



Northern Ireland  
Assembly

## Research and Information Service Briefing Paper

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Paper 113/12

22 June 2012

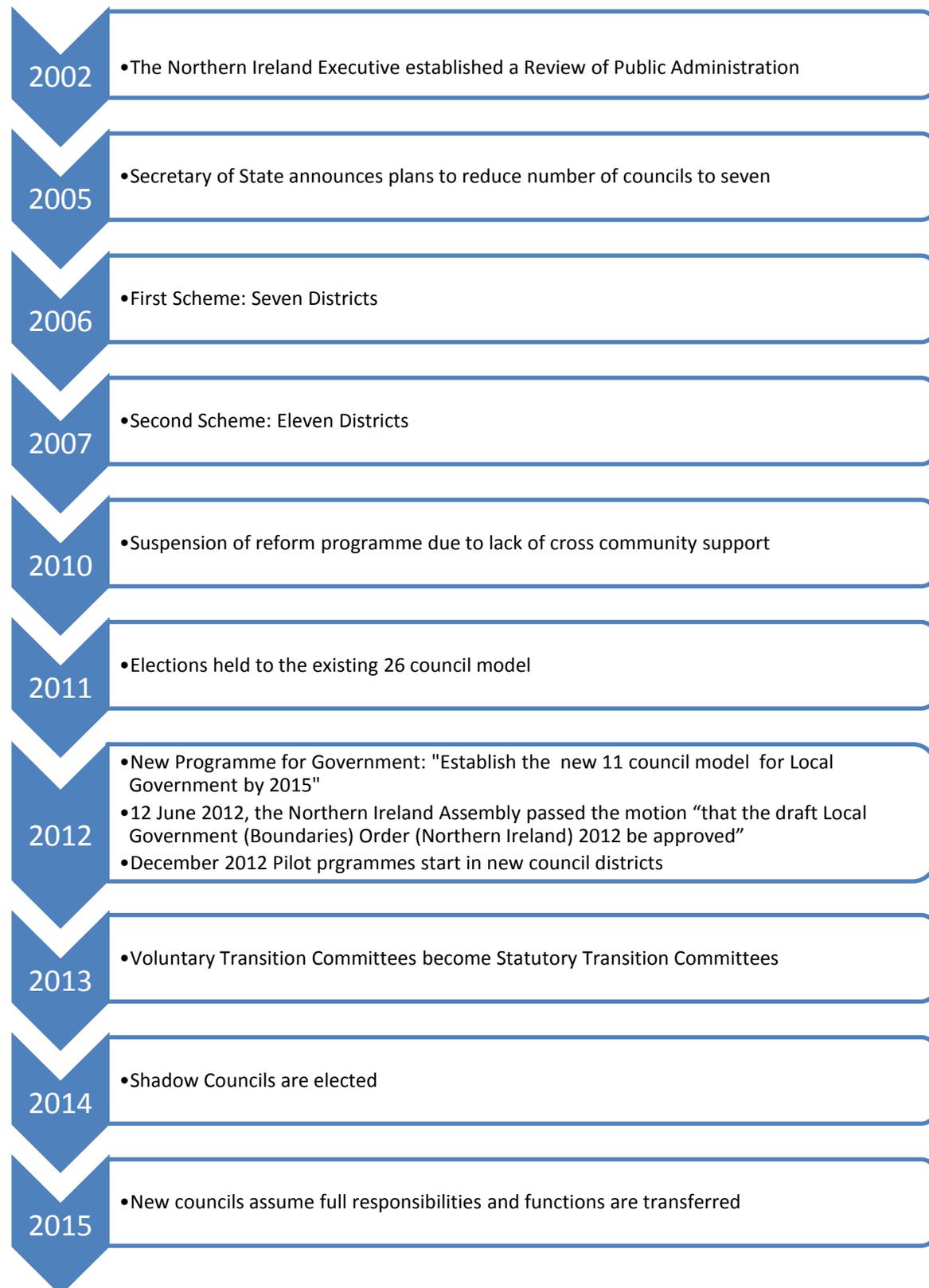
NIAR 463-12

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# Local Government Reform Past and Present

This paper considers the past Local Government Reform, before suspension of the reform programme in 2010, by giving an overview of the process and the structures of delivery. Finally it gives an overview of the changeover into the current Reform programme.

## Key Points



## Introduction

The proposed reform of local government in Northern Ireland envisages the replacement of the twenty-six districts created in 1973 with a smaller number of "super councils". The review process began in 2002, with proposals for either seven or eleven districts made before it was suspended in 2010. On 12 March 2012, the Northern Ireland Executive published its programme for government, which included a commitment to reduce the number of councils in Northern Ireland to 11.<sup>1</sup>

## The past process

In June 2002 the Northern Ireland Executive established a Review of Public Administration to review the arrangements for the accountability, development, administration and delivery of public service which were consistent with the arrangements and principles of the Belfast Agreement. Following the suspension of the Assembly in October 2002 the Review was taken forward by direct rule ministers, taking account of the views of local political parties and other stakeholders.<sup>2</sup>

Following more than three years of research and wide consultation, the key messages indicated a desire for high-quality services accessible to all and for strong local government. The RPA team developed a set of proposals based on a two-tier model of public administration:

1. A regional tier encompassing the Executive, the Assembly, Government departments, and regional authorities, with a focus on policy development, and setting standards, as well as delivering regional services.
2. The second, or local tier, would encompass organisations that ideally operate boundaries coterminous to one another, and would include councils, health bodies, and other sub-regional delivery units of regional bodies. There would be a presumption in favour of delivery at the local tier, except where economies of scale or other factors would argue strongly for delivery on a regional basis. Within the model, there would also be an enhanced role for both the private sector and the voluntary and community sectors.<sup>3</sup>

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<sup>1</sup> "Priority 5: Delivering High Quality and Efficient Public Services; Key Commitments". *Programme for Government 2011-15*. Belfast: Office of the First Minister and deputy First Minister. 12 March 2012. <http://www.northernireland.gov.uk/pfg-2011-2015-final-report.pdf#page=54>. Retrieved 20 June 2012.

