

STRATEGIC LEADERSHIP BOARD

MINUTES OF MEETING HELD ON 22 May 2009

Belfast City Council Learning and Development Centre

Members:	Cllr Sammy Wilson, MP, MLA	Environment Minister, Chair
	Cllr Helen Quigley	SDLP, NILGA
	Cllr John Mathews	Alliance, NILGA
	Cllr Sean McPeake	Sinn Fein, NILGA
	Cllr John O’Kane	SDLP
	Cllr Tony Hill	Alliance
	Cllr Jim Wells, MLA	DUP
	Cllr Joanne Bunting	DUP, NILGA
	Ald Arnold Hatch	UUP, NILGA
	Ald Sam Gardiner	UUP
	Cynthia Smith	DOE - Planning Service
	Barry Jordan	DRD
	Henry Johnston	DSD
	Ashley Boreland	LG Adviser (Ards BC)
	John McGrillen	LG Adviser (SOLACE)
Apologies:	Stephen Peover	DOE
	David Ferguson	DSD
	Geoff Allister	DRD
	Cllr Sean Begley	Sinn Fein
	Peter McNaney	LG Adviser (RPA Working Group)
Joint Secretariat:	Ian Maye	DOE Joint Secretary
	Heather Moorhead	NILGA Joint Secretary
In Attendance:	Graham Craig	Special Adviser to Minister
	Helen Richmond	NILGA (minute taker)
	Brenda Mooney	DOE
	Jackie Lambe	DOE
	Angela Fitzpatrick	DOE
	John Price	DOE
	Speers Charters	DOE
	Noreen Donnelly	DOE
	Louise Thompson	DOE
	Nora Winder	NILGA
	Paula McGarrity	DOE

1 WELCOME AND MINUTES OF LAST MEETING

1.1 The Chair welcomed everyone to the meeting and extended a special welcome to Barry Jordan, who in Geoff Allister's absence was representing the Department for Regional Development (DRD), and Henry Johnston attending on behalf of David Ferguson Department for Social Development (DSD).

1.2 Apologies were tendered on behalf of Geoff Allister, David Ferguson, Stephen Peover, Councillor (Cllr) Sean Begley and Peter McNaney. The minutes of the last meeting, held on 10 April 2009, were agreed.

2 MATTERS ARISING

Paragraph 1.2 Minutes of Meeting Held on 06 March

2.1 Members were advised that the minutes of 06 March were amended as requested.

Paragraph 2.3 Secondment

2.2 Members were advised that this item will be covered under Agenda item 4.

Paragraph 2.6 Programme Management System

2.3 It was confirmed that an assignment brief had been prepared for project management consultancy support relating to the appointment of a strategic adviser to further develop and deliver planning and programme management and to subsequently implement a programme management system. The tender for the appointment was advertised on 20 May and it is hoped that the contract will be awarded by the end of June. Following a query from Cllr Bunting about the need to employ an outside consultant, the Chair confirmed that the appointment is expected to last six weeks for developing the plan and system specification, and four weeks for assisting implementation after procurement of system.

**Joint
Secretariat to
coordinate**

Paragraph 2.10 HR Implementation Issues

- 2.4 It was confirmed that this item will be covered under item 5 of the agenda.

Paragraph 2.17 Legislative Summary

- 2.5 Copies of the updated version were tabled and it was confirmed that e-copies would also issue to members. **DOE to coordinate**
- 2.6 The Chair confirmed that following clearance by the Executive it is hoped that the Local Government (Miscellaneous Provisions) Bill will be introduced to the Assembly by end of June 2009.

Paragraph 4.11 Transfer of Functions

- 2.7 The Chair confirmed that he has written to his DSD and DRD Ministerial colleagues for their views on whether or not they are content to accept the marginal changes proposed to the transferring functions. He has also offered to meet with them individually to discuss matters further, if they consider a meeting appropriate. In the interim, DRD and DSD representatives have briefed their respective Ministers.

Paragraph 7 TUPE

- 2.8 In relation to communicating the Executive's commitment to The Transfer of Undertakings (Protection of Employment) Regulations (TUPE), it was confirmed that this was included in the "Key Outcomes from SLB" paper which issued a few days after the last SLB meeting. A copy of the response to the Assembly Question from Tom Elliott on TUPE was also sent to all council Chief Executives.

