



Briefing 08/21

April 2008

## **Decisions on the future shape of local government in Northern Ireland**

To: All Chief Executives, Main Contacts and Email Contacts (Northern Ireland)

CC: All Chief Executives, Main Contacts (England, Scotland and Wales)

### Key issues

Context for the development of local government and the services provided

Announcement of change from 26 to 11 new local government districts

Detail on the functions identified for transfer

### **1. Introduction**

A Review of the local government aspects of the Review of Public Administration was agreed at an Executive Committee meeting on 5 July 2007. The review had three strands – developing a shared vision for local government, consideration of the number of councils and consideration of functions transferring to local government. The review is also considering decisions to develop a council-led community planning process and the complementary power of well-being.

Environment Minister Arlene Foster announced on 13 March the key decisions on the future shape of local government flowing from the review. On 31<sup>st</sup> March, a full statement was made to the Assembly providing detail of the arrangements.

An electronic version of the announcements can be found at [http://www.doeni.gov.uk/index/local\\_government/minister\\_foster\\_announces\\_decisions\\_on\\_local\\_government\\_reform.htm](http://www.doeni.gov.uk/index/local_government/minister_foster_announces_decisions_on_local_government_reform.htm)

### **2. Role and governance of local government**

The statement opens with a précis of the path to this announcement and highlights the range of organisations that have played a part in the process. The role of local government is identified clearly and the things that successful local government should do is also noted. The role of an effective statute-based community planning process is described as is the new statutory power of well being. The statement notes that community planning and the power of well being will help with the Minister's aim 'to put community leadership at the heart of every council, and in the hands of every councillor, bringing together public agencies and key stakeholders to act in partnership to secure excellent and efficient services and address local problems'.

The Local Government Taskforce will build a range of new governance models with appropriate checks and balances, building on those previously agreed, and would include arrangements to allocate Council Chairs, Deputy Chairs and positions on Council committees and to facilitate cross community decision making.

### 3. The number of councils and councillors

The statement provided more detail about the 11 new local government districts to be created which is based on model 11b. The statement declares that 'The number of councils strikes a balance between reducing some of the diversity between the existing areas in terms of population characteristics and rating wealth, and promoting the ability of councils and their communities to identify and interact with each other'.



The statement recommends that Belfast should retain an upper limit of around 60 councillors and other councillors would have an upper limit of 40 councillors. The determination of the precise number of councillors will be informed by the independent Local Government Boundaries Commissioner.

A severance scheme will be introduced to recognise the contribution of long serving councillors who opt not to stand for re-election based on the Councillor's Remuneration Working Group that reported in June 2006.

### 4. Supporting the development of local government

The statement notes that central government will support local government with the development of appropriate performance management systems and a modernisation challenge fund that will support innovative and efficient practice. Options for models of service

delivery are to be explored and developed as well as arrangements for shared services such as ICT, accounting services, payroll and procurement across all 11 new councils.

## **5. Functions and scale**

The statement explains the approach taken with regard to the functions to be transferred and to subsidiarity and the point is made that 'the strengthening of local government will be a process and not an event'. There will be a review of functions after 12 months and periodically thereafter to see whether it is appropriate for other functions to transfer.

Functions to be transferred are :-

- planning - local development plan functions; development control; and enforcement
- local roads public realm – streetscaping; town and city centre environmental improvements; grass cutting and weed spraying; gully emptying; street lighting; off-street parking; pedestrian permits; maintenance of amenity areas; alley-gating; permitting local events to be held on roads; and salting of footways; enhanced accountability framework within which the Roads Service relationship with local government will operate
- urban regeneration and community development – physical development; area based regeneration; some community development programmes; and support for the voluntary and community sectors
- housing – registration of houses in multiple occupation; housing unfitness responsibilities including repair and demolition notices; energy conservation at a local level; and travellers' transit sites
- economic development – Start a business Programme and Enterprise Shows; Youth Entrepreneurship; Social Entrepreneurship Programme; Investing in Women; and Neighbourhood Renewal funding relating to enterprise initiatives
- tourism – small scale tourism accommodation development; local tourism marketing and product development; visitor servicing; providing business support; and providing advice to developers on tourism policies
- others – EU Rural Development Programme; Spot Listing of buildings; local listing of buildings of architectural/historic interest; Armagh County Museum; local water recreational facilities; local sports; functions of the NI Museum Council; local arts; local festivals; and Donaghadee Harbour

The scale of those functions that will transfer to local government currently accounts for annual expenditure of some £116 million and involves some 1,070 staff. It constitutes a 25% increase in the budget of local government and an increase of almost 12% in its staff complement.

## **6. Timing**

The Minister's aim is to implement the agreed structural reform package by 2001 although it is recognised that this is a challenging timescale. An independent Local Government Boundaries Commissioner is to be appointed immediately and a Local Government (Boundaries) Bill will be introduced as a matter of urgency.