<sup>2</sup> Phase 1- Pricewaterhousecoopers Service Delivery Report 5th August 2009 [http://www.doeni.gov.uk/050809\\_phase\\_1\\_report\\_final\\_.pdf](http://www.doeni.gov.uk/050809_phase_1_report_final_.pdf)

<sup>3</sup> *ibid*

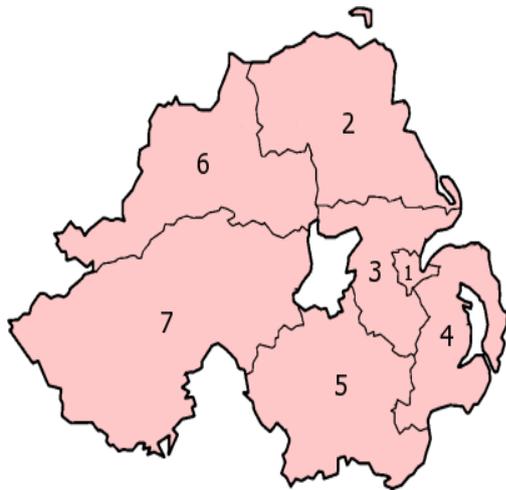
## First Scheme: Seven Districts

In 2005, the then Secretary of State for Northern Ireland, announced proposals on the future of local government, Education and Health and Social Services structures, which included the reduction of the 26 councils to seven. With this structural change, the new authorities were to be given a number of new powers:

- Planning;
- Local roads functions;
- Regeneration;
- And fostering community relations

In May 2006, the Local Government (Boundaries) (Northern Ireland) Order 2006 provided for the appointment of a Local Government Boundaries Commissioner to recommend the boundaries and names of the seven districts and to divide the districts into wards. These were as follows:<sup>4</sup>

Name	Area
1. Belfast	Belfast
2. North East	Coleraine, Moyle, Ballymoney, Ballymena and Larne
3. Inner East	Carrickfergus, Newtownabbey, Antrim and Lisburn
4. East	North Down, Newtownards, Castlereagh and Down
5. South	Craigavon, Armagh, Banbridge, Newry and Mourne
6. North West	Derry, Limavady, Magherafelt, Strabane
7. South West	Cookstown, Dungannon and South Tyrone, Fermanagh, Omagh



(Source: RPA<sup>5</sup>)

<sup>4</sup> RPA, Better Government for Northern Ireland: Final Decisions of the Review of Public Administration (2006)

<http://www.flga.org.uk/UPLOADS/DOCS/decisions%20of%20the%20RPA.pdf>

<sup>5</sup> *ibid*

The proposed implementation timeline in 2006 was as follows:

<b>May 2006</b>	Five new Health and Social Services (HSS) Trusts will have been legally established.
<b>June 2006</b>	Local Government Boundary Commissioner appointed.
<b>September 2006</b>	The Local HSS Commissioning Groups will start operating within the HSS Boards and work with stakeholder groups to develop their future role.
<b>April 2007</b>	The 18 existing HSS Trusts will be formally dissolved and the five new HSS Trusts will become fully operational.
<b>December 2007</b>	Following the Local Government Boundary Commissioner's recommendations, legislation will establish the final boundaries for the seven new councils.
<b>April 2008</b>	Existing HSS Boards and Councils cease to exist and the new HSS Authority, the Local Commissioning Groups and Patient and Client Council will assume full operational responsibility. New Education and Skills Authority and statutory Education Advisory Forum operational.
<b>2008</b>	Elections to new shadow councils.
<b>Spring 2009</b>	New councils fully operational.

Source: *RPA*<sup>6</sup>

## Second Scheme: Eleven Districts

Following the restoration of a power-sharing Executive in June 2007, it became clear from the Minister of the Environment that the plan to create seven “super-councils” was to be reviewed.<sup>7</sup>

On the 13 March 2008, the Executive announced proposals brought forward by Environment Minister Arlene Foster to create 11 new councils instead of the original seven. The two UUP ministers voted against the proposals as their party favoured 15 councils, however the proposal passed by seven votes to two<sup>8</sup>. A number of decisions were taken in March 2008 including:

- Rationalisation of the current configuration of 26 council areas to create 11 new council areas;
- Transfer of a range of functions from central to local government; and
- Development of a new council led community planning process with a complementary power of well-being.<sup>9</sup>

<sup>6</sup> *ibid*

<sup>7</sup> *Belfast Telegraph* *Councils won't be Tied by Boundary Commission* (June 2007)

<http://www.belfasttelegraph.co.uk/news/politics/councils-wont-be-tied-by-boundary-commission-13449495.html> and BBC News *Rethink of super-council shake-up* (July 2007) [http://news.bbc.co.uk/1/hi/northern\\_ireland/6270876.stm](http://news.bbc.co.uk/1/hi/northern_ireland/6270876.stm)

