

# **NILGA Draft Response to the Emerging Findings Paper**

Draft - 29<sup>th</sup> October 2007

## **EXECUTIVE SUMMARY**

NILGA appreciates the opportunity to make a formal contribution at this crucial stage in the deliberations on the future of local government. The sector believes that what is proposed is entirely inadequate to create an effective modern local government system.

This response sets out the views of the sector which are focused primarily on the needs of citizens and are underpinned by a robust evidence base.

NILGA acknowledges the proposals go some way to delivering against the agenda outlined in the NILGA Manifesto for Strong Effective Local Government particularly in relation to Planning, Community Planning, Modernisation and a statutory system of governance. NILGA, however, strongly contends that the Emerging Findings Paper does not align to the evidence base produced by the RPA team.

Additionally, the proposals presented do not represent an adequate package to deliver against the agreed vision for local government and the specified objectives of Strong Local Government and Subsidiarity. What is proposed will limit the ability of the entire system of government to transform itself in order to focus on the needs of the citizen, whereby regional government can concentrate on policy and strategy and whereby councils can rightly focus on joining up the local delivery of services.

NILGA would also like to highlight that the paper is overtly biased towards the existing civil service organisations. The figures presented are one sided and there is limited if any regard for the potential for creative methods of delivery at local government level. There is also limited evidence in the paper of genuine consideration of the wider arguments about the need to significantly strengthen local government. We are further concerned that the thinking has been unnecessarily limited due to a lack of meaningful dialogue with local government practitioners.

NILGA would like to confirm that the sector is committed to developing a new and productive relationship with regional government as a partner in government. Therefore, we wish to take a professional approach to resolving the issues raised in this paper. It is however necessary to convey to Ministers the significant anger and disappointment across the sector that despite five years of work the package offered is so limited. The proposal to transfer only 1.2% of the public sector budget and 0.45% of public sector jobs is a very small change. Many believe that this de minimus approach jeopardises community planning and calls into question the value of reorganising councils given the significant cost of the change process.

The package as it stands will not allow councils to radically transform the local delivery of services. To proceed on this basis would be a travesty. It presents a wasted opportunity to make a real difference.

NILGA therefore calls on the Executive to review the decisions to ensure local government can deliver the defined family of services, as described in the RPA research and in our recently published best practice review paper Strong Effective Local Government in Northern Ireland (see copy enclosed). This will allow councils to effectively drive local development, to integrate the local services and to provide a meaningful level of subsidiarity.

In conclusion, members are deeply disappointed that after five years of research and a robust evidence base, the proposals do not provide the services that councils clearly require to effectively serve their citizens.

NILGA calls on the Executive to fundamentally review these proposals and make final decisions that reflect the undisputed evidence supporting strong effective local government and which match the agreed vision. These include;

- **Planning - to include area planning delivered on a group basis.**
- **Local Roads – to include a creative and integrated delivery model avoiding any diseconomies of scale.**
- **Regeneration – subsequent to focused attention to address the DSD caveats which NILGA contends are distasteful and unjustified.**
- **Greater transfer of local economic development powers including control of the Invest NI land bank, local product development and marketing.**
- **A wider rural development role including farm diversification and product development.**
- **The NI Harbours and Fisheries Authority.**
- **Youth Services.**
- **Libraries.**
- **NIHE functions (excluding Supporting People and travellers sites).**

Additionally, NILGA would also welcome the transfer of the NI Fire and Rescue Service and the Trading Standards function together with further exploration of a strengthened role in public health provision and passenger transport.

NILGA would welcome the opportunity to fully engage with Ministers to ensure that they as decision makers are appraised of all the arguments.

Following debate across the sector, NILGA would also like to suggest that, in the absence of a satisfactory outcome from these deliberations, the Executive may wish to consider proceeding with a slightly strengthened version of the existing proposals (with services to be delivered on a group basis) and review the decisions on reorganisation of councils subsequent to the Assembly review. This would facilitate full consideration of all the issues in the context of a fully formed and functioning regional Government and

would be in line with the best practice approaches being taken in Scotland and Wales where, in both cases, the devolved administration is taking a radical approach to the local delivery of all public services.

The principle should be that the functions transferred to local government should be those which are required to allow the new Councils to make a difference to the performance of their areas and make a difference to the outcomes for their citizens.

## 1. INTRODUCTION

NILGA has, in parallel with the RPA team, taken considerable effort over the last five years to develop an understanding of the role of local government in a modern democratic society. Over this period we have developed a vision for the modernisation of the sector. These views are outlined in our RPA response and further developed in the Manifesto for Strong Effective Local Government<sup>1</sup>. The proposals remain extremely modest compared to counterpart organisations in other nations and regions. However, in the light of devolution, it would be expected that this would be an appropriate time to significantly invest in the development of local government to regularise our practices with those demonstrated to be optimal in other regions and in compliance with the European Charter of Local Self Government.