Paragraph 7.8 Review of Structures

- 2.9 Members noted that this item will be covered under Agenda Item 9.

Paragraph 7.10 - Letter to Paul Simpson

- 2.10 The Minister confirmed that he had written to Paul Simpson, on behalf of the SLB to wish him a long and happy retirement.

3 PDP UPDATES 3

- 3.1 **Panel A Dashboard Overview Report (SLB 20/2009)**

3.1.1 Cllr Bunting spoke to the Dashboard overview report. She explained that consideration by the Panel on how community planning might operate and the associated guidance framework for councils had been delayed by the additional work on guidance for the statutory Transition Committees. Cllr Bunting assured the SLB that the Panel will make sure that deadlines are met and that there is no further slippage.

3.1.2 Cllr Bunting asked the Minister if he could, possibly through the Local Government Executive Sub-Committee, highlight to ministerial colleagues that councils should be the lead bodies in community planning and Departments should take account of this in any community planning type initiatives they are now working on. The Minister confirmed the issue would be discussed at the Executive Sub-Committee meeting and a note would then be sent to all ministerial colleagues highlighting this issue.

3.2 **Policy Development Panel B Update (SLB 21/2009)**

3.2.1 Cllr Quigley provided an update on Panel B. Work continues on the development of guidance in relation to drafting of a suitable Customer Service Strategy for local government and it has been agreed that the Cabinet Office Customer Service Excellence principles will be used as basis.

3.2.2 A Steering Group has been established to take forward a consultancy assignment to develop a Procurement Strategy on behalf of the sector.

3.2.3 The Joint Secretariat proposes to develop closer working relations with Transition Committees and Transition Management Teams to ensure that outputs produced are suitable to their needs and really assist them in the transition process.

3.2.4 Cllr Quigley also indicated that decisions on the appropriate options in relation to an appropriate network for the sector are becoming more critical and the Panel members are looking forward to considering proposals from the Department at the earliest possible opportunity.

3.3 **Policy Development Panel C Update – (SLB 22/2009)**

3.3.1 Alderman Hatch provided a brief overview of the work of Panel C along with an update on the progress on **the Assessment of Options for Local Government Service Delivery** being taken forward by PwC.

He outlined that PwC had produced a draft report on 08 May 2009 which was issued to Panel C members and advisors for consideration. The report lacked clarity and was considered to be insufficient, therefore DOE and NILGA met with PwC on 13 May and asked the consultants to substantially revise what had been put forward.

3.3.2 A revised timeline has been agreed with the consultants and, at a meeting to be held on 27 May, a revised report will be presented to Panel C who will have three weeks to fully consider the detail and consult with their parties. The Panel will meet again on 22 June to formally agree comments and recommendations on the report and these will be presented to the SLB for its meeting on 03 July.

**Joint
secretariat to
coordinate**

3.3.3 A special SLB meeting, to consider the report and Panel C's views, was arranged for 19 June. However, in view of the revised timescale for the report, this meeting has been cancelled.

3.3.4 **PSC Guiding Principles**
Alderman Hatch indicated that at the Panel C meeting on 27 May members will be considering the application of the PSC guiding principles. He said that a related issue is the provision of a severance scheme for local government officers and pointed out that there is a case to be made for central funding of such a severance scheme given that this was provided for in relation to the health and education reforms.

3.3.5 He also urged that any scheme is in place prior to the establishment of the statutory Transition Committees, who will be tasked with the appointment of senior officers, to allow current senior officers to make informed choices. Alderman Hatch explained that while the Human

3.3.6 Resources (HR) Group can consider the options for funding of severance, an urgent piece of work is required to estimate the potential costs of severance which may require a certain level of actuarial expertise.

Capacity Building

3.3.7 Alderman Hatch also brought members up-to-date with progress on capacity building issues. He indicated that substantial work has been done over the past few weeks by the Capacity Building Working Group on the implementation issues and that the Group is currently gathering some information relating to the transferring functions and estimation of the costs of the proposed training. It is anticipated that a final report will be presented to the SLB at its 03 July meeting.

