

Department of the
Environment

Review of the local
government aspects of
the RPA

Stakeholder engagement

November 2007

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Summary of the process

- 1.1 In June 2007 the Department of the Environment (DoE) commissioned PricewaterhouseCoopers LLP (PwC) to assist it in developing and articulating a shared vision for local government in Northern Ireland. This assignment was commissioned in the context of the decision of the Northern Ireland Executive to undertake a Review of the outcomes of the Review of Public Administration (RPA) in relation to local government.
- 1.2 The aim of this Review is to determine the number of councils and the range of functions in light of the restoration of devolved government and wider decisions on the RPA Implementation Programme. The parameters of the Review were determined by the options outlined in the RPA March 2005 consultation document and on the functions to be transferred as previously announced in March 2006, and are informed by the strategic direction of RPA reform.
- 1.3 The overall Review is led by a sub-committee of the Executive, chaired by the Minister of the Environment, which will report to the Executive in early 2008. The Review incorporates three strands:
 - Developing a shared vision for local government;
 - The functions to be transferred to local government; and
 - The number of councils.
- 1.4 During August and September 2007, PwC undertook a process of stakeholder engagement on the first strand of the Review: developing a shared vision for local government in Northern Ireland.
- 1.5 In October 2007, the Minister of the Environment, Arlene Foster MLA, announced a revised stakeholder engagement process, based on the *Emerging Findings* paper published by the Executive on 19th October 2007. In addition to the regional stakeholder event on 25th October in Cookstown, four sub-regional additional events were held in November. The purpose of these events was to enable stakeholders from local government and from the community and voluntary and private sectors to comment on the *Emerging Findings* paper following presentations from the three main central government departments featured in the proposals:
 - The Department of the Environment (DoE) Planning Service;
 - The Department for Social Development (DSD); and
 - The Department for Regional Development (DRD) Roads Service.
- 1.6 Over 120 people attended the event in Cookstown on 25th October, of whom the majority were elected members and Council officers. A number of government Departments were also represented, as well as representatives of unions and the voluntary sector and other stakeholders.
- 1.7 The regional stakeholder engagement event in Cookstown was followed by a further four sub-regional events on the *Emerging Findings* paper in the following locations:
 - Market Place Theatre, Armagh (12th November 2007)
 - Radisson Roe Hotel, Limavady (13th November 2007)
 - Strule Arts Centre, Omagh (15th November 2007)
 - Civic Centre, Lisburn (16th November 2007)

- 1.8 Over 200 people attended these sub-regional events, over a quarter of whom were elected members. A number of government Departments were also represented, as well as representatives of unions and the voluntary sector and other stakeholders.
- 1.9 The key discussion points arising from the Cookstown stakeholder engagement event and the four sub-regional events are presented in the sections which follow.
- 1.10 It is important to note that the main purpose of this document is to provide an overall flavour of the discussion in the breakout groups, and to highlight some of the specific points that were made during the sessions. It should not be considered to be a definitive and detailed statement of every issue that was discussed. Given the wide-ranging nature of the discussions, these summaries should be considered as representing the variety of issues raised rather than as the consensus across the groups convened in the course of the events.

Key Discussion points: Regional event, 25th October 2007

Stakeholder Event, Cookstown, 25th October 2007

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Stakeholder event: Glenavon Hotel, Cookstown 25th October 2007

KEY DISCUSSION POINTS

General observations

- The immediate reaction of local government stakeholders to the proposals presented in the Department's Emerging Findings paper was one of disappointment, frustration, concern and, in some cases, anger.
- This mainly centred around what was perceived to be the very limited range of proposed functions to be transferred and the implied lack of respect for local government's capacity to deliver.

Have you any further comments on the proposed *Shared Vision*?

- There was general agreement with the Vision statement, although there were some concerns/comments in the groups regarding the need to:
 - Include reference to democratic accountability through locally elected representatives
 - Refer to Council employees in the Vision, as they are key to delivery
 - Promote the importance of the 'key principles' in the Vision
 - Ensure the Vision is "bold and ambitious"
 - Ensure the Vision is people-centred rather than money-centred
 - Consider whether the Vision should be enduring rather than flexible/evolving

What should be the three key determinants in deciding Council numbers?

- The point was made that "form follows function" ie the functions of local government should be agreed first and this should be the key determinant of the numbers.
- Linked to this was the view amongst many participants that the proposed functions for transfer do not warrant any major change in numbers: "is it worth the candle?"
- One group thought that 'service delivery' should not be a key determinant as much can be

achieved through shared services/collaboration.

- One group thought that 'people aspects' should be most important (local identity, accessibility, accountability etc)
- Another group suggested co-terminosity, service delivery scale and the rating wealth base were important.
- Some participants thought that there should be a more in-depth analysis of the costs and benefits of the proposed numbers (7, 11 or 15) to inform the debate.
- There was a view amongst some participants that 'local identity' is the key factor and that citizens identify strongly with their Council area, particularly their local towns and villages.
- One group thought that 7 councils would not protect local identity, particularly in relation to small rural communities.