NILGA members have considered the Emerging Findings Paper released on the 18<sup>th</sup> of October. In light of the above comments NILGA believes the proposals are de minimus, suggesting a mere 0.452% of public sector jobs<sup>2</sup> and 1.21% of the Public Sector budget<sup>3</sup> will transfer to local government. Additionally:

1. The proposals are not aligned to the RPA evidence base.
2. The proposals will not support the development of Strong Local Government.
3. The proposals will not deliver Subsidiarity.
4. The indicative figures relating to 'the loss of economies of scale' in the paper are misleading.
5. The paper presents no evidence of consideration of the reduced costs of the substantial economies available from governance and management integration into councils.
6. The proposals will not support a radical transformation of how services can be delivered.
7. The proposals will compromise the effective delivery of community planning.
8. The proposals may not warrant the initial cost of reorganisation of the 26 councils.

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<sup>1</sup> These documents are available on the NILGA Website

<sup>2</sup> Quarterly Employment Survey, NI Public Sector Jobs – June 2007, DETI

<sup>3</sup> £99m of and £8.2bn Public Sector Budget (<http://www.dfp.gov.uk/>)

NILGA acknowledges the contextual issues: where new Ministers do not wish to relinquish power; where civil servants have no incentive to move from the status quo; and perhaps most importantly where knowledge of local government is influenced more by the past rather than the future. These issues must be acknowledged but instead of taking a resigned and fragmented approach as is set out in the proposals, fresh and courageous steps should be taken to develop councils that are fit to serve citizens in the coming decades. To take a piecemeal approach to modernisation would be a travesty.

NILGA calls on the Executive to fundamentally review these proposals and make final decisions that reflect the undisputed evidence supporting strong effective local government and which match the agreed vision. These include:

- Planning - to include area planning delivered on a group basis.
- Local Roads – to include a creative and integrated delivery model avoiding any diseconomies of scale.
- Regeneration – subsequent to focused attention to address the DSD caveats which NILGA contends are distasteful and unjustified.
- Greater transfer of local economic development powers including control of the Invest NI land bank, local product development and marketing.
- A wider rural development role including farm diversification and product development.
- The NI Harbours and Fisheries Authority.
- Youth Services.
- Libraries.
- NIHE functions (excluding Supporting People and travellers sites).

Additionally, NILGA would also welcome the transfer of the NI Fire and Rescue Service and the Trading Standards function together with further exploration of a strengthened role in public health provision and passenger transport.

Furthermore NILGA would welcome the opportunity to fully engage with Ministers to ensure that they as decision makers are appraised of all the arguments.

After much debate across the sector, NILGA would also like to suggest that, in the absence of a satisfactory outcome from these deliberations, the Executive may wish to consider proceeding with a slightly strengthened version of the existing proposals (with services to be delivered on a group basis) and review the decisions on reorganisation of councils subsequent to the Assembly review. This would facilitate full consideration of all the issues in the context of a fully formed and functioning regional Government.

The subsequent report details general comments and goes on to comment on each of the departmental proposals.

## **2. GENERAL COMMENTS**

### **2.1 An Appropriate Family of Services**

In order to inform our position on the development of local government in the future, NILGA and SOLACE jointly commissioned the development of a best practice review paper; 'Strong, Effective Local Government in Northern Ireland' (a copy of report is enclosed).

The paper puts forward evidence- based arguments for the transfer of functions to local councils and shows how the functions can be administered effectively and economically by local Councils without any loss of economies of scale arising from their current central delivery. Specifically we believe Planning, Regeneration and Local roads are the essential elements. Further more detailed arguments are presented later in this report.

The paper reinforces the strategic leadership and co-ordinating role of Councils in delivering integrated and responsive local services and suggests that there must be a clear separation between policy development and service delivery in the context of a strategic relationship with regional government.

The paper specifies that councils should be 'Place Shapers'. It argues that by delivering functionally from the centre, 'place shaping' cannot be achieved. For example Roads Service will only focus on roads regardless of the detrimental impacts on communities; civil servants working in regeneration cannot appreciate as well as locally elected Councillors what the local priorities are.

Importantly the paper alludes to the fact that effective community planning will be significantly compromised without the responsibility for a comprehensive portfolio of functions transferring to local government control.

The principle should be that the functions transferred to local government should be those which are required to allow the new Councils to make a difference to the performance of their areas and make a difference to the outcomes for their citizens.