Powers of Vesting and Disposal of Land

3.3.8 Alderman Hatch raised an additional item. He outlined that Panel C had recommended in its primary legislative proposals that it was essential that legislation is made to enable the 11 new councils to acquire, hold, manage, develop and dispose of land and buildings in connection with their range of functions, including environmental and social improvement, or well-being of their districts, or in connection with their other statutory functions.

3.3.9 It had been decided, however, since then that this provision was not essential for transition and has not been included in the Miscellaneous Provisions Bill. Alderman Hatch considers that this decision has not taken account of the proposed community planning and well-being functions which, as they are 'new', will not be 'transferring' with associated powers.

The Minister acknowledged the importance of rationalising the various vesting powers that local government will have, to provide local government with a general power and a single process to vest land in support of community planning and the power of well-being. However, he explained that there are some 40 Bills in the Executive's legislation

programme up to 2011 and therefore he could not agree to the inclusion of any issues that are not crucial to transition. He did commit to bringing forward the necessary legislation as soon as possible after 2011, with the associated policy work done prior to 2011.

4 **STAFF SECONDMENTS - (SLB 23/2009)**

4.1 Alderman Hatch spoke to the paper on staff secondments. He explained that Panel C recommends that, as a general rule, staff should transfer to the new councils. It recognises, however, that in exceptional circumstances secondment may be appropriate and that further work should be taken forward to develop a clearly defined set of criteria to identify the specific exceptions when secondment may be appropriate; and as secondment of civil servants has taken place in the health sector (from the beginning of April) the proposed Local Government Reform Joint Forum (see agenda item 5) maintains a watching brief on the effectiveness of this option.

4.2 The Minister shared Panel C's view that staff moving on secondment should be the exception rather than the rule, whilst acknowledging that the final decision will be for the Executive.

4.3 It was agreed that the Secondment paper will be placed on the agenda for discussion at the forthcoming Executive Sub-Committee and the Minister will keep members informed of developments.

DOE to coordinate

5 **HR IMPLEMENTATION ISSUES - (SLB 24/2009)**

5.1 Alderman Hatch spoke to the paper. It was agreed that a Local Government Reform Joint Forum should be quickly formed to take forward HR Issues. The Joint Forum will consist of two groupings; the Employers side and Trade Union side. It will be a matter for each group to agree its representative membership. The Minister indicated that he wished to carefully consider the accountability arrangement of the Forum and will write to members soon outlining his decision.

DOE to coordinate

5.2 It was also agreed that the Regional Transition Coordinating Group (RTCG) should take responsibility for taking forward HR

implementation issues.

- 5.3 The Minister also confirmed that the revised PSC fourth Guiding Principle will apply to the filling of posts within the new structures. A copy of the revised Principle will be circulated to members.

6 **FINANCE AND ESTATES IMPLEMENTATION ISSUES - (SLB 25/2009)**

- 6.1 Alderman Hatch outlined a number of Finance and Estates implementation issues and secured SLB agreement to these recommendations being passed to the RTCG for implementation.

- 6.2 Some discussion took place on the closing of accounts for the old councils in 2011. The Minister supported the view that accounts should run for a 14 month period; but it was generally acknowledged that the issue needs quickly resolved.

- 6.3 Alderman Hatch also outlined the views of the Panel on the implementation accountability arrangements and explained that Panel C should have a direct and ongoing role during the implementation process. The Panel considers the role of the SLB as too remote from the complex issues. It was agreed that the Panel views on accountability will be considered as part of the review of Local Government Reform Programme Organisational Structures.

**Joint
secretariat to
coordinate**

7 **LOCAL GOVERNMENT REFORM IMPLEMENTATION
FRAMEWORK - (SLB 26/2009)**

- 7.1 John Price spoke to the paper. The usefulness of the document was acknowledged. The Joint Secretariat will make some further minor amendments and it was agreed that the framework would issue with an appropriate covering note with the Key Output Paper after each SLB meeting.

8 **REGIONAL TRANSITION COORDINATING GROUP AND
TRANSITION COMMITTEE UPDATE - (SLB 27/2009)**

- 8.1 John Price outlined the key points discussed at the RTCG meeting held on 30 April and the progress of the Transition Committees. This included confirmation that RTCG endorsed the advisory notes - for

the Transition Committees and Transition Management Teams - on Key Tasks and Milestones (Circular LG 07/2009) and on Winding-Up Arrangements (Circular LG 08/2009). These issued on 05 May 2009.