## **7. Modernising local government**

The statement refers to the need to integrate continuing work on modernising local government to ensure the modernisation of local government is an integral part of the process of structurally reforming the sector with a focus on driving out inefficiencies and delivering high quality services.

## **8. Capacity building**

The Local Government Taskforce has been developing detailed proposals for a capacity building programme for elected members and officers. The statement recognises this as requiring substantial investment.

## **9. Local Government Staff Commission**

A review of the Staff Commission will be commissioned shortly to ensure it is appropriately resourced to continue to carry out its functions.

## **10. Further work on the development of local government**

Responsibility for regional spatial planning will remain with central government but discussions about how this is discharged at the centre are to take place.

It is proposed that the Roads Service implements arrangements for coterminosity with new council boundaries. Proposals in relation to public transport responsibilities are being considered by the Regional Development Minister and as with the local roads functions mechanisms for ensuring local government input to public transport decision making will be developed.

Methods will be explored in which partnership working can be strengthened between local government and the Department for Social Development around funding programmes.

Consideration is being given to extend local government responsibilities for civil contingencies arrangements and to place a duty on councils to produce good relations plans and strategies.

Places will be available on the Board of the new Library Authority for elected members of district councils

The Minister of Education is currently considering whether or not to provide for reserved places on the Board of the new Education and Skills Authority. There is a proposal to establish structures within the Authority which are coterminus with council boundaries.

The Department of Agriculture and Rural Development will explore options to deliver an increased role for local government in fishery harbour management.

## **11. Comment**

APSE welcomes the progress noted in this announcement. It is appropriate that the functions identified for transfer will become the responsibility of local government as all sit better with local rather than central government. In order to fulfil the place shaping role as many functions should be delivered at the local level as possible. The statement refers to the place shaping role and justifies the transfer of functions on this basis. Although this is a fair justification, APSE has argued that the scale of transfer is not sufficient. In order to be a true community leader, local government should not have to refer to central government to take decisions informed by local people on such fundamental issues as housing or investment in roads.

The fact that the functions to be transferred will constitute a 25% increase in the budget of local government and an increase of almost 12% in its staff complement highlights the scale of change. However this is not a reason in itself for saying that no further transfer of functions should take place. The statement recognises that the process of growing local government will be a difficult one requiring a big effort from and closer working between all stakeholders. But

this growth should continue until all relevant services are delivered at the most appropriate level. If this means a sustained period of change for local government then so be it. It is important to remember that local government is starting from a low baseline in terms of the services it provides and therefore a 25% increase is not as large as it may appear. APSE welcomes the fact that there will be a review of services after a 12 month period to see how well the transferred services are performing and whether any further should be transferred to local government.

Governance will remain a delicate issue but the experience of changes to Scottish and Welsh local government in recent years and the options available to English councils certainly provides enough examples of good practice and of where problems can arise. It is important that these lessons are learnt but more importantly that councils have a choice of models which are appropriate for local circumstances and which can help smooth any potential areas for disagreement within the new council areas.

APSE has previously called for a schedule to be published which identified the expected dates of transfer as well as dates for review of how well the transfer of services has been implemented (focusing on the outcomes for service users). Such a significant change needs to be managed and the DoE must be seen to be managing this process effectively and in partnership with all interested parties. Communication and planning will be vital for a smooth transition.

Now that a decision has been made to move to 11 councils the responsibility has been passed to the officers and elected members of the existing and proposed councils to ensure the future councils work effectively. The statement refers to the need to provide a capacity building programme and this is welcomed. There is a breadth of experience and wisdom amongst local government councillors and officers across all councils and tapping into this resource must be a vital element of this programme. This is one area where central government must take the lead and ensure sufficient resources are available for those responsible and accountable for delivering services.

It is fundamental that the correct approach to local government and the process of change it is going through is adopted. With this in mind it is reassuring to hear the Minister say that not only will the period of change for local government be a long one but that she is looking forward to creating, strong, effective local government that is at the heart of vibrant, safe and sustainable communities, delivering co-ordinated services for all our citizens'. A number of comments referring to good central/local relations, partnership working and outcomes for citizens are made in the statement. It is imperative that these remain the focus of those implementing the process of change to ensure local councils fit for purpose result.

For further information please see APSE briefing 08/18 'RPA Northern Ireland announcement about number of councils' and 07/63 'Emerging findings – review of local government aspects of the RPA' available on the APSE website at [www.apse.org.uk](http://www.apse.org.uk)

The next APSE regional meeting agenda will include an item of the next stage in the process of establishing the new councils We will endeavour to get a representative from the Local Government Taskforce to address the meeting which will take place in early June.

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