

# Document Pack

**Committee and Members' Services Section**  
**3<sup>rd</sup> Floor, Adelaide Exchange**  
**24-26 Adelaide Street**  
**Belfast BT2 8GD**



10<sup>th</sup> November, 2008

## **MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE**

Dear Councillor

The above-named Committee will meet in the Council Chamber, 3rd Floor, Adelaide Exchange on Friday, 14th November, 2008 at 12.30 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully

PETER McNANEY

Chief Executive

### **AGENDA:**

1. Routine Matters
  - (a) Apologies
  - (b) Minutes
2. Modernisation and Improvement
  - (a) Review of Public Administration - Update (Pages 1 - 46)
3. Democratic Services and Governance
  - (a) Publishing of Committee Reports on Modern.gov (Pages 47 - 50)
  - (b) Requests for the use of the City Hall and the Provision of Hospitality (Pages 51 - 54)
4. Finance
  - (a) Requests for Funding - Be Your Best Foundation (Pages 55 - 58)
  - (b) Efficiency Programme (Pages 59 - 62)

5. Human Resources

(a) Standing Order 55 - Employment of Relatives (Pages 63 - 64)

6. Asset Management

(a) The Belfast Wheel (Pages 65 - 68)

(b) City Hall Tours and Themes (Pages 69 - 72)

(c) Estates Issues (Pages 73 - 90)

7. Good Relations and Equality

(a) Good Relations Partnership (Pages 91 - 118)



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| 2.3.2 | Members will note further that subordinate legislation has still to be drafted which will provide greater detail around the emerging proposals and take account of the practical implementation issues. Accordingly, it will be important that the Council continue to be actively engaged (at both elected Member and Officer level) within the Policy Development Panels and the other RPA implementation structures established (refer to point 2.4 below).  |
| 2.3.3 | <b>PDP A (Governance, Community Planning, Central-Local Government Relations)</b> has set out its initial proposals in relation to high level governance arrangements for the new Councils, post 2011 (considering issues such as decision-making structures, proportionality, standards, codes of conduct, oversight and transparency); the framework for the council-led community planning process; and has set out the proposed framework for the formalisation of relations between central and local government i.e. establishment of a statute based Partnership Panel along the lines of the Welsh model. <b>A copy of the draft proposals are attached at Appendix 2.</b>  |
| 2.3.4 | At this stage there are no formal proposals being put forward by <b>PDP C (Service Delivery)</b> for the consideration of the RPA Strategic Leadership Board. Nevertheless, work is ongoing in regards to the development of, for example, a draft Customer Service strategy, draft IS Strategy etc. A series of sub-groups have been established to take these issues forward and, again, the Council is actively engaged within these groups to ensure, as is reasonably possible, alignment with the Councils own improvement activities.  |
| 2.3.5 | <b>PDP C (Structural Reform)</b> has set out its emerging policy proposals relating to those structural reform elements which require primary legislation in the areas of human resources, capacity building, finance, estates, regional and sub-regional design and the transfer of functions from central to local government. Examples of some of the areas identified as requiring primary legislation include: enabling the effective transfer of staff, assets and resources; necessary provisions to allow for the payment of compensation in relation to the early release of staff; necessary provisions to enable transferring departments to make grants to fund certain functions transferring to the new councils etc. <b>A copy of the draft proposals are attached at Appendix 2</b> |
| 2.4   | <b><u>RPA Implementation Structures</u></b>   |
| 2.4.1 | Enclosed at <b>Appendix 3</b> is a copy of correspondence recently received, dated 27 <sup>th</sup> October, from the Environment Minister, Sammy Wilson, MLA, in regard to his proposals for the implementation of the Local Government Reform Programme.  |
| 2.4.2 | The Minister has indicated that <u>statutory Transition Committees</u> will be introduced for the 11 council areas in advance of the new Councils being elected in May 2011 and that there will be <u>no shadow council period</u> after the May 2011 elections with the new councils assuming full power and responsibility on the forth day after pooling day.  |
| 2.4.3 | The Minister has also stated that each Transition Committee, one for each new council area, will consist of no more than <u>16 councillors</u> , with an initial resource package of <u>£150,000</u> made available to all the cluster Councils to pay for change management, staff and additional allowances to Members for sitting on the Transition Committees.  |
|       | <b><i>Transition Management Teams</i></b>   |
| 2.4.4 | The Transition Committees would be supported by a Transition Management Team comprising of senior management representatives from the merging Councils. The Transition Management Team will have responsibility for the ongoing operational management of the transition at the local level and will work under the direction of the Transition Committee.  |
| 2.4.5 | The Department of Environment has issued initial guidance on the establishment of Transition Committees and Transition Management Teams (a copy of which is attached at <b>Appendix 4</b> ). It is intended that the guidance will support a consistent approach across all council areas to the establishment of such structures.  |
|       | <b><i>Regional Transition Co-ordinating Group</i></b>   |
| 2.4.6 | In his correspondence, dated 27 <sup>th</sup> October, the Environment Minister outlined his intention to establish a Regional Transition Co-ordinating Group to support the RPA transitional process and to provide advice and detailed guidance to the RPA Strategic Leadership Board and Transitional Committees on implementation and transitional matters.   |