<sup>8</sup> BBC News *NI Councils reduced from 26 to 11* (March 2008) [http://news.bbc.co.uk/1/hi/northern\\_ireland/7293553.stm](http://news.bbc.co.uk/1/hi/northern_ireland/7293553.stm)

<sup>9</sup> PWC Economic Appraisal Report (2009) *Introduction*

[http://www.doeni.gov.uk/index/local\\_government/local\\_government\\_reform/local\\_government\\_minutes\\_associated\\_documents/pwc\\_economic\\_appraisal.htm](http://www.doeni.gov.uk/index/local_government/local_government_reform/local_government_minutes_associated_documents/pwc_economic_appraisal.htm)

In January 2009, PricewaterhouseCoopers LLP (PwC) were commissioned to identify the operational arrangements of the functions within central government to be transferred to local government and the functions currently delivered by local government on a group basis. In addition, PwC were required to analyse the proposed operating models for delivery of functions post the May 2011 transfer. This initial PwC paper identified and assessed a range of options for the delivery of local government services and made preliminary recommendations on a preferred option.

**Five options were considered, these were:**<sup>10</sup>

Option	Characteristics
1. Status Quo	Do nothing and continue service delivery through existing structures
2. Reorganisation without Transformation	Do minimum with focus on implementation of new structure; transition completed by MAT 2012. This would see: 11 councils Central government departments and bodies with guidance and policy responsibilities delivered through reduced retained organisations New Local Government Association New Code of Ethics monitored by NI Ombudsman
3. Transformation within Service Delivery Functions	As Option 2 plus: Service Excellence across all service areas within each council, by May 2015
4. Transformation within Councils	As Option 3 plus: Optimum Operating Model within each Council Strategic Approach to Core Business Processes Single Management Approach to Service Support; and Standard Customer Management Approach By May 2015
5. Transformation with Regional Collaboration	11 new councils in Northern Ireland with each new council delivering the full range of local government services i.e. there are no service areas (e.g. planning, economic development, etc.) that are delivered on a regional or sub-regional basis; Current group working arrangements for Environment Health and Building Control cease and that each council develop 'self-contained' capacity to deliver these services; A regional Business Services Organisation enabling collaborative solutions across local government; A single Waste Disposal Authority which will aim to drive out efficiencies of future procurement and contract management activities; The creation of a new Local Government Association revitalising the representation of local government; The enhancement of the NIAO's role to reflect its new role of monitoring the new comprehensive performance management framework for local government; and The enhancement of the NI Ombudsman's role (Commissioner for Complaints) to reflect its new role of monitoring a Code of Ethics for elected councillors. By May 2015

<sup>10</sup> PwC Economic Appraisal Report (2009)

[http://www.doeni.gov.uk/index/local\\_government/local\\_government\\_reform/local\\_government\\_minutes\\_associated\\_documents/pwc\\_economic\\_appraisal.htm](http://www.doeni.gov.uk/index/local_government/local_government_reform/local_government_minutes_associated_documents/pwc_economic_appraisal.htm)

The overarching conclusion was that Option 5 ‘Transformation with Regional Collaboration’ represented the optimum solution for the delivery of local government services. According to the PWC Economic Appraisal, this option represented the best solution for local government in terms of both the financial (with an NPC saving of over £438m) and the non-financial assessment.

PWC concluded that this option provides the best structures to help create:

*“... a strong, dynamic local government creating communities that are vibrant, healthy, prosperous, safe, sustainable and have the needs of all citizens at their core...” (Arlene Foster MLA, former Environment Minister, 31.03.08) <sup>11</sup>*

On 25 April 2008, Shaun Woodward, Secretary of State for Northern Ireland announced that the scheduled 2009 district council elections were to be postponed until the introduction of the eleven new councils in 2011<sup>12</sup>

In May 2008, the Northern Ireland Assembly passed the Local Government (Boundaries) Act (Northern Ireland) 2008, repealing the Local Government (Boundaries) Act (Northern Ireland) 1971 which established the current 26 model.<sup>13</sup>

In June 2009, the local Government Commissioner, Dick Mackenzie CB, announced his Final Recommendations for the eleven new local government districts in Northern Ireland, as follows:



(Source: Commissioner’s Report<sup>14</sup>)

<sup>11</sup> ibid

<sup>12</sup> BBC News, *NI local election are postponed* (April 2008) [http://news.bbc.co.uk/1/hi/northern\\_ireland/7367253.stm](http://news.bbc.co.uk/1/hi/northern_ireland/7367253.stm)

<sup>13</sup> Local Government (Boundaries) Act (Northern Ireland) 2008 <http://www.legislation.gov.uk/nia/2008/7/contents>

1. Belfast City Council – Belfast City, parts of Castlereagh and Lisburn
2. Derry City and Strabane District Council – Derry City and Strabane
3. Armagh City and Bann District Council – Armagh City and District, Banbridge and Craigavon
4. Lisburn City and Castlereagh District Council - Major parts of Lisburn and Castlereagh
5. Newry City and Down District Council - Down, Newry and Mourne
6. Antrim and Newtownabbey District Council – Antrim and Newtownabbey
7. Ards and North Down District Council – Ards and North Down
8. Fermanagh and Omagh District Council – Fermanagh and Omagh
9. Causeway Coast District Council – Ballymoney, Coleraine, Limavady and Moyle
10. Mid Antrim District Council – Ballymena, Carrickfergus and Larne
11. Mid Ulster District Council – Cookstown, Dunganon, South Tyrone and Magherafelt