8.2

Alderman Hatch raised a query over whether the council needs to seek the approval of the relevant Transition Committee to proceed with capital loans. The Department confirmed that this will not be a requirement until the establishment of the statutory Transition Committees, but that it would be best practice to keep the voluntary Transition Committees informed. It was agreed that any future correspondence from the Department to councils should refer to the need for capital expenditure loan sanctions to “be discussed” and not “approved by” voluntary Transition Committees.

**DOE to
coordinate**

9

**JOINT SECRETARIAT PAPER ON REVIEW OF LOCAL
GOVERNMENT REFORM PROGRAMME STRUCTURES (SLB
28/2009)**

9.1.

Ian Maye spoke to the Review Paper. He reiterated that the review would be completed in accordance with the project timetable i.e. 14 August 2009.

9.2

The Minister agreed with Heather Moorhead’s recommendation that NILGA writes to each of the five main Parties seeking their agreement to postpone the handing over of the chairmanship of the three Policy Development Panels (PDPs) until after the Review. This will allow members who have served on the respective Panels to have the opportunity to put forward their views as part of the evaluation. Heather explained that changing the chairmanship, because of the application of D’Hondt, is likely to result in some members moving to serve on other Panels, which could mean losing the opportunity to utilise their past experience as part of the review.

**NILGA to
coordinate**

10

ANY OTHER BUSINESS

10.1

Planning Reform

The Chair reiterated his commitment to transferring the relevant planning functions to the new district councils. He explained that constructive discussions are continuing with Sinn Féin to resolve the outstanding issues in relation to the draft planning reform

consultation paper. This is in order that the planning reform consultation paper can be issued as soon as possible.

Response from Minister Goggins on Proposal for Co-Option

10.2

Cllr Quigley advised the Minister that Minister Goggins has written to NILGA and committed to give further consideration to amending the co-option scheme following the outcome of the consultation on severance for elected members. She advised that once the outcome of consultation is known, NILGA will write again to Minister Goggins to remind him of his commitment.

**NILGA to
coordinate**

Progress with SOLACE and Property Services (LPS) Working Group

10.3

Councillor Quigley updated the Chair on local government discussions with LPS. It is intended to ensure that local councils have a greater input into the decision-making process and governance of the LPS. A meeting with LPS will take place on 28 May. LPS has already indicated that it would be keen to have a representative from NILGA to participate in its strategic meeting and it is hoped that arrangements for this can be finalised at the meeting on 28 May.

Ministerial meetings

10.4

Councillor Quigley also advised that NILGA has arranged a series of meetings with a number of Ministers to highlight local government reform and as a first step in building more productive relationships with central government to support community planning.

10.4.1

Councillor Quigley said that the meeting with Minister McGimpsey has had to be rescheduled because of the confirmed swine flu case and will now take place on 02 June. She also advised that a very useful meeting with Minister Murphy had taken place and that he had given his commitment to work closely with local government. He has also asked that the local government / DRD sub-group continue to work together on looking at how DRD could work more closely with councils in devising the local roads objectives and arrangements for

this are underway. Minister Murphy also acknowledged that the future decisions made by the Executive Sub-Group Committee would be essential in ensuring real engagement between local and central government.

- 10.4.2 Councillor Quigley confirmed that NILGA will write to Minister Murphy thanking him for the useful meeting and NILGA will continue to develop the working relationship with the Minister and his officials in the coming months.

**NILGA to
coordinate**

10.5 **Seminars for Transition Committees and Transition Management Teams**

- 10.5.1 The SLB agreed to hold a series of seminars (designed by the SLB Joint Secretariat with the support of SOLACE) to guide and support members in taking a lead role during the transition process.

A one day event will be held in early July - with the morning focusing on providing further information on the tasks ahead for the Transition Committees and the leadership role for elected members. The afternoon session will provide Transition Committee members with an opportunity to get together to share best practice, highlight any particular problems and, essentially, to encourage networking.

**Joint
Secretariat to
coordinate**

11 **DATE OF NEXT MEETING**

- 11.1 The Chair confirmed that the next meeting of the Board would be held on Friday 03 July 2009 at 10.00 am in the Learning and Development Centre.