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| 2.4.7 | The Regional Transition Co-ordinating Group will provide the essential interface between the strategic policy direction set by the Strategic Leadership Board and its Policy Development Panels, and the local policy set by the Transition Committees and their operational delivery teams (the Transition Management Teams). The Regional Transition Co-ordinating Group will be responsible to the Strategic Leadership Board for co-ordinating and supporting the consistent implementation of the regional reform policies across the 11 council areas.  |
| 2.4.8 | It would be the intention that the Group would be chaired by Paul Simpson (the Deputy Secretary of the DoE) and comprise of senior officials from transferring function Departments, 3 local government Chief Executives and representatives from other key stakeholder groups e.g. Local Government Staff Commission, NILGA etc.   |
| 2.4.9 | Members will note that the Society of Local Government Chief Executives has nominated The Chief Executive of Belfast City Council as the deputy chair of the Group.   |
| 2.5   | <b><u>Belfast Transition Arrangements</u></b>   |
| 2.5.1 | The guidance issued by the DoE recognises that as Belfast City Council will not merge with any other Council it "will require its own Transition Committee arrangement; the detail of the Belfast approach can be developed in due course but the principles which are set out in the paper should apply where appropriate".  |
| 2.5.2 | It is suggested that the Council nominate the Council's Strategic Policy and Resources Committee as its Transition Committee. The Committee is already constituted under proportionality principles. It is further suggested that for the duration of the RPA process until May 2011, the Strategic Policy and Resources Committee should meet twice a month with one meeting designated to deal with the transition issues set out in the attached guidance. Members of the Committee will be entitled to an additional allowance of £2,700 per annum. This should be paid to the existing Members of the Committee from the date the DoE indicate they are content that the Council should use an additional Strategic Policy and Resources Committee meeting as the Transition Committee. Members will be aware that membership of the Committees in the Council will be subject to review by the Council in May 2009. |
| 2.6   | <b><u>Transfer of Functions</u></b>   |
| 2.6.1 | Members will note that whilst Policy Development Panel C (Structural Reform) had originally been tasked with drafting the necessary policies and legislation to support the transfer of functions from central to local government, recent discussions with DoE officials has reported that it would not be the intention to take forward a <u>single tranche</u> of legislation to cover the transfer of functions, but rather, each transferring department would take forward <u>individual tranches</u> of legislation to enable the transfer of functions.   |
| 2.6.2 | Members will accept that caution should be taken to ensure that such a fragmented approach to taking forward necessary legislation does not result in any dilution or delay in the transfer of functions to local government. It is suggested that a more appropriate approach may be to take forward a combined Local Government Transfer of Functions (NI) Order which would reflect the approach applied in the 1972 reform of local government in Northern Ireland.   |
| 2.6.3 | Notwithstanding, the Environment Minister has written to all Ministerial colleagues stating his support for the statement of principles to underpin the transfer of functions (refer to <b>Appendix 5</b> ) developed by NILGA on behalf of local government. The principles are centred on openness of approach, consistency with the Ministerial statement to the Assembly on 31 March 2008 and ongoing consultation with the sector throughout the process. In his correspondence the Minister has encouraged his Ministerial colleagues to support these principles as we move into the implementation phase of the local government restructuring programme.   |
| 2.7   | <b><u>Severance Scheme for Elected members and Co-Option</u></b>  |
| 2.7.1 | The Environment Minister has indicated that the <u>details</u> of a proposed severance scheme for Councillors will be issued for consultation by the end of the year. It is our understanding that the Secretary of State is currently <u>considering</u> the introduction of legislation which would allow   |