This should enable the new Councils and the existing Councils in the transitional period to:

- Set a vision for their area, based on Community Planning processes that have support from citizens, other public authorities, the voluntary and community sector and the private sector
- Arrange for the delivery of services at the right level to meet local needs, and
- Creating local leadership around a shared agenda.

The outcomes would be

- Strengthened local decision-making
- Putting local authorities at the centre of local coalitions to strengthen communities, and

- Creating the conditions to encourage opportunity, tackle disadvantage and promote prosperity.

The current proposals will fail to achieve these outcomes and are a missed opportunity for Northern Ireland, for local government in Northern Ireland and for local communities across Northern Ireland who will lack the opportunity to take a stronger grip on their own futures. As a result, the current proposals

- swim against the tide of '*double devolution*' of powers to councils and their communities which is happening in all of the other jurisdictions across the UK
- hold on to powers at the centre, which can more efficiently and more effectively be managed at the local level
- fail to deliver on the principles of underlying the RPA, including that of strong central government working in partnership with strong local government and the clear vision for local government set out in the Emerging Findings paper.

In principle, the local government sector in Northern Ireland would wish to see our Councils established as strong partners with central government. That would mean a much more extensive transfer of powers to local authorities than that which is currently proposed within the emerging findings report.

## **2.2 Phased Approach**

NILGA calls on the NI Executive to provide greater clarity on its intentions for the phased transfer of functions to local government. Specifically, we call on the Executive to set out their commitments and an agreed timescale in discussion with local government to avoid compromising the change process or councils' ability to deliver effective services.

NILGA would also emphasise that a phased approach must not be allowed to degenerate into an 'ad hoc' or 'piecemeal' approach which would compromise the strategic development of the sector.

## **2.3 Balance of Power and European Charter of Local Self Government**

The European Charter of Local Self Government commits all the signatory nations to balance power between the centre and localities. NILGA argues that power is more effectively balanced where councils have primacy for local service delivery and governance and where they have a level of critical mass to ensure a genuine relationship with regional government.

NILGA calls on the Executive to have regard to the need to strengthen local government to provide a better balance of power between the two spheres of government. NILGA also requests that the Executive deliver a revised package which ensures that the British government can include Northern Ireland in their commitment to meet the principles of the Charter.

## **2.4 Relationship between Regional and Local Government**

NILGA is concerned that previous proposals to provide a new statutory relationship between local and regional government in not detailed. It is assumed that this is an omission but NILGA requests that the Executive makes explicit the proposals to formally provide for this statutory relationship to facilitate the development of a robust and effective interface between regional and local government.

## **2.5 Sustainable Development**

NILGA is disappointed that the Emerging Findings report does not take into account the emphasis placed on the role of local government in supporting sustainable communities as outlined within the Northern Ireland Sustainable Development Strategy.

The sustainable development strategy is an important policy framework which the Emerging Findings Report overlooks. It is part of the UK's international obligations and it is quite inappropriate for the Emerging Findings paper to disregard established policies such as this.

Greater integration between service providers and the effective engagement of communities in developing services at the local level is critical to achieving sustainable communities. The Strategy suggests that the role of the local authority is to ensure that services are delivered at the right level to meet citizens' needs; by the authority itself, by other public agencies and by the voluntary, community and private sector, while setting a vision for its area through an inclusive community planning process and drawing together the tools and means to deliver that vision.

Furthermore NILGA recognises the key role for local government in promoting and facilitating individual lifestyle choices in order to address issues such as climate change and energy provision.

NILGA calls on the Executive to fully ensure the proposals fully reflect the role councils should have in building and supporting sustainable communities.

## **2.6 Lack of Dialogue**

NILGA is concerned that many of the proposals have been made in the absence of any genuine dialogue between local and central government and hence the lack of mutual understanding or appreciation of the aspirations and concerns of each party.

NILGA would therefore request and encourage a much greater level of discussion and joint working as any further design work or implementation process begins.

## **2.7 Attendant costs**

NILGA is concerned that the departments propose to transfer only the main budgets and not the attendant resources. For example, the NI Events Company and the Arts Councils propose to transfer their budgets but not any specialist staff.

NILGA seeks to ensure that all attendant costs including administration, estates, vehicles, specialist skill base and other resources are fully identified and transferred to local government.

## **2.8 Staff Morale**

NILGA finds the remarks in paragraphs 39-41 distasteful and inappropriate.

NILGA wishes to highlight that staff transfers are currently commonplace across the public sector and are concerned that this issue is raised by one department alone. NILGA members resent the implication that working within a framework accountable to local citizens would lead to a loss of morale.

NILGA would also like to highlight that there are also significant morale and recruitment issues within the local government sector. In particular the sector has been 'discussing' wholesale modernisation/reorganisation for over five years with the anticipation that the sector would be significantly enhanced.