## Suspension

Dispute arose around the proposed boundaries for the new eleven councils, and it became apparent in May 2010 the process of bring the new councils into existence was likely to be delayed. Members of the Northern Ireland Executive disagreed on boundaries for the district electoral areas, particularly around the inclusion of Dunmurry within Belfast and not Lisburn or Castlereagh. However the Northern Ireland Office made it clear unless the dispute was speedily resolved, elections due in May 2011 would be to the existing 26 model.<sup>15</sup>

On 15<sup>th</sup> June 2010, the proposed reforms were abandoned due to a lack of cross community support obtained by the Northern Ireland Executive; where SDLP, Sinn Fein and Alliance ministers all voted for the 11 council model but, the three DUP ministers voted against, and the UUP ministers did not vote.<sup>16</sup>

Subsequently the NI Secretary of State announced in June 2010:

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<sup>14</sup> Local Government Boundaries Commissioner Final Recommendations Report (2009) [http://www.lgbc-ni.org/index/publications/final\\_recommendations.htm](http://www.lgbc-ni.org/index/publications/final_recommendations.htm)

<sup>15</sup> Belfast Telegraph *Plan to cut Northern Ireland Councils may be delayed until 2015* (May 2010) <http://www.belfasttelegraph.co.uk/news/politics/plan-to-cut-northern-ireland-councils-may-be-delayed-until-2015-14796633.html#ixzz0oqCDB5Hm>

<sup>16</sup> BBC News *The Executive fails to agree a deal on council reform* (June 2010) <http://www.bbc.co.uk/news/10314865>

*“There is now no option but to hold these elections to the existing 26 councils notwithstanding the fact that their boundaries have not been reviewed since 1992.”<sup>17</sup>*

## The Current Process

### Programme for Government 2011-2015

After the 2011 elections, the new executive drew up and published on the 12 March 2012 a programme for government for the following four year term. One of the commitments of Priority 5 “Delivering High Quality and Efficient Public Services” was to “*Establish the new 11 council model for Local Government by 2015*”, for which the Department of Environment would hold responsibility. In order to achieve this commitment, the following milestones are listed:<sup>18</sup>

2012/2013 - Progress legislation (to include Local Government Reorganisation Act) and programme structure necessary to manage change.

2013/2014 - Arrangements in place for the shadow Councils. Deliver Year 2 of implementation programme.

2014/2015 - Arrangements in place for the transfer of powers to councils

### Confirmation of 11 council model

On 12 June 2012, the Northern Ireland Assembly passed the motion “that the draft Local Government (Boundaries) Order (Northern Ireland) 2012 be approved” by 59 votes to 26; the DUP, Sinn Féin, and Alliance Party voted for, while the Ulster Unionist Party and SLDP voted against.<sup>19</sup>

The Order gives effect to the boundaries as outlined in the Commissioner's Final Recommendations Report (as already discussed on p.5 and a DOE press release June 2012<sup>20</sup>), however, with two modifications agreed by the Executive. These are outlined in a *Statement of Reasons for Modifications of the Recommendations of the Local Government*

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<sup>17</sup> NI Minister of State confirms 2011 local elections for 26 councils (June 2010) <http://sluggerotoole.com/2010/06/21/ni-minister-of-state-confirms-2011-local-elections-for-26-councils/>

<sup>18</sup> "Priority 5: Delivering High Quality and Efficient Public Services; Key Commitments". *Programme for Government 2011-15*. Belfast: Office of the First Minister and deputy First Minister. 12 March 2012. <http://www.northernireland.gov.uk/pfg-2011-2015-final-report.pdf#page=54>. Retrieved 20 June 2012

<sup>19</sup> "Local Government (Boundaries) Order (Northern Ireland) 2012 (continued)". *Hansard*. Northern Ireland Assembly. 12 June 2012. <http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-11-12/12-June-2012/#a6>. Retrieved 19 June 2012.

<sup>20</sup> DOE Press release (June 2012) [http://www.doeni.gov.uk/news\\_Details.htm?newsRef=2051](http://www.doeni.gov.uk/news_Details.htm?newsRef=2051)

*Boundaries Commissioner*<sup>21</sup>, which accompanies the Order. The two modifications are in respect of the boundary between the new Belfast local government district and the new Lisburn/Castlereagh local government district, one at Ballyhanwood<sup>22</sup> and one at Galwally<sup>23</sup>

## Functions to transfer from central to local government

The complete package is being reviewed. Those functions currently on the table include:

- Planning (from DOE)
- Urban regeneration (from DSD)
- Local economic development and tourism (from DETI)
- Public realm functions of local roads (from DRD)
- Local sports facilities (From DCAL)

It is also proposed that Councils will have a new statutory duty of Community Planning and a new Power of well-being:

### Community planning

According to the Local Government Taskforce Community Planning subgroup, there is currently no legislative requirement for local government to consult with organisations to prepare a community plan. The aim of community planning is

*“to make sure that people and communities are genuinely engaged in decisions made about the public services which affect them. Allied to this is a commitment by all those who deliver services in the council area to work together to provide co-ordinated, high-quality outcomes people rightly expect.”*<sup>24</sup>

In relation to a formal definition, the Sub-group recommends that a working definition of community planning needs to be developed for Northern Ireland, however the Sub-groups Recommendation’s paper, refers to the Scottish definition and describes it as the strongest in defining the process compared to other UK jurisdictions:

*“...any process through which a council comes together with other organisations to plan, provide for, or promote the wellbeing of the communities they serve.”*<sup>25</sup>

Intrinsic to this definition and to all the models that have emerged is:

<sup>21</sup> Statement of Reasons for Modifications of the Recommendations of the Local Government Boundaries Commissioner [http://www.doeni.gov.uk/statement\\_of\\_reasons\\_for\\_modification\\_of\\_the\\_recommendations\\_of\\_the\\_local\\_government\\_boundaries\\_commissioner.pdf](http://www.doeni.gov.uk/statement_of_reasons_for_modification_of_the_recommendations_of_the_local_government_boundaries_commissioner.pdf)

<sup>22</sup> DOE Map showing modification to Ballyhanwood <http://www.doeni.gov.uk/ballyhanwood.pdf>

<sup>23</sup> DOE Map showing modification to Galwally <http://www.doeni.gov.uk/galwally.pdf>

<sup>24</sup> Local Government Taskforce Community Planning Sub-group Recommendations Paper [http://www.doeni.gov.uk/lgrt\\_cp\\_recommendations\\_to\\_the\\_taskforce.pdf](http://www.doeni.gov.uk/lgrt_cp_recommendations_to_the_taskforce.pdf)

<sup>25</sup> *ibid*

- “• *the idea of developing a jointly owned vision for a locality;*
- *a belief that local authorities as democratically elected bodies, have a community leadership role which is pivotal to facilitating (but not dominating) the community planning process; and*
- *a belief that ways must be found to enable communities to participate effectively in the process.*”<sup>26</sup>

The Community Planning Sub-group of the Local Government Taskforce has made 21 recommendations in relation to the introduction of Community Planning to Northern Ireland, some of which include:<sup>27</sup>

1. That a modified Scottish model which includes best practice identified in other situations should be enacted in Northern Ireland, to create a model that is uniquely suited to the Northern Ireland situation. Such a model would include a duty to advance the process of community planning through partnership and to produce a community plan.
2. That a working definition of community planning is developed which encapsulates a process which works to join up the planning and the delivery of public services, create meaningful strategies for local areas and does so by engaging with communities for the benefit and well-being of all people in the locality.
3. That a power of well-being is advanced in Northern Ireland as part of the community planning process.
4. That, as in the Scottish situation, NI legislation should provide for specific statutory guidance to set the parameters of the process, and so establish consistency of practice across Northern Ireland while allowing for local variety to emerge.
5. That this statutory guidance refers to the creation of a long term vision and shorter three to five year action plans.
6. That councils should develop shared information management frameworks and performance management frameworks.
7. That community planning partnerships should prepare a communications and consultation strategy.
8. That in all processes related to community planning guidance and standards are developed to ensure consistency of practice and impact across Northern Ireland.
9. That it becomes a statutory duty for the following agencies to participate in the core community planning partnership: the new Health Authority, the new Education and Skills Authority, Policing Board and Chief Constable, Fire and Rescue, NIHE, INI and Translink and a duty of co-operation and promotion should be placed on all Government Departments and public agencies.

<sup>26</sup> *ibid*

<sup>27</sup> For the full list of 21 recommendations see p.5-7 of the Sub- group paper [http://www.doeni.gov.uk/lgrt\\_cp\\_recommendations\\_to\\_the\\_taskforce.pdf](http://www.doeni.gov.uk/lgrt_cp_recommendations_to_the_taskforce.pdf)

## Power of well-being

In addition to community planning responsibilities, according to the Department of Environment, councils will be given a “power of wellbeing”.<sup>28</sup> According to the Sub-group, this power allows councils to do anything which they consider is likely to promote or improve the wellbeing of their areas and/or persons in it. In England, Scotland and Wales the power operates within the framework of public accountability, and in relation to community planning it allows councils to deliver “*better and more responsive public services but also assist other public agencies in doing so as well.*”<sup>29</sup>

**Community planning and the power of wellbeing will be introduced under the *Local Government (Reorganisation) Bill*, aimed to be introduced to the Assembly in November 2012. (See the following section on Reform Programme Legislation)**

## Further Developments

Currently, community planning is being led forward by the Policy Development Panel (PDP) on Governance, Community Planning and Central / Local Government Relationships. PDPs take their lead from and support the Strategic Leadership Board and held their first meetings in July/August 2008. An update from the three Panels is provided at each SLB meeting.<sup>30</sup>

In line with the Review of Public Administration, the Panels lead the development of policy and implementation proposals in the following 3 areas agreed by the SLB in April 2008:<sup>31</sup>

- PDP A - Governance and relationships: The efficient and effective running of district councils, as well as working effectively with central government and other sectors.
- PDP B - Service delivery: Customer services and improving performance.
- PDP C - Structural reform issues: Human resources; enhancing staff and members’ ability to deal with new changes; finance and estates; service delivery and the functions transferring from central government.

