

## **Key Outcomes from Strategic Leadership Board (SLB) 16 October 2009**

### **1. Welcome**

#### **Minutes of Meetings**

- Minutes from the previous SLB meeting on 14 August 2009 were approved. The revised minutes are available on the Local Government section of the DOE website on [www.doeni.gov.uk](http://www.doeni.gov.uk) and NILGA's website [www.nilga.org](http://www.nilga.org).

#### **Personnel Changes**

- Minister Poots noted that since the last SLB, Councillor John Mathews had taken over as President of NILGA and therefore as Vice Chair of the SLB. He also welcomed Wesley Shannon as the newly appointed Director of Local Government Policy Division.
- It was noted that Alderman Sam Gardiner (MLA) would resign from SLB and that NILGA will confirm the name of the replacement Ulster Unionist Party representative.

### **2. Economic Appraisal**

#### **Assessment of Options for Local Government Service Delivery – Phase 2 Report**

- PricewaterhouseCoopers (PwC) presented a summary of their Phase 2 report to SLB members. The report provided a clear assessment of costs and benefits of each of the five options for local government reform, as identified in the Phase 1 report.
- The report identifies potential savings within Option 5 of £438m with an upfront investment of £118m.
- The Minister informed SLB of his intention to make a statement to the Assembly early the following week. This would reaffirm his commitment to taking the Local Government Reform Programme forward and in doing so publish the PwC report and commence a 6-week stakeholder engagement process.
- The Minister encouraged the political representatives of the SLB to engage with their party leadership on the report's proposals and requested that they and NILGA present their responses by early December 2009.

### **3. Implementation Update**

#### **Local Government Reform Executive Sub Committee**

- It was confirmed that the Executive Sub Committee met on 15 September 2009.
- It was reported that this was a productive meeting during which Ministers:
  - agreed marginal changes to the transfer of functions package;
  - committed their respective departments to the engagement requested by local government in relation to community planning;
  - were updated on the Service Delivery Project;
  - considered the budget constraints that the Executive is working under and confirmed that the Department of Finance and Personnel (DFP) will require a very clear assessment of costs and benefits of implementation along with the details of how these pressures will be funded;
  - noted that the temporary transfers, based on those applied in the case of Department of Health (DHSSPS) staff whose functions transferred to the new Health and Social Care bodies on 1 April 2009, had many advantages in terms of flexibility, business continuity and cost;
  - agreed that the temporary transfer arrangement adopted in health would be the starting position for central government representations in discussions in the Local Government Reform Joint Forum.
- NILGA reported that they had made further representations to the Department for Social Development Minister, Margaret Ritchie on the issue of transfer of Travellers' Transit Sites. David Ferguson confirmed that Minister Ritchie was giving further consideration to this issue and indicated that the Minister would be clarifying the position before the Draft Urban Regeneration and Housing Bill was presented to the Executive.

#### **Names of New Councils**

- Minister Poots reported that the Department had written to voluntary Transition Committees on 27 August to invite them to put forward their views on the names of the new councils by the end of September. Cookstown, Dungannon & South Tyrone and Magherafelt was the only Transition Committee to submit an agreed response by the deadline to confirm that their Committee was content with the Commissioner's proposed name of Mid Ulster.

- It was reported that other Transition Committees had requested an extension to the timescale but it was explained that this was not possible due to the tight timescale for the Local Government (Boundaries) Order.
- The Minister confirmed, however, that he had asked officials to consider the existing provisions of the 1972 Local Government Act to determine whether changing the names of councils could be available to Statutory Transition Committees.

### **Transition Committee Update**

- Minister Poots confirmed that he had visited three Transition Committees and that he planned to visit the others by the end of the year. The purpose was to endorse the crucial role these Committees have to play in the implementation of the reform programme.
- It was noted that consideration is being given to the timing and content of the next Transition Committee seminar.

### **Planning and Programme Management**

- PA Consulting, who were commissioned by DOE and NILGA in June 2009, provided SLB members with a presentation on their recommendations on planning and programme management, including reporting templates for the reform programme.
- These recommendations were produced following consultation with stakeholders, including SLB members, Policy Development Panels and Transition Committees.
- It was reported that DOE and NILGA were currently investigating ways to provide Transition Committees and Transition Management Teams with training and support in completing the new templates. Consideration was also being given to the inclusion of Transfer of Functions and legislative progress in the proposed reporting system.
- SLB members agreed the recommendations made by PA Consulting and the programme reporting templates.