Are the proposed functions sufficient to enable Councils to fulfil their role as envisaged by the Vision?

- Participants voiced extreme concern and frustration over the limited scale and nature of functions to be transferred: "crumbs from the table"
- The list of transferred functions does not reflect the Vision or the RPA principle of 'strong local government':
- Participants thought that the proposed functions were not sufficient to enable local government to take a leadership role in shaping the community.
- Community planning is going to be a challenge in these circumstances – maybe pilot approaches are needed.
- There was a view that Councils would have insufficient 'clout' to influence other agencies working in their areas.
- There was a perception that the functions for transfer were those that have been under-resourced historically and that are difficult to deliver – it was argued that Councils should have an input into funding discussions regarding the functions.
- There was a strong feeling that the reference in the Emerging Findings paper to the concern for the impact on DSD staff morale of the transfer of urban regeneration functions to local government, was insulting and de-motivating to Council staff.
- Some participants asked what had invalidated the work of the RPA in identifying a wider group of functions.
- Consultation with Planning Service was said to happen already, however ineffectively, and decision-making powers were thought to be more important than 'influence'.
- There were comments that the proposed transfer of some Local Economic Development (LED) functions was not additional and Councils are already delivering these functions.
- There was some debate in the groups over whether libraries, and also youth services, should be transferred.
- Participants referred to the NILGA Manifesto for the list of functions that Councils wished

to be transferred, although the challenge was put to local government – “is the NILGA list of functions what you want?”

- One of the speakers described the proposals as a “family of functions” -planning, urban regeneration and LED – but the Emerging Findings paper does not attempt to sell them in this way.
- The criteria that were used to identify the functions appear to relate solely to financial considerations and this is reinforced by the figures provided in the Emerging Findings paper - the question was asked if there should not be an objective set of criteria used for selecting the functions rather than just what Departments are prepared to give up.
- Participants highlighted the relative lack of powers enjoyed by local government in NI compared to the rest of the UK and Ireland.

Over what timeframe should the reform programme be achieved?

- If there is to be a phased approach, this should be enshrined in legislation to build trust
- There were mixed views on whether 10 years is an appropriate timeframe - some suggested that implementation could be quicker if lessons are learnt from reform elsewhere while others thought this was realistic.
- There is a need for a clear timeline with associated milestones.
- Participants voiced frustration that the process has not yet begun – five years after the initial RPA work commenced.

How should progress be monitored?

- Independent monitoring and evaluation can only take place once decisions are made on functions and numbers.
- Local government should be involved in monitoring and evaluation.
- This needs to be explored in more detail when there is greater certainty about the way ahead.

Other comments

- There was a clear view that there is an unequal relationship between central and local government and that the proposed functions for transfer were a manifestation of the lack of trust that central government has in the local government sector
- Participants were concerned that local government should be required to earn the trust of central government
- The process of stakeholder engagement and the opportunity for a Q&A session with the panel of Departmental representatives was welcomed by some participants
- However, concerns were raised regarding the distribution of the Department’s Emerging Findings paper and the lack of time for Councils and other stakeholders to consider its implications – a significant proportion of participants had not had the opportunity to read the paper yet

- This was contrasted with the more in depth engagement on the Vision with workshops over the summer followed by the September event.
- There were also concerns expressed regarding the three week period for the November stakeholder engagement phase and overall timetable for the Review with written submissions required by 16th November
- On the other hand, low levels of morale in the sector, given the uncertainty of the last five years, were highlighted by several participants (in relation to job security and career development) and it was noted that morale was likely to deteriorate if reform was delayed further
- The need for political engagement on the functions – within political parties and between Ministers and local Councillors – was raised. Several participants highlighted the need for Councillors to instigate a debate on the future of local government within their political parties

Key discussion points: Sub-regional events, 12th-16th November 2007

Sub-regional Stakeholder Events, 12th-16th November 2007

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*Sub-regional stakeholder events:
Monday 12th to Friday 16th November 2007*

KEY DISCUSSION POINTS

General observations

- Overall there was a widespread sense of disappointment and frustration, particularly among local government representatives, with the limited nature of the proposed functions to be transferred. The view was repeatedly expressed that the proposals in the Emerging Findings and presented by the Departmental representatives did not reflect the RPA principle of 'strong local government' or the shared vision of local government as a leader of their communities.
- At the same time there was also a strong desire for a decision to be made quickly as the process has already lasted over three years and further delay will only lead to greater uncertainty and further lowering of morale and loss of staff in both central and local government.

Have you any further comments on the proposed *Shared Vision*?

- There was general agreement with the Vision statement, although there were some comments in the groups regarding the need to:
 - Reference the accountability of councils
 - Make the vision more positive and dynamic
 - Emphasise the inclusive nature of any new arrangements
 - Note the importance of a partnership approach embracing the community and voluntary and private sectors, with local government 'at the hub of the wheel'.

- There was a very firm view across all four events that there was a disconnect between the vision for strong local government and the functions proposed for transfer: ***“the vision is aspirational but is meaningless if not supported by the functions underpinning it, the current proposals make a nonsense of it”***.