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|       | co-option onto Councils simultaneously to the enactment of the severance scheme legislation.  |
| 2.8   | <b><u>Internal Support Structures</u></b>   |
| 2.8.1 | Inevitably, the level of RPA related activity will grow in intensity and scope throughout the transitional period and its management and delivery must be adequately resourced and co-ordinated. The Council will need to take forward its internal preparation and changes required to support an effective RPA transition as well as ensuring that it engages within the delivery structures established to take forward the RPA. |
| 2.8.2 | It would be the intention that a series of focused task and finish officer working groups would be established to examine in detail the key emerging issues and to liaise with elected Members to formulate corporate positions as required.  |
| 2.8.3 | The Council's Strategic Policy and Resources Committee will be continually engaged within the RPA process and political direction sought as required. This is further facilitated by the fact that the Strategic Policy and Resources Committee now meet twice a month enabling greater discussion around the RPA and associated issues.  |

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| <b>3.0 Resource Implications</b>  |  |
| Whilst there is clearly substantial Human Resource and financial implications attached the Council's ongoing involvement and management of the RPA change process, it will be difficult to quantify until a detailed programme of work is put in place. |  |

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| <b>4.0 Recommendations</b>  |  |
| Members are asked to:   |  |
| <ul style="list-style-type: none"> <li>a) note the contents of this report;</li> <li>b) determine whether they wish to nominate an additional meeting of the Strategic Policy and Resources Committee as the Council's Transition Committee and write to the Environment Minister to agree the Terms of Reference for the Committee.</li> </ul> |  |

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| <b>Documents Attached</b> |  |
| Appendix 1                | RPA Critical Path  |
| Appendix 2                | Policy Development Panels A & B 'Emerging Policy Proposals'                                    |
| Appendix 3                | Environment Minister proposals for the implementation of the Local Government Reform Programme |
| Appendix 4                | DoE Guidance on the establishment of Transition Committees and Transition Management Teams     |
| Appendix 5                | Statement of principles to underpin the transfer of functions                                  |

**Appendix 1: Critical Path**

**UPDATE PAPER ON CRITICAL PATH AND MILESTONES - SLB 52/2008**

**Agenda Item:** 4

**Summary:** Update paper reviewing the high level milestones and critical path presented at SLB May 2008 meeting

**Action required:** To note

**Background**

It is now appropriate at this point in the programme (i.e. 6 months after the announcement of the decisions by the Executive) to review the high level milestones and critical path.

The initial critical path analysis (May 2008) set out our understanding of the programme at its inception, and was based on the analysis of key dates and priorities as understood at that date.

Since then the policy development and implementation structures have been developed and agreed, with Policy Development Panels in operation, and ready to deliver their initial findings on legislative requirements.

**Update**

On Wednesday 5 November a cross sectoral planning day is scheduled to allow the key participants in the restructuring process to discuss the key milestones and priorities to deliver the 11 new councils by May 2011.