Once final decisions have been made, both tiers of government should work together as a matter of urgency on managing staffing convergence issues prior to transfer.

NILGA will oppose any proposals that may adversely impact on the numbers and skills of those being transferred in order to avoid any detrimental impacts on the delivery of services.

## **2.9 Democratic Renewal**

One of the key elements of local government is to provide a training environment to attract and develop politicians. NILGA does not believe the package on offer will significantly raise the desirability of local government as a means of public service, nor will it provide a significant opportunity to build the capacity of people to deliver major public services at a political level.

NILGA therefore believes this package could compromise the capacity of the sector to attract a completely new set of public minded individuals to serve their communities on local councils.

## **2.10 Timescale**

NILGA is concerned that there is a very limited time scale available to comment on the Emerging Findings Paper. NILGA would encourage the Executive to provide additional time particularly to review some of the more contentious issues to ensure that all the appropriate evidence is considered and that the final decisions are the optimal ones.

## **3. VISION**

(paragraphs 6-12)

NILGA fully supports the vision described for local government which if implemented would provide win-win solutions for regional and local government and most importantly



for our citizens. We concur that there is a need to provide effective civic leadership, to balance power between regional and local government and to support the co-ordination of local service delivery by councils.

NILGA believes that despite the wider acceptance of the vision, the proposals made by the Executive fall far short of the vision and will weaken the ability of councils to deliver what local communities need.

## **4 COUNCIL NUMBERS**

(paragraphs 13- 17)

NILGA concurs with the arguments presented in the Emerging Findings paper, namely that local identity must be balanced with capacity to deliver a larger remit of functions and that due cognisance must be taken of local geography, natural communities, wealth base, employment patterns and co-terminosity as detailed.

NILGA contends that the delivery costs for the variety of models are negligible and that councils could find a variety of collaborative methods to deliver services at the appropriate level. Councils already have a variety of service delivery mechanisms<sup>4</sup> which could be further developed in the future.

NILGA has attempted to steer away from the 'Numbers of councils debate' preferring to focus more on the question of what services councils must attain in order to facilitate effective delivery at the local level.

At the NILGA AGM in 2005, it was agreed that the 15 council model best suited the circumstances in Northern Ireland.

## **5. TRANSFER OF FUNCTIONS**

### **5.1 DoE**

#### **Planning**

(Paragraphs 26-28)

NILGA is supportive of the transfer of planning functions to local government as outlined in the Emerging Findings Report. The proposals would bring Northern Ireland into line with every other region in Europe and would support a more joined up and responsive approach to addressing local priorities. Additionally, there is significant potential to integrate development control and enforcement with building control services. NILGA agrees that regional planning should remain with regional government with the legislative proviso that Councils are adequately involved in the policy making process.

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<sup>4</sup> Environmental Health and Building Control are delivered on a Group Committee Basis; there are three Waste Management Partnerships; there are four Regional Tourism Organisations; European, HR and Arts Policy services are provided by NILGA and Belfast CC provides legal and HR services to Councils on a cost recovery basis.

NILGA is concerned, however, at the proposed separation between the development of Area Planning and Local Planning functions. We believe the possibility of delivering area planning on a group basis should be fully explored. It is important that any reform introduced alleviates the already complex service delivery maze which exists.

NILGA acknowledges that the powers of conservation and preservation along with urban and rural regeneration are essential at the local level if community identity and character are to be preserved.

NILGA would welcome more detailed exploration of the delivery mechanisms required but considers that it is essential that detailed discussions take place with local government and planning practitioners to design the most appropriate delivery mechanisms.

### **Built Heritage**

(Summary table of Transfer of Functions Proposals)

NILGA welcomes the ability to 'spot list' and to add buildings to the Statutory list as this facility will greatly assist councils to shape the character of their areas. NILGA, as previously stated, is concerned that there is no proposal to transfer budgets or staff to local government and would request that this issue is reviewed to support local government in delivering this service effectively.

### **Local Government Staff Commission**

(Summary table of Transfer of Functions Proposals)

NILGA recognises the potential for a review in relation to the need for a wider Public Service Commission. NILGA would however like to ensure that the appropriate functions transfer back to local authority control as soon as possible.

## **5.2 DRD**

(paragraphs 29-31)

NILGA welcomes the proposal to transfer the public realm aspects of local road functions to local government but finds the retrenchment in transferring responsibility for the maintenance and development of local roads and associated traffic management to local government unacceptable. NILGA does not accept the arguments put forward to justify this decision and would question the costs alluded to within the Emerging Findings report.