Are the proposed functions sufficient to enable Councils to fulfil their role as envisaged by the Vision?

- The majority of participants responded that the proposed functions were not sufficient to deliver the Vision or the proposed community planning role and that the RPA principles of strong local government and subsidiarity appear to have been abandoned.
- Community planning elsewhere was thought to be problematic for councils with more powers than those proposed and time is required for new community planning arrangements to ‘bed in’.
- The success of community planning was thought to depend on the resources available for implementation and on a requirement placed on Departments and other agencies to participate. There should be local accountability and councils should not be expected to lobby, for example, the local roads manager.
- There was a clear view that there should be greater cohesion around the functions to be transferred. A “family of functions” was referred to in a number of groups. This should be based on a bottom-up approach in deciding what services are best delivered, or accessed, at a local level and an intention to create more joined-up services (including one-stop shops).
- Roads, planning and urban regeneration were viewed as crucial to secure effective local economic development.
- Many participants thought that councils should have responsibility for local roads functions (not just the minor public realm aspects of the function suggested). There were some queries regarding the basis on which the Roads Service had calculated the costs for the three options provided during their presentation and the need to address the benefits of decentralisation in this regard was highlighted. There were some concerns that sufficient resources for these functions would not be made available.
- Several participants suggested libraries, youth services and community relations as another ‘family’ of functions that would enhance the role of local government in community development (e.g. addressing issues such as anti-social behaviour) as well as maximising the use of the public estate.
- Greater clarity is required in respect of the planning proposals and there were some concerns regarding the perceived creation of a “two-tier system”. Some groups thought that councils required overall responsibility for development planning functions (not just 80-85%) and that their power to act would be circumscribed by the current proposals.
- There was a suggestion that local government should be given ownership of the Invest NI land bank to improve local regeneration, although Invest NI and DETI representatives

argued that Invest NI owned only a limited number of sites. One group also advocated the transfer of trading standards.

- Some participants suggested that there is a “multiplicity” of potential delivery mechanisms and that the functions should not therefore necessarily determine the numbers of councils. There was a view, however, amongst some, that the current functions for transfer do not warrant a change from the 26 council model.
- Overall, there was a clear desire to ensure that the new arrangements should be more effective and less bureaucratic and should deliver higher quality public services: **“strong local government should not be measured solely in terms of money but rather in better government”**.

What should be the three key determinants in deciding Council numbers?

- Attendees were of the view that the number of councils is a political decision and, as such, should be made as soon as possible. Some suggested that functions could follow form once this decision is made.
- Suggested determinants in regard the numbers were as follows:
 - Local identity
 - Geography/history
 - Population distribution and travel to work distance
 - Protection of minorities (including migrant workers)
 - Access to services
 - Accountability
 - Service delivery scale

Over what timeframe should the reform programme be achieved?

- There was a general consensus that a decision regarding the future of local government should be made as soon as possible to enable planning and capacity building to begin now in preparation for 2011: **“we can’t hang on for ever”**. Participants emphasised that clearly set out phases and milestones for the implementation process are needed. There is a need for a rapid decision and a well-planned change management programme. There was some suspicion, however, that “phased” would translate as a retention of powers.
- Participants warned that any further delay would worsen staff morale. There was a perception that the general public and community groups were also becoming disillusioned with the length of time taken to reach a decision.

How should progress be monitored?

- There is a need for independent external monitoring of progress.
- Citizens should be involved in the evaluation process.

Other comments

- There was a view that the proposals reflected a departmental 'silo' approach to public sector delivery. The view was that there should be a more integrated approach to determining the respective roles and functions of both local and central government.
- Some participants commented that the working relationships between central and local government should be defined in statute and that local government should have a role in informing policy development at a regional level.
- Comparisons should be made with the role and functions of local government elsewhere, particularly in Great Britain and the Republic of Ireland.
- There is a need for more discussion on the role of the community and voluntary sector in the new arrangements.
- The issue of risk-taking on the part of local and central government was discussed, with a view that the process of putting in place new arrangements should not be delayed until functions were 'fit-for-purpose', i.e. planning.
- Greater certainty and stability are required to address concerns about staff morale. Particular concerns were raised regarding retention difficulties in the local government sector as well as the references to the skills needs of the sector in the *Emerging Findings* paper (which were perceived as 'insulting' to local government personnel). There was a demand for a rational discussion on staffing issues such as the location of jobs both between local and central government and between councils.
- Several participants voiced concerns regarding the "drift in democratisation" resulting from a lack of representation of local government on Health and Social Services Boards and other large quangos. It was thought that the current arrangements "did not reflect a partnership of equals" and that councillors could not apply any significant influence over, for example, health and education services.
- Some participants also highlighted the need to engage more widely on the *Emerging Findings* and to involve the wider community in discussions on the future of local government.
- More detail were requested regarding the implementation of the changes, particularly in regards to potential Departmental regional structures. Departments appeared to be examining options in isolation from each other as to how best to deliver future activities,
- Councils were seeking reassurances about the transfer of adequate funding and other resources in respect of activities.