### **Local Government Reform Implementation Framework**

- SLB members noted the updates to the key policy strategic milestones in the reform programme.
- It was noted that the PA Consulting work on new reporting templates and programme plans should replace this framework once this system is operational.

## **Review of Local Government Reform Programme Structures – Final Report**

- This report outlined the key findings and recommendations in relation to the review of current structures for managing and integrating the reform programme.
- In response to a NILGA recommendation, the Minister agreed that in order to avoid disruption the existing Chairs of the PDPs should not change.
- It was agreed that NILGA would develop a further paper as a matter of priority on the detail of arrangements for a small ‘top up’ to the Regional Transition Committee (RTC) to ensure political balance.

## **Regional Transition Co-ordinating Group (RTCG)**

- An update was provided on the last two RTCG meetings held on 3 September and 8 October.
- It was reported that the meetings had focused on the PwC Assessment of Options for Local Government Service Delivery Phase 2 report, for which RTCG was the steering group.
- It was confirmed that RTCG is taking forward the implementation of the recommendations in the third Finance and Estates Working Group report.
- It was reported that RTCG had also agreed a local communications strategy, subject to some minor amendments, that was designed to assist Transition Committees at local level. Communication representatives from each of the Council clusters continued to meet through the Local Government Reform Communications Group, to receive information and support on tailoring the strategy to their needs and resources, while agreeing the common themes and messages.
- SLB members were advised that RTCG had also considered updates on Community Planning, the work of the Finance and Estates Implementation Group and the Transfer of Functions Working Group.

## **Local Government Reform Joint Forum Update**

- It was discussed that the Joint Forum has recently finalised and agreed a Vacancy Control System for district councils, two of the Waste Management Groups – Southern Waste Management Partnership (SWaMP2008), and the Eastern Region Waste Management Group (Arc21), which came into operation on 1st October 2009 on a phased basis.
- It was also reported that agreement has been reached on the final arrangements for local consultation and negotiation arrangements for Transition Committees.

- It was confirmed that work is ongoing around severance arrangements for staff and the procedure for filling posts in new organisations.

### **Response from Minister Goggins on Co-option**

- Minister Poots confirmed that he met with Minister Goggins in early September to discuss possible amendment to the legislation on co-option (i.e. the process of filling casual vacancies of elected members in councils).
- Minister Poots advised that he had received Minister Goggins' proposal that week and that Minister Goggins would publish a consultation paper on the proposals within the next few weeks. The Minister indicated that he would keep SLB members informed of developments.

## **4. Policy Development Panel Updates**

### **Policy Development Panel (PDP A) – Governance, Central/Local relations and Community Planning**

- PDP A outlined their proposals for a phased programme of activities that could be undertaken by Transition Committees to prepare for the introduction of statutory Community Planning in 2011.
- The Panel recommended that a regional Community Planning Task and Finish Group should be established. This would report to the new Regional Transition Committee and PDP A would propose the Terms of Reference.
- It was discussed that the lessons learnt from the programme would be important for the future operation of Community Planning meaning there is a need for effective evaluation of the programme as it proceeds and at its conclusion.
- It was agreed by members that all Departments should fully co-operate and support Community Planning.
- Cross border co-operation was also raised.

### **Policy Development Panel B – Service Delivery**

- PDP B confirmed that work was continuing on the preparation of guidance on the key characteristics of a local Customer Service Strategy and work was nearing completion on the IT system needs for local government, including prioritisation of Information Systems Strategy Projects.
- The Panel reported that it will be beginning work on the development of guidance to support the Service Delivery and Performance Improvement Framework for the new councils within the next three months.

### **Policy Development Panel (PDP C) – Structural Reform**

- PDP C presented two papers to the SLB - one on pension provision for Central Government staff and the other on the arrangements for striking the district rates in 2011/12 (details below.)
- The Panel also indicated that they would be looking at proposals on funding arrangements for the transferring functions in the next three months.

### **Pension Provision for Northern Ireland Civil Service (NICS) Staff Transferring to Local Government**

- This paper confirmed that the Panel had considered 3 pension options:
  - Option 1 – transferring NICS employees should join the Local Government Pension Scheme (LGPS);
  - Option 2 – transferring NICS employees remain within the Principal Civil Service Pension Scheme Northern Ireland (PCSPS(NI)); and
  - Option 3 – create a new comparable scheme.
- The Panel recommended Option 2 as the preferred option as this has the least detrimental effect in terms of financial, administrative and logistical impact.
- It was recommended and agreed that further work was required on this and that the issue should be remitted to the Joint Forum to consider the operational aspects of implementing the preferred option.