NILGA reiterates that Councils can share services and will make significant efficiencies by integrating this service into the general work of councils. We also believe that the cost of the lack of an integrated approach is an incalculable but very real and substantial cost. The inability to make decisions about local roads hampers local development and has significantly reduced the level of inward investment in Northern Ireland. Investors go elsewhere as projects become too drawn out, costly to deliver and vulnerable to the vagaries of a selection of agencies with competing priorities.

Elsewhere in the UK and Ireland Councils deliver local roads functions. In Northern Ireland the existence of a centralised Roads Service can lead to operational economies of scale and NILGA acknowledges that it is very desirable that such economies of scale be maintained under a new arrangement. However, NILGA has seen no evidence that the cost of Roads Service provision in Northern Ireland is lower/unit cost than comparable Council-led operations in other parts of the UK and Ireland. NILGA is also very aware that the centralised administration of the Roads Service imposes costs which are very difficult to measure arising from the application of a 'one size must fit all' mentality to Roads Service's operations.

Roads are important; they are more than engineering solutions to transport problems. In many parts of Northern Ireland roads are an important part of local identity and there is an important relationship between roads provision and planning, urban and rural regeneration and tourism and economic development.

A transfer of responsibility for all but motorway and trunk roads to the new Councils, therefore, makes sense. Roads are a core part of the coherent corpus of place-shaping powers. However, this does not mean that the economies of scale currently achieved by the DRD Roads Service have to be lost. Subject to a proper procurement process the DRD Roads Service could become a service provider to the new Councils working in collaboration with, or in competition with private sector service providers.

Furthermore, NILGA reiterates that if Councils are to acquire a meaningful role in community planning, this can only be predicated on the assumption that the responsibility for planning and local roads will rest with local authorities. Accordingly, the responsibility for roads maintenance, development, traffic management, street lighting and car parks should transfer to local government as a package.

NILGA strongly suggests that Ministers should review the practices in the delivery of local roads across these islands where Councils have the ability to drive local development. NILGA contends that without the capacity to include roads with the other local delivery systems, this will unacceptably limit new councils' ability to drive the development of their areas.

NILGA would also welcome the opportunity to explore with DRD the role that councils could or should have in relation to local passenger transport.

### **5.3 DHSSPS**

#### **NI Fire and Rescue Service**

(Paragraphs 32 – 33)

NILGA seeks to challenge the arguments present in the Emerging Findings paper in relation to the NI Fire and Rescue Service. We would highlight that the Fire and Rescue Service is provided by local government in the rest of Great Britain. Local Government in each case provides the service on a collaborative basis as is suggested in this case. Additionally all the support services are organised through local government including training and the industrial relations machinery.

The transfer of this service would support the rebalancing of the service provision between central and local government. In addition NILGA believes there are service improvements which could be made by working to ensure the seamless delivery of regulatory and promotional services to communities.

Additionally we consider that councils should be able to work with service providers to tailor their local provision to local needs directly, as part of the provision of local government services. NILGA believes the NIFRS should therefore form part of the suite of local government services. To do otherwise would be irregular.

### **Enhanced Involvement in Health and Social Care**

(Paragraph 34)

Social Services are a local government function elsewhere in Great Britain. NILGA accepts the argument that strong links with health appear to work effectively. However, NILGA believes that greater linkages with local government would be extremely beneficial for citizens and service providers.

Local Government should also have a role in public health, health promotion and protection activities, particularly as the focus shifts to a preventive approach.

NILGA seeks to proactively work with DHSSPS to explore opportunities for a strengthened role for local government in direct service delivery and to explore gains in the community planning process.

### **5.4 DSD**

#### **NIHE**

(Paragraphs 35-36)

NILGA notes the comments made in relation to the NIHE and we reject the 'integrity of the NIHE' as a flawed premise. The premise should be towards designing the most integrated and accountable service to the public. Furthermore, NILGA wishes to highlight that there is already confusion over service delivery since generally the public contacts the local council when they have any issue concerning public services.

NILGA contends that the services proposed to transfer namely: Urban Renewal, Houses in Multiple Occupation, Private Sector Grants, Group Repair, Unfitness and Energy Conservation should transfer as originally proposed. These services would support councils in facilitating local development.

Local Government believes that Travellers Sites and Supporting People are best delivered by the NIHE.

NILGA believes that it is not appropriate for the NIHE, as the biggest landlord in Northern Ireland to be both the provider and the regulator. The regulatory experience of District Councils and Environmental Health Departments in particular is considerable

compared to that of the NIHE. It is therefore entirely appropriate that regulatory responsibility for housing standards should be a Council function. Already this year Councils have been given enhanced powers under the Private Tenancies (NI) Order 2006 to deal with housing standards. NILGA believes that this role should be developed and that Councils, through their Environmental Health Departments, should be responsible for regulating housing standards generally including fitness and HMOs. This work fits well within the Place Shaping remit.