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<sup>28</sup> DOE website: The future of local government [http://www.doeni.gov.uk/index/local\\_government/local\\_government\\_reform.htm](http://www.doeni.gov.uk/index/local_government/local_government_reform.htm)

<sup>29</sup> Local Government Taskforce Community Planning Sub-group Recommendations Paper [http://www.doeni.gov.uk/lgrt\\_cp\\_recommendations\\_to\\_the\\_taskforce.pdf](http://www.doeni.gov.uk/lgrt_cp_recommendations_to_the_taskforce.pdf)

<sup>30</sup> DOE website: Policy Development Panels [http://www.doeni.gov.uk/index/local\\_government/lgr\\_modernisation\\_of\\_local\\_government/local\\_government-3/reform\\_programme\\_implementation\\_structure/pdps-10.htm](http://www.doeni.gov.uk/index/local_government/lgr_modernisation_of_local_government/local_government-3/reform_programme_implementation_structure/pdps-10.htm)

<sup>31</sup> Strategic Leadership Board Meeting 2<sup>nd</sup> April 2008 *Implementation Structures* [http://www.doeni.gov.uk/slb\\_27\\_2008\\_-\\_implementation\\_structures\\_39kb.pdf](http://www.doeni.gov.uk/slb_27_2008_-_implementation_structures_39kb.pdf)

## Reform Programme Legislation

There are three pieces of legislation required to make local government reform happen. The following three Bills are intended to be brought forward to facilitate the modernisation and reform process:

### **Local Government (Miscellaneous Provisions) Bill (Formerly Local Government Contracts and Compulsory Purchase) Bill:**

- to clarify the powers of district councils to enter into long-term service contracts with the private sector (for example, Public Private Partnership or Private Finance Initiative contracts); this should give contractors and their financiers confidence in entering into contracts with councils
- to enable councils to compulsory-acquire land (that is, to vest land) for any of their waste management functions
- to enable the Department of the Environment (DOE) to make severance arrangements for councillors
- to enable the DOE to establish Statutory Transition Committees through subordinate legislation to assist in the reorganisation of local government; this will also enable the DOE to specify the roles, functions, constitution and governance arrangements of these Statutory Transition Committees
- to enable the DOE to issue a direction which will place controls on the financial activities of councils in the period leading up to the reorganisation of local government.<sup>32</sup>

*Received Royal Ascent 26 March 2010*

### **Local Government (Finance) Bill:**

- to remove the requirements for district councils to gain departmental approval for the application of their funds, proceeds from sale of capital assets and borrowings
- to introduce certain new powers, including the power to invest
- to introduce a “prudential regime” for capital finance, along similar lines to that which operates in England and Wales
- to clarify the nature of the General Grant by replacing the two elements of the grant (the resources element and the de-rating element) with two separate grants – a rates support grant and a de-rating grant (the de-rating element of the General Grant compensates district councils for the loss of rate income due to the statutory de-rating of industrial properties)

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<sup>32</sup> DOE website: Reform Legislation [http://www.doeni.gov.uk/index/local\\_government/local-government-legislation-2/reform\\_programme\\_legislation-2.htm](http://www.doeni.gov.uk/index/local_government/local-government-legislation-2/reform_programme_legislation-2.htm)

- to introduce a power to allow all departments (not just the DOE) to pay grants to councils
- to enable the DOE to establish an independent remuneration panel to advise on the level of allowances for councillors and make it a requirement that councils publish information about the remuneration of councillors.<sup>33</sup>

*Was introduced to the Assembly 19<sup>th</sup> April 2010, and concluded Committee Stage on 17<sup>th</sup> December 2010, and received Royal Ascent 16<sup>th</sup> March 2011.<sup>34</sup>*

### **Local Government (Reorganisation) Bill:**

- for the reorganisation of local government, with transitional provisions to provide for the transfer of functions, staff, assets / liabilities etc. from the current 26 councils to the new 11 councils;
- for the introduction of new governance arrangements for councils;
- a new ethical standards regime and Code of Conduct;
- community planning powers and the complementary power of well-being; and
- an updated service delivery and performance improvement regime.<sup>35</sup>

*To be introduced November 2012 (see following section)*

### **Proposed timeline according DOE<sup>36</sup>**

Date	Activity	What this means
March – May 2012	Voluntary Transition Committees, Regional Transition Committee & Regional Transitional Operational Board are established	A structure has been put in place to drive forward reform. This includes a number of committees with political representation, senior officers and officials from central and local government, and NILGA.
June 2012	Local Government (Boundaries) Order approved by Assembly	Legislation to finalise the new council boundaries was debated and approved by the Assembly on 12 June 2012
Spring, summer 2012	Recommendations made to the Executive on the transferring functions package	The complete package of functions to transfer from central to local government is being reviewed. The DOE Minister is pressing Executive colleagues to ensure that local government receives as strong and as coherent a package as possible.
November 2012	Local Government (Reorganisation) Bill introduced	This legislation will provide for the reorganisation of local government, the introduction of new governance arrangements for councils, a new ethical standards regime, community planning powers and the complementary

<sup>33</sup> *ibid*

<sup>34</sup> NI Assembly Legislation Table <http://archive.niassembly.gov.uk/legislation/primary/assleg09.htm>

<sup>35</sup> *ibid*

<sup>36</sup> DOE Reform Timetable [http://www.doeni.gov.uk/index/local\\_government/local\\_government\\_reform/reform\\_timetable.htm](http://www.doeni.gov.uk/index/local_government/local_government_reform/reform_timetable.htm)

	into Assembly Estimated to complete the Assembly process by mid-2013	power of well-being, and an updated service delivery and performance improvement regime.
December 2012	Pilot programmes start in new council districts	A programme of pilots will be rolled out to the 11 council districts and the initial focus will be on planning functions. The pilots will function as test beds and learning platforms to develop and refine practical working arrangements, and build new relationships between planners, councillors and council officers. Capacity building and training will also assist in preparing staff and councillors for the transfer of functions and responsibility to councils.
May 2013	Voluntary Transition Committees become Statutory Transition Committees	Statutory Transition Committees will have authority to take decisions on behalf of the shadow councils which will be elected the following year.
2014	Shadow Councils are elected	Shadow Councils will appoint senior staff, strike rates and approve business and financial plans for the new councils taking on full powers and responsibilities in April 2015. It is anticipated that, subject to the agreement of the Secretary of State, elections to shadow councils will take place in 2014.
April 2015	New councils assume full responsibilities and functions are transferred	

## Delivering Reform

To deliver local government reform, the Department of Environment have stated they will:

- update the policy and legislative framework within which local government operates
- ensure that local government is ready for delivering the new, improved services
- Improve service delivery in a simple, consistent and cost-efficient manner to release resources to focus on front line service delivery

**To achieve this, the following structure of boards and panels have been established:**

### Regional Transition Committee

Chaired by the Environment Minister, the Regional Transition Committee provides high level political leadership and acts as the driver for implementing local government reform. Its membership is made up of the 11 Voluntary Transition Committee Chairs and the NILGA President, as well as supporting officials/officers from DOE, local government and NILGA.