### **Striking District Rates for 2011/2012**

- This paper recommended that district rates for 2011/2012 should be struck by Statutory Transition Committees (STCs) by February 2011 for the full financial year on an 11-council basis. This would mean that for approximately six weeks (1 April – mid May 2011) ratepayers will pay the rate of their relevant new council rather than their existing council.
- It was considered that, for legal reasons, this might mean that STCs, rather than existing councils, would have to receive the income from district rates for this 6-week period. Whilst it was recognised that the legal position is still being explored, it was considered preferable that, if possible, legislation should enable STCs to distribute this rates income to existing councils during this 6-week period, by way of a previously agreed formula. This would enable existing councils to carry on normal business up until reorganisation in May 2011.

- It was also agreed that there was a need for DOE and the Department of Finance and Personnel to further examine the potential impact on rates when new councils are established and explore possible measures to avoid significant rates increases.

## **5. Legislation Update**

### **Local Government Primary Legislation Programme**

- SLB members noted an update on the legislative programme for reform and the progress of the Bills being taken forward by DOE and the transfer of function legislation of the Departments with functions transferring:
- The Committee Stage of the Local Government (Miscellaneous Provisions) Bill had just been completed.
- Consultation on the Local Government (Finance) Bill ended on 31 October and was scheduled for introduction to the Assembly in January 2010.
- The DOE was awaiting Executive agreement to commence policy consultation on the Local Government (Reorganisation) Bill. This agreement was required soon if the Bill was to be introduced to the Assembly by May 2010.
- Consultation on the Department's Planning Reform Bill ended on 2 October and proposals would be put forward for Executive consideration in early 2010.
- The Social Development Minister was giving further consideration to the issue of Travellers' Transit Sites. In the meantime, the function had not been included in the package for transfer to local government in the Urban Regeneration and Housing Bill, which was being drafted.
- It was noted that officials from the Department for Regional Development (DRD) would take forward policy work in respect of 'parking enforcement' in parallel with the drafting of the Local Government (Transfer of Roads Functions) Bill. Consequently, the revised timetable for the Bill would achieve the 2011 timescale. DRD confirmed that a timetable for 2011 would be made available to SLB members.

### **Ethical Standards and Code of Conduct**

- It was discussed that the Ethical Standards proposals required Executive agreement before the Code for Northern Ireland Councillors could be fully drafted and that officials were currently finalising an initial draft of the Code for consultation with interested parties.
- It was agreed that this initial draft would be referred to PDP A for consideration prior to full consultation.

## **6. Planning Service Update**

### **Planning Reform**

- Members were updated on the consultation process for planning reform including the 11 stakeholder events in each of the 11 new council areas which were attended by over 480 people.
- Planning Service reported that they were currently considering the 261 formal written responses received prior to policy finalisation.
- It was confirmed that the final policy positions would be due with the Minister for consideration in early December. In order to meet the legislative timetable, the final policy position needs to be agreed by the Executive by the end of January to allow legislative drafting before Executive agreement is sought to introduce the draft Bill to the Assembly in May/June 2010.

### **Planning Service Preparatory Forward Planning Work with Transition Committees**

- Planning Service reiterated that an up to date, effective development plan system was fundamental to the reform of the planning system.
- Planning Service confirmed that in advance of 2011, it is anticipated that they can begin working with the new council Transition Committees at two levels: initial engagement in all of the new council areas and, secondly, more intensive, detailed engagement in a small number of the new council areas.
- It was discussed that the more intensive engagement will take the form of pilot local development plan studies which will be carried out in the three new council areas of Omagh/Fermanagh, L/Derry/ Strabane and Antrim/Newtownabbey.
- It was also proposed that a fourth pilot for the Armagh, Banbridge and Craigavon Council area should be commenced in the next business year, as staff become available after the completion of the Belfast Metropolitan Area Plan (BMAP) independent examination.

## **7. Any Other Business**

- Alderman Hatch, asked DOE to explore joint communication seminars for Transition Committees in the autumn.

### **Date of Next Meeting**

- The next SLB meeting is scheduled for 9 December 2009 at 10am.

**Please note:** The information above may be subject to change. The formal minutes will represent the information in finalised format.

**Joint Secretariat**