NILGA also contends that Councils have a lead role in Sustainable Development at local level. The Energy Conservation programme would be a significant element of this and should be delivered by councils and integrated with other Sustainable Development activities such as waste reduction and recycling.

NILGA acknowledges the important role played by the NIHE in the past. However, direct rule Ministers have implied that in a more normalised society, Local Government should have a key role in local housing issues. NILGA seeks to have a wider debate about the future of Housing Services and local accountability/service delivery issues to ensure that any significant changes in these services are set in a long term context.

### **Regeneration**

(Paragraphs 37- 41)

NILGA welcomes the proposals to transfer regeneration services to local government. The regeneration function sits most appropriately with local development which should be locally driven and accountable. The Best Practice Review Paper sets out in more detail the rationale for transfer.

NILGA rejects the caveats as councils have an excellent track record of service delivery. We seek to work with the department to ascertain how services could best be transferred. We support the exploration of how special services can be delivered and we welcome the review of the legislative base to facilitate regeneration. NILGA recommends that this work should be carried out in conjunction with the DOE to ensure regeneration legislation dovetails with Community Planning, the Power of Wellbeing and the suite of other local government legislation being developed.

NILGA would like the Executive to note that we find distasteful the caveat detailed in the Transfer of Functions summary sheet which implies that Local Government must demonstrate that it is fit for purpose and capable of discharging this function. Council Members and staff are intimately acquainted with local communities and they are accountable to them. DSD is at best remote and unconnected to the wider dynamics of the local community. NILGA therefore contends that DSD have limited legitimacy to drive regeneration and local practice indicates that civil service staff are heavily reliant on councils in the discharge of this function already.

We reiterate again that the principle should be that the functions transferred to local government should be those which are required to allow the new Councils to make a

difference to the performance of their areas and make a difference to the outcomes for their citizens.

This should enable the new Councils and the existing Councils in the transitional period to

- Set a vision for their area, based on Community Planning processes that have support from citizens, other public authorities, the voluntary and community sector and the private sector
- Arrange for the delivery of services at the right level to meet local needs, and
- Creating local leadership around a shared agenda.

The outcomes would be

- Strengthened local decision-making
- Putting local authorities at the centre of local coalitions to strengthen communities, and
- Creating the conditions to encourage opportunity, tackle disadvantage and promote prosperity.

### **Licensing**

(paragraph 42)

NILGA have set out a vision to provide communities with a system of integrated regulatory services. NILGA welcomes the opportunity to further explore with Ministers how councils can deliver these functions at local level.

## **5.5 DCAL**

### **Armagh County Museum, Water Leisure and Recreation Facilities, Local Sports, Arts, Events and the NI Museums Council**

(Summary table - Transfer of Functions)

NILGA welcomes the transfer of these services as they all can best be integrated into the local service provision. NILGA reiterates that the administration costs should also transfer together with the professional staff where necessary.

### **Libraries**

(Summary table - Transfer of Functions)

NILGA contends that the decision to provide a separate Libraries Authority is contrary to the principles of the RPA. NILGA believes that it is essential, when thinking about the future of the public library service, to agree the parameters of the role which we expect the libraries of tomorrow to perform. Successful libraries are not simply about a formal academic understanding of education; they are also about improving quality of life through the provision of a combination of educational, social, cultural, health and general information opportunities for local people. As such, they are potentially invaluable as a means of delivering the social outcomes that will be set as part of any community planning process.

Whilst it is recognised that the community planning process could assist in integrating libraries into the local suite of community services, it will not do so as effectively as if the Councils had the responsibility for the service. In particular there will be;

- limited opportunity for Councils to provide support services
- complexity in negotiating accountability and governance relationships
- additional bureaucracy and negotiation in developing public service centres/ innovative and integrated methods of service delivery.

Library provision in other parts of the UK and in the Republic of Ireland is, in general, the responsibility of local Councils. NILGA recommends that greater consideration should be given to the development of more innovative and modern models (e.g. public service centres<sup>5</sup>) which encourage greater integration in public service provision.

There have been some arguments that councils will not have the ability to share book lending facilities across Northern Ireland. This view is rejected as we believe Local Government could develop systems to provide services across Council boundaries as is the existing case with the five Education and Library Boards.

NILGA calls on the DCAL Minister to review this decision and to take appropriate action to transfer the library services to the new councils.

## **5.6 DARD**

### **Rural Development Programme**

(Summary table - Transfer of Functions)

Councils already take an active role in the delivery of the Rural Development Programme and do not recognise any significant development in this proposal – what does the latter part of this sentence mean?. Councils are committed to working with DARD to further develop effective service delivery mechanisms for the 2007/2013 programme which dovetail with the reorganisation of local government.