### Regional Transition Operational Board

This group is chaired by the DOE Permanent Secretary and includes the NILGA Chief Executive and officers and officials from central and local government. Its role is to support and advise the Regional Transition Committee, and coordinate the operational delivery of the reform programme.

## Voluntary Transition Committees

Each of the 11 new council clusters has a Voluntary Transition Committee consisting of elected representatives. These committees are crucial to local operational delivery. After the Reorganisation Bill is passed (mid 2013) these will become Statutory Transition Committees and they will aid the process of convergence work in the council groupings.

The structures and functions of Transition Committees were agreed by the SLB at its meeting in April 2008.<sup>37</sup> Key responsibilities of voluntary Transition Committees include:

- agreeing the arrangements for the change; including appointing key change management staff
- developing a Communications Strategy for efficient discussions which will successfully relay the decisions made
- establishing the priorities of the existing councils and the functions moving to the new councils
- recommending how the existing systems and activities will move forward
- conducting an audit of current properties, grounds and assets<sup>38</sup>

## Task and finish working groups

Additional task and finish working groups will be established at various points in the programme. These will undertake key areas of work such as finance, HR, communications, legislation and pilot studies, and will feed into the work of the Regional Transition Operational Board.

## Local Government Reform Joint Forum

The Joint Forum facilitates consultation and negotiation between Employer and Employee representatives on a range of Human Resource related issues that are cross sectoral in nature in the context of the TUPE Regulations, employers' statutory obligations, and the NI Executive Principles as recommended by the Public Service Commission.<sup>39</sup>

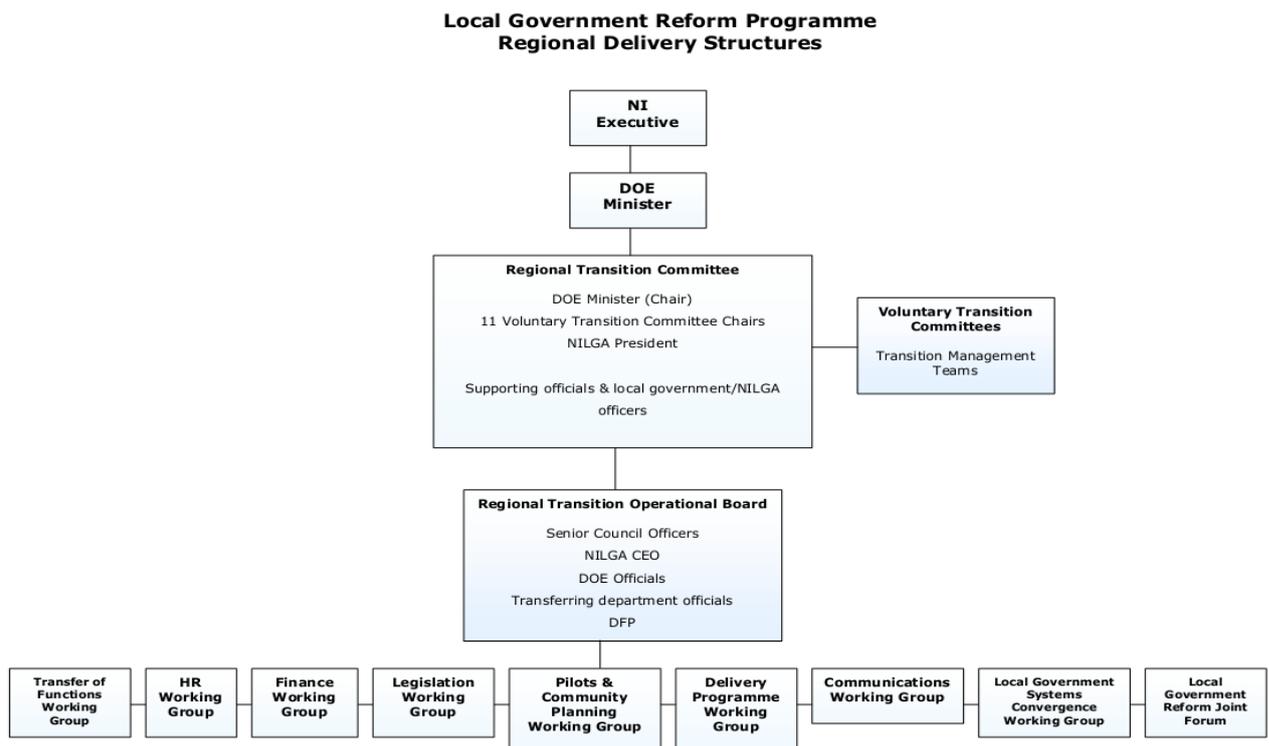
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<sup>37</sup> Strategic Leadership Board Meeting 2<sup>nd</sup> April 2008 *Implementation Structures* [http://www.doeni.gov.uk/slb\\_27\\_2008\\_-\\_implementation\\_structures\\_39kb\\_.pdf](http://www.doeni.gov.uk/slb_27_2008_-_implementation_structures_39kb_.pdf)

