

# **CORRESPONDENCE**

# Reform Inform

Keeping you updated on Local Government Reform

09 July 2014 – Issue 20



Department of the  
**Environment**

[www.doeni.gov.uk](http://www.doeni.gov.uk)

Local Government Reform

## Recap on new council powers

The 22 May elections heralded a new era for local government. The 462 councillors elected to the 11 new councils now need to make key decisions around their structure and governance, agree budgets and plans, and prepare them to take on their full range of functions in April 2015. With just nine months to go, we thought it would be a good opportunity to recap on what new responsibilities the councils will have as of 1 April 2015.

Below is the list of functions/powers transferring from central government departments to councils:

### Planning (DOE)

- Local development plan functions
- Development control and enforcement

### Roads (DRD)

- Off street parking (except Park and Ride)

### Urban regeneration and community development (DSD)

- Town and city regeneration
- Area-based regeneration
- Support for the voluntary and community sectors at local level

### Housing (DSD)

- Housing unfitness
- Houses in multiple occupation

### Laganside (DSD)

- Function will transfer to Belfast City Council

### Local Economic development (transfer from Invest NI) (DETI)

- Start a Business Programme and Enterprise Shows
- Youth Entrepreneurship (such as Prince's Trust and Shell Livewire)
- Social Entrepreneurship
- Investing for Women
- Neighbourhood Renewal funding relating to enterprises initiatives.

### Local Tourism (DETI)

- Small scale tourism accommodation development
- Providing business support including business start up advice along with training and delivery of customer care schemes
- Providing advice to developers on tourism policies and related issues

### Other

- Authority to Spot List to enable Councils to add a building to the statutory list on a temporary basis, subject to ratification by the DOE (DOE)
- Authority to draw up local lists of buildings that are of architectural and/or historic interest (DOE)
- Armagh County Museum (DCAL)
- local water recreational facilities (DCAL)
- local sports; (greater involvement of local government in local sports decisions); (DCAL)
- Donaghadee Harbour (DRD)

Councils will also lead a community planning process. This will be done in partnership with other public service providers in order to collectively address local problems.

They will also have a new General Power of Competence. This will allow a council to act with similar freedom to an individual, unless there is a law to prevent it from doing so. It will allow a council to act in its own interest and develop innovative approaches to addressing issues in its area.

These new functions will give the new councils some powerful tools to shape their areas and communities and help them to be more creative, flexible and responsive to address key community issues. With these new responsibilities, reform will help create a stronger, more effective and modernised local government.

## DOE holds conference on Community Planning

On 19 June, DOE held a conference 'Laying the Foundations of Community Planning: The New Central-Local Relationship', welcoming senior management from councils, key agencies and other government departments. The aim of the conference was to explore with invited delegates the changing relationship between central and local government that will result from the reforms to local government, with a particular focus on the new duties that both central and local government will have in relation to community planning.

DOE Permanent Secretary, Leo O'Reilly, opened the conference reminding delegates that the primary aim of the reform is to create stronger, more effective local government, and to modernise and improve services for citizens to improve their quality of life. He highlighted that community planning provides a real opportunity to redefine the role of local government and to better coordinate the services that both it and central government provide. He added that this will not happen unless accompanied by a shared vision of a new way of coordinating public services and determination by all of us involved to work together to deliver on that vision.

The event provided an update on preparations being made for the introduction of community planning and the role the future Partnership Panel will have in defining the relationship between central and local government. Representatives from the Scottish Executive and Dundee Council provided insights on the practical operation of community planning and how the relationship between central government and councils works in Scotland.

Donna Traynor facilitated discussions to assist with understanding the various roles in the community planning process, and the challenges and key issues faced by all organisations in preparing for the changes.



The panel of Brian Moreland (DOE), Liz Loughran (DOE), Stewart Murdoch (Dundee Council), Linda MacHugh (DOE) and David Milne (Scottish Executive) respond to queries from attendees



Donna Traynor facilitates discussion between the panel and David Jackson, (Causeway Coast and Glens District Council)

## Partnership Panel: Learning from Partnership Working in Cardiff

Recently, staff from Local Government Policy Division undertook a study visit to Cardiff and meetings with Welsh counterparts about local government reorganisation, and in particular how the Partnership Council for Wales operates.

The visit was triggered by the newly enacted Local Government Act (NI) 2014 which requires the establishment of a Partnership Panel between local and central government for Northern Ireland. The Panel is to be purpose built to provide a formal business mechanism between Executive Ministers and elected representatives of the new councils, pre and post April 2015. With Wales having the experience of setting up a similar structure, the visit enabled the DOE Team to discuss how the Partnership Council for Wales was developed and how it functions.