In addition DARD should transfer the local delivery elements of their activities. Particularly DARD should transfer Farm Diversification Programmes and Product Support. These two projects are integral to local economic development in more rural areas and the separation of services is costly and confusing for people developing their local businesses.

### **NI Fisheries Harbour Authority**

(Summary table - Transfer of Functions)

NILGA rejects the proposal which is opposed to transferring this service to the two councils involved. The Harbours provide much more for an area than merely a harbour. They are facilities which are integral to the townscapes and provide significant

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<sup>5</sup> The Grove Wellbeing Centre being developed in North Belfast is an example.

opportunities for local regeneration. Councils are best placed to take a holistic development perspective of these facilities.

## **5.7 DETI**

(Summary table - Transfer of Functions)

NILGA welcomes the transfer of the services listed. However, NILGA believes that they do not go far enough to facilitate local government in driving forward economic development.

As part of the local economic development, strategic planning and place-shaping functions of the new local authorities, the property land bank of Invest NI should transfer to the new Councils. Councils acknowledge the importance and value of the Invest NI inward investment role and will wish to make provision for the property requirements of inward investment companies, in consultation with Invest NI. However, there are many areas in which land currently reserved for INI client companies could be put to good use by local companies without eroding the Region's ability to host major inward investments. NILGA wishes to highlight the submission to the Minister from NILGA and SOLACE for a detailed analysis of what we believe should transfer. Specifically NILGA argues that the Land Bank which Invest Northern Ireland holds should transfer at least in part to local councils, as should the responsibility for local product development and marketing.

In addition NILGA contends that the Trading Standards Service could also be best delivered by local councils as in other regions and we would call on the DETI Minister – this sentence is not finished.

## **5.8 OFMDFM**

(Summary table - Transfer of Functions)

NILGA supports the development of a strengthened role for councils in planning for Civil Contingencies as indicated at the Strategic Leadership Board and through the work of the Local Government Emergency Management Group (LGEMG). We are committed to working with OFMDFM to further develop this work in the future with the caveat that local authorities must receive the appropriate resources to deliver this new function.

It is disappointing and in our view inappropriate that the Emerging Findings paper makes no reference to the Shared Futures strategy and the role envisaged for local government in that strategy.

## **5.9 DE**

(Summary table - Transfer of Functions)

NILGA has argued in the past and maintains the position that rather than being purely an educational resource, Youth Services are community services and fit best with community development and mechanisms for local service delivery. NILGA believes that previous decisions were unduly influenced by a campaign led by Youth Service stakeholders.



NILGA calls on the Executive to review these decisions in the light of the rationale for investing in local government and providing an integrated set of local services.

## **6. COSTS AND STAFF**

(Paragraphs 43-46)

The overall package represents a mere 0.4% of Public Sector jobs and 1.2% of the Public Sector budget. NILGA believes that this package does not represent a significant investment in local government and would question the efficacy of reorganising to deliver this suite of services.

NILGA members believe that the figures developed to support reorganisation are one sided and misleading. NILGA also contends that no account has been taken of the efficiencies of integrating services into councils or more importantly the practical service delivery improvements possible when councils can drive local development.

NILGA calls on the Executive to produce a business case to assure local government and the public that the decisions to progress are based on sound and balanced economic evaluation.

## **7. COMMUNITY PLANNING**

(Paragraphs 47-48)

NILGA welcomes the proposal to ensure Councils have a new power to provide a community planning function. We consider that the sector would welcome community planning pilots in advance of reorganisation and have already requested the Minister of the Environment to investigate the possibility of bringing forward the power of well being for councils as soon as possible. This would lend an additional level of flexibility to councils in the implementation phase.

NILGA would however point out that the evidence would suggest that for the community planning process to work effectively, councils must bring considerable weight to the table. We have therefore set out the suite of services we feel is necessary for local councils to deliver a meaningful community planning process. This was highlighted by Sir Jeremy Beecham (author of the Beecham Review of the Delivery of Public Services in Wales) speaking at the NILGA conference in September when he said

This was a point made forcefully by Sir Jeremy Beecham in his speech to the NILGA Conference on 21 September 2007 when he said;

*'these days we have to be concerned with the broadest range of issues. Cross-cutting themes like the provision for young people or the disabled, health inequalities or economic development , need to engage the combined working of local government and national services, some controlled by Stormont, others by Westminster.*

*Community plans which do not embrace these key services, and where the body producing the plan does not have the power to secure implementation, simply will not live up to their name.'*

NILGA is concerned that the package as proposed will compromise the potential of community planning to make a difference in local communities. We therefore strongly suggest that the Executive reconsider their proposals.

