority Chief Executives (SOLACE) have drafted an outline document and are currently considering mandatory provisions.

It was considered that the Code of Conduct should also include a member / officer protocol and roles for both, and consideration may need to be given to this, including a clearer definition of the chief executives post.

LGD

The existing Equality legislation was recognised as an important part of the checks and balances process. However, it was accepted that it was vital that policy makers within local government took responsibility for embedding S75 principles into the decision making process.

Democratic representation v service delivery within the practical realities of Northern Ireland.

Discussion took place around the distribution of power (such as executive arrangements and the merits of an elected mayor), which needed to be put in place to allow decision making to take place. It was agreed that new local government arrangements should be established on the basis that participation and contribution by all councillors is recognised and valued by others and taken into account in shaping the policy and direction of each council.

How responsibilities in council are allocated and decisions made are critical factors in achieving inclusion and balance in representation that reflects the whole community in policy and service outcome.

Equitable participation by parties in the governance of councils is essential. Some debate followed about the issue of weighted majority voting, which is not uncommon in other parts of the UK, as a mechanism to prevent exclusion of minority parties and the power of general competence which enables councils in GB to take account of local needs.

Good relations duty was also highlighted as a key governance issue and members discussed how good relations could be further incorporated into good governance through an enhanced community leadership role for elected members.

3. **Project Initiation Document**

The Chair outlined the details of the Project Initiation Framework document and confirmed that this had been copied to the Taskforce Working Group.

It was highlighted that the draft Terms of Reference does not mention “shared future” as a directly relevant policy which government has publicly committed to being an overarching / underpinning set of principles which RPA implementation will fully complement. It was suggested that the Terms of Reference be amended to reflect this.

Some discussion took place surrounding the point “consult with relevant stakeholders where required”. Those with a direct interest in the issue of governance have been invited to sit on the sub group, there may also be those who may only be interested in certain issues of governance and it is important that these stakeholders are consulted when necessary.

The Chair advised members that following the meeting, a paper would be prepared summarising the key areas of discussion and these would be shared with the political representatives nominated to the governance sub group.

4. **Action points**

In conclusion, the Chair asked all members if anyone had carried out any relevant research on the issue of governance.

- i He asked everyone to give consideration to:
the issues needing to be taken into account in relation to governance in local government in Northern Ireland,
- ii which governance options are possible in Northern Ireland;
- iii which of these options won't work and the reasons for this.

Comments should be forwarded to Janet Cooper at janet.cooper@doeni.gov.uk by Friday 12 May.

**ALL
MEMBERS
(by 12 May)**

Action

Liam Hannaway. Duncan Morrow and Denver Lynn were asked to forward specific pieces of research they had carried out.

L. Hannaway
D. Morrow
D. Lynn

Ashley Boreland agreed to draft a gap analysis.

A. Boreland

5. **Any other business**

It was suggested that membership of the subgroup should be extended to include representatives from CBI, TUS, Democratic Dialogue and the Institute of Governance at Queens University. The Chair explained that a structured interview had already taken place with Bronagh Hinds at QUB.

6. The Chair explained that DoE Local Government Division had agreed the provision of both member and officer peer support to the Taskforce sub groups. The Improvement Development Agency (IDeA) had selected these peers on the basis of their knowledge, skills and experience of the subject area, policy development and change management. It was agreed that Stewart Ashurst, the governance officer peer should be invited to the next sub group meeting.

7. **Next meeting**

It was agreed that the next two sub group meetings should take place on 25 May and 15 June at 2pm in Lough Neagh Discovery Centre, Craigavon.

The Chair advised members that a discussion paper would be circulated in advance of the next meeting.