<sup>38</sup> DOE website: Transition Committees  
[http://www.doeni.gov.uk/index/local\\_government/lgr\\_modernisation\\_of\\_local\\_government-3/reform\\_programme\\_implementation\\_structure/transition\\_committees1.htm](http://www.doeni.gov.uk/index/local_government/lgr_modernisation_of_local_government-3/reform_programme_implementation_structure/transition_committees1.htm)

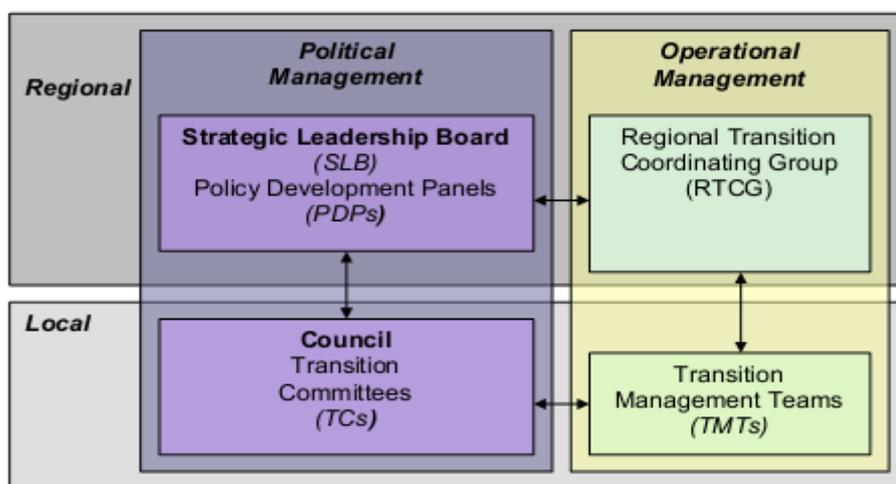
<sup>39</sup> DOE website: Delivering Reform  
[http://www.doeni.gov.uk/index/local\\_government/local\\_government\\_reform/delivering\\_reform.htm](http://www.doeni.gov.uk/index/local_government/local_government_reform/delivering_reform.htm)

The management Structure is illustrated by the following diagram:<sup>40</sup>



Also of interest is the SLB paper from September 2008<sup>41</sup>, this sets out the roles, responsibilities and relationships of the Regional Transition Co-ordinating Group (RTCG), Transition Communities (TCs) and Transition Management teams (TMTs), shown in the following diagram:

**High Level roles and relationships**



(Source: SLB Meeting: *Regional Transition Co-ordinating Group*<sup>42</sup>)

<sup>40</sup> DOE website: Regional Structures [http://www.doeni.gov.uk/regional\\_structures\\_diagram.pdf](http://www.doeni.gov.uk/regional_structures_diagram.pdf)

<sup>41</sup> SLB Meeting Sept 2008 Regional Transition Co-ordinating Group [http://www.doeni.gov.uk/regional\\_transition\\_co-ordinating\\_group\\_terms\\_of\\_reference.pdf](http://www.doeni.gov.uk/regional_transition_co-ordinating_group_terms_of_reference.pdf)

<sup>42</sup> ibid

## Questions asked

In terms of the current reform programme, the Northern Ireland Local Government Association (NILGA) has asked the following questions:<sup>43</sup>

### ***Can the Improvement, Collaboration and Efficiency (ICE)<sup>44</sup> programme fund Reform?***

- In NILGA's opinion it is not practicable to use the ICE programme as a source of income as savings made through ICE will be made over time and on a voluntary basis, therefore not suitable to bring up-front costs.
- Another concern is that there is no mechanism for pooling such resources, therefore new mechanisms are needed.
- NILGA states that councils are hampered by the current financial processes made available to them, and that if reform is to succeed and is to be part funded by councils, then flexible and innovative approaches are required, which will necessitate new finance legislation.

### ***Delivering Reform, what do we need?***

#### **NILGA suggests:**

- The NI Executive needs to work dynamically with local government as a partner.
- To enable local government to deliver on the objectives of reform and prepare for the future, there needs to be a shift in current policy and legislation with the introduction of flexible and innovative mechanisms for councils on funding, and reducing the impact on the ratepayer.
- The NI Executive must co-invest with local government. With suggested transition costs (moving from 29 to 11 Councils in three years) producing a bill in excess of £6 million, can the Executive fund this? Will it enable Reform in 'real partnership' or as a 'forceful non investor'?<sup>45</sup>

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<sup>43</sup> NILGA, *Financing Local Government Pre and Post Reform* (June 2012) <http://www.nilga.org/Publications---Reports/FINANCING-LOCAL-GOVERNMENT-PRE-AND-POST-REFORM.aspx>

<sup>44</sup> ICE is an initiative designed and led by local government to support local councils as they strive to continue to deliver high quality, efficient services in an increasingly challenging economic environment. For more information visit: <http://www.nilga.org/ICE-Program.aspx>

<sup>45</sup> NILGA, *Financing Local Government Pre and Post Reform* (June 2012) <http://www.nilga.org/Publications---Reports/FINANCING-LOCAL-GOVERNMENT-PRE-AND-POST-REFORM.aspx>