## **8. GOVERNANCE**

(Paragraph 49)

NILGA recognises the need to review and develop governance arrangements and remains committed to working with the Department to develop suitable systems which are appropriate for the new arrangements.

## **9. MODERNISATION PROGRAMME**

(Paragraphs 50-51)

The Local Government sector has been pressing for a modernisation programme for over a decade. The sector now welcomes the first steps the DOE has taken to support modernisation and the approach they have taken to ensure robust political involvement. NILGA is committed to working with the Department and councils in developing a strategic approach to modernisation.

It is particularly disappointing that the Emerging Findings paper contains only 2 very general paragraphs on the Modernisation Programme. Modernisation is a fundamental part of the overall transformation of local and central government relations to enable public services to be delivered more effectively, more coherently and more efficiently to the citizen. In this context the emphasis on the cost of a modernisation programme misses the point, the cost is that of the investment to enable joined up services to be delivered to the citizen effectively, coherently and efficiently. Without the vision of citizen-centred services the modernisation programme is without point.

It is particularly disappointing that there is only a passing reference to the shared services agenda, which is transforming the delivery of central and local government services across the rest of the UK – in the Appendix we give two case studies from Wales.

NILGA calls for an effective, open debate led by the Executive on how local and central government services can be delivered seamlessly to citizens and communities across Northern Ireland.

## **10.CONCLUSION**

Finally NILGA reiterates that we are committed to developing a role for local government as a sphere of government in partnership with regional government. We believe the solutions are win-win and that if the Executive significantly invests in the sector, there is dramatic potential to radically allow Northern Ireland to develop.

In England Ministers set out some principles in the Sub-National Review of Economic Development and Regeneration which would urge on Northern Ireland Ministers as the basis of a better-informed and more coherent consideration of the local government aspects of the RPA. Those principles were that the arrangements between central and local government should

- Manage policy at the right level
- Ensure clarity of roles, and
- Enable places to reach their potential.

The current proposals in the Emerging Findings paper do not match up to these principles. We call for Ministers to apply the following tests to a revised set of proposals

- Do they manage policy at the right level?
- Do they achieve clarity of roles between central and local government?, and
- Do they enable places across Northern Ireland reach their potential?

We therefore hope that this response in conjunction with the best practice review paper; Strong Effective Local Government for Northern Ireland provides a sound basis to further inform the decision making process.

## **Case Study 1**

### **Caerphilly County Borough Council, New Tredegar Community Centre Development**

New Tredegar in Caerphilly County Borough is in an area of deprivation. Education standards in the village primary schools needed to be improved and so the council created a plan to close three existing schools and build a new 'state of the art' school in the centre of the village.

The new school incorporates a number of initiatives such as the development of the lottery funded Integrated Childcare Centre. This offers accessible and affordable childcare which enables parents to access training at the White Rose Resource Centre and locally generated employment opportunities at the new White Rose Business Units. The project team also took the opportunity to add an extra wing that would generate life-long learning facilities (a library, cyber-café), and by creating partnerships with the National Health Service Trust and Gwent Police, a Healthy Living Centre and Crime Prevention Centre.

The Authority's Highways department was persuaded to re-prioritise the county's road building programme to make the chosen site accessible - and the new road opened up a possible development zone that the Welsh Development Agency was able to use to invest in starter units. Money came from many different sources, including the Welsh Assembly Government, Welsh Development Agency, Europe and the Council itself. The project had strong project management, and drive came from the responsible cabinet member and local members. The local community, including the New Tredegar Communities Partnership, was a crucial part of the overall partnership from the beginning. It was involved in the design and during the build programme. It was their community's project, and as a result the developers said that there were fewer complaints than a normal building project might generate.

## **Case Study 2**

### **Ynys Môn County Council Joint Working with Gwynedd Council (and other North Wales authorities)**

A significant level of joint working between Ynys Môn and Gwynedd has been going on since before local government re-organisation and has been expanded since then. The main driver for these arrangements is the small relative size of Ynys Môn, and the limited resources consequently available to the authority, but it has also relied on the trust and good working relationships developed over the years. Gwynedd benefits from sharing costs and the added purchasing power of Ynys Môn.

Key areas of joint working include:

- Schools services - via Cynnal, commissioned jointly to provide specialist support services.
- School meals service - competitively tendered and won by Gwynedd on each occasion.
- Social Services food contract - jointly contracted with Gwynedd.
- Joint library cataloguing and book sharing arrangements.
- Transport - Ynys Môn is a member of the Public Transport Forum, a subregional planning body led by Gwynedd and involving three other North Wales authorities.

Working together with Gwynedd and other authorities has enabled Ynys Môn to provide these services at a more economic cost.