Welsh government officials were able to provide valuable insight into setting up and maintaining formal structures that will promote joint working and co-operation between the two tiers of government. Learning from the visit has now been used to inform the preparation of an Executive paper outlining general proposals for a Northern Ireland model. Terms of reference and standing orders for the Partnership Panel have also been drafted and shared with Ministers. Executive agreement is now awaited to progress proposals for the Panel.

## DOE consultation

DOE is currently consulting on the draft Local Government (Standing Orders) Regulations (Northern Ireland) 2014 and Model Standing Orders. Comments must be submitted by 15 August 2014. For more information, please see the Consultations page of the DOE website: [www.doeni.gov.uk/local\\_government\\_consultations](http://www.doeni.gov.uk/local_government_consultations)

## NI Ombudsman creates 'Code of Conduct' webpage

The Northern Ireland Ombudsman's Office has created a new section on its website setting out the complaints procedure should someone believe that a councillor has breached the new Code of Conduct. The section can be viewed here: [www.ni-ombudsman.org.uk/Complaint-that-a-councillor-has-breached-the-code.aspx](http://www.ni-ombudsman.org.uk/Complaint-that-a-councillor-has-breached-the-code.aspx)

## Recent DOE guidance to councils

New guidance for councils on the reimbursement of payments to councillors during the shadow period has issued and can be viewed on the DOE website: [www.doeni.gov.uk/2014\\_circulars.htm](http://www.doeni.gov.uk/2014_circulars.htm)

## FOCUS ON... Lisburn City & Castlereagh District Council

The first annual meeting of the Lisburn City and Castlereagh District Council took place at Lagan Valley Island on Wednesday 11 June during which the Presiding Officer, Councillor James Tinsley, and Deputy Presiding Officer, Councillor Stephen Martin, were elected. The Council's new Committee Structure was also agreed and elected members were appointed to these Committees, and Chairmen and Vice Chairmen elected. The Council and its Committees will continue to meet throughout the summer to agree and progress a programme of works.

The Council's new Chief Executive, Dr Theresa Donaldson, officially took up her post on Monday 2 June 2014.

As well as working with the new elected members and party leaders, Dr Donaldson has also been liaising closely with the Senior Management Teams across Lisburn and Castlereagh, as well as meeting as many staff as possible from both organisations.

Dr Donaldson addressed and met with the Councils' Joint Task Teams on Friday 27 June. During the morning session at the Dundonald Ice Bowl, Dr Donaldson provided staff with the latest information regarding local government reform in Lisburn and Castlereagh.

Speaking about the year ahead, Dr Donaldson said: "We are all aware that the next 12 months and beyond will be a particularly busy period. From what I have experienced in my contact with Lisburn City and Castlereagh Borough Council, it is evident that much good work has already been undertaken and that much progress has been made by everybody involved. I am confident that with the professionalism and expertise of all the staff in the existing Councils and transferring functions that we achieve our goal of creating a successful new organisation."



Dr Theresa Donaldson, Chief Executive of Lisburn City and Castlereagh District Council addressing employees from both Councils' Task Teams in order to move the new Council forward during the transition period

## DOE Planning Section

### Councillor training in preparation for transfer of planning functions

DOE is committed to helping councils prepare for the transfer of planning functions by delivering training for elected members. This will help ensure that decision makers have the confidence, as well as the competence, to make prompt, sound planning decisions from day one. A planning-specific capacity building and training programme for elected members is being finalised and is due to be rolled out from September to December 2014. These four sessions will cover:

- An overview of the planning system;
- Development plans and working with the community;
- Practical planning; and,
- Propriety and outcomes of planning decisions.

Each session will be delivered in council venues in six locations, with morning or evening events. Councillors can choose which location and time they wish to attend each session. Upon completion of each session, Councillors will be given a 'Manual for Elected Members on Planning' which will provide information on how to execute planning responsibilities when they assume their roles in the new councils.

A variety of training approaches such as presentations, role plays, case studies and workshops will be used. It is proposed that the training will be delivered by a range of facilitators – all experts in their own fields. There will be a line up of key speakers from other jurisdictions with experience of planning issues - both positive and negative! The attempt is to make the training practical and realistic whilst providing the Councillors with a flavour of what to expect in their new roles.

The Department would like to stress the benefits to Councillors of attending all sessions of training on planning. It is in everyone's interest that elected representatives have a sound understanding of the system, the processes associated with making planning decisions and the need to comply with ethical standards. Training will also provide an opportunity to develop good working relationships with new planning staff and to discuss issues that are locally important.

A copy of the provisional programme can be found at [www.doeni.gov.uk/capacity\\_building\\_delivery\\_programme\\_-\\_june\\_14.pdf](http://www.doeni.gov.uk/capacity_building_delivery_programme_-_june_14.pdf)