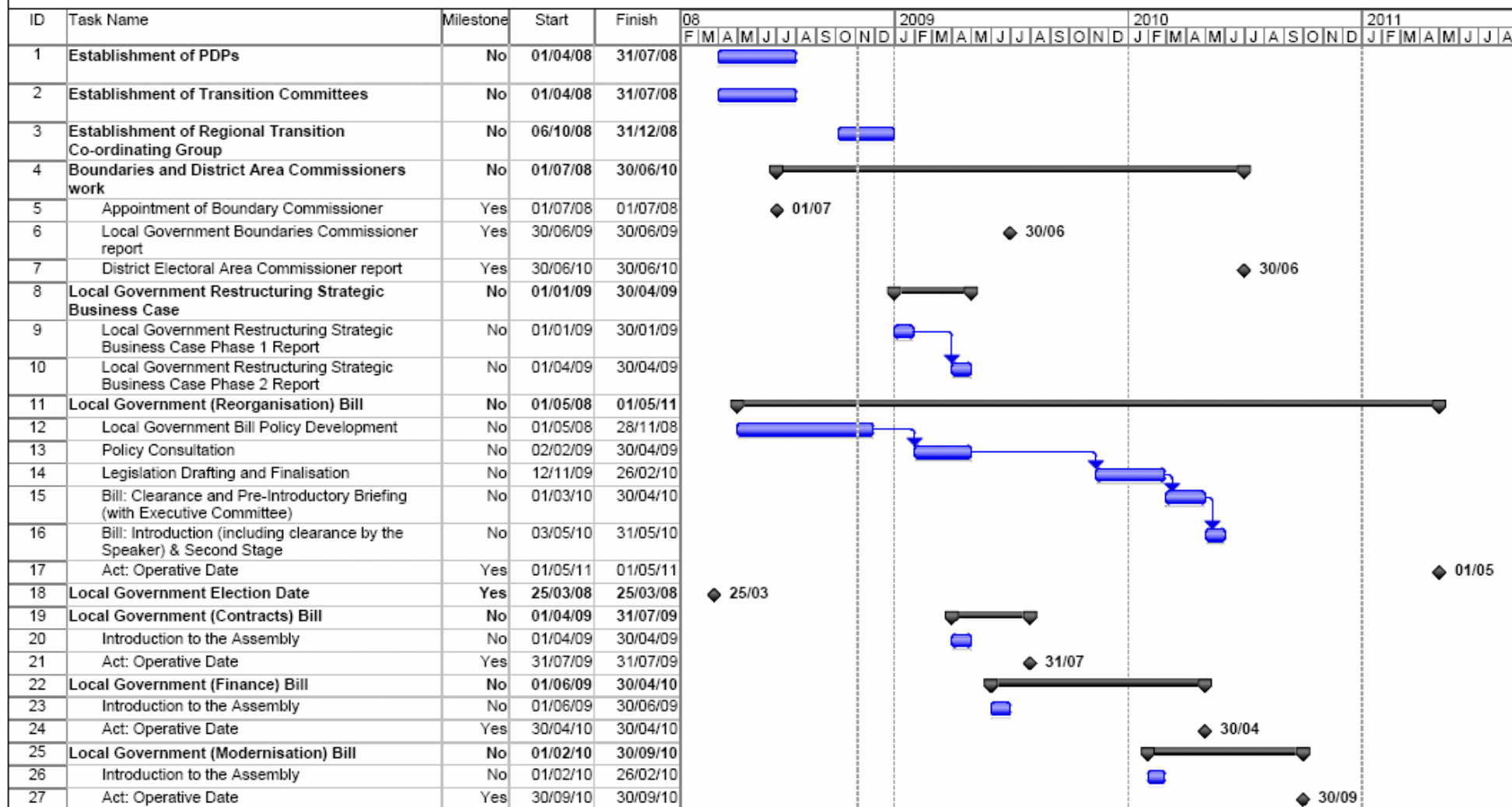
The critical path and milestone details are also informed by the PDPs, and a key step in the critical path which has emerged is the study being carried out under the auspices of PDP C on the Organisational Design. The study is in two phases; phase 1 covering organisational issues reporting to PDP C, and phase 2 reporting directly to SLB covering the wider Cost/benefit for the restructuring programme.

In the implementation phase planning will be co-ordinated by the Regional Transition Co-ordinating Group, and as more detail emerges at the operational level, further updates will be brought to the Strategic Leadership Board.

Another key issue which affects the critical path is the failure of the Executive to meet. Legislation necessary to bring forward a number of the key elements of the programme are affected including severance and the legislative underpinning for transition committees. This adds a risk to the deliverability of the programme within the timeframe, and is a material change since the critical path was last examined.

## Local Government Implementation Plan 2008-2011

SLB 52/2008



Project: MSProj11  
Date: 03/11/08





## **Appendix 2: PDP A and PDP B Policy Proposals**

### **POLICY PROPOSALS FROM POLICY DEVELOPMENT PANEL A (GOVERNANCE, COMMUNITY PLANNING & CENTRAL / LOCAL RELATIONS)**

**Agenda Item:** 3.1 (SLB 48/2008)

**Summary:** Outlining the Panel's agreed proposals in relation to the governance arrangement for the new councils, post 2011, the framework for the council-led community planning process, and the framework for the formalisation of relations between central and local government.

**Action required:** For discussion and agreement

#### **Background**

1. In response to Minister Foster's statement of 31 March 2008 on the future shape of local government, the Strategic Leadership Board agreed the establishment of three Policy Development Panels to support the reform and modernisation programme. Policy Development Panel A is tasked with the development of policy and implementation proposals in relation to governance arrangements for the new councils, the council-led community planning process, and the formalisation of relations between central and local government.
2. The Policy Development Panel has met on six occasions and this paper sets out members' agreed policy proposals in relation to governance arrangements, community planning and central / local relations. Further work is required to develop detailed proposals in relation to the outworking of certain aspects of the governance arrangements and community planning that may potentially be provided for in subordinate legislation.
3. In developing the proposals members took the decisions announced by Minister Foster as the statement of the policy objectives, and used the reports from the relevant Taskforce Sub-groups as the starting point. Additional desk research was undertaken to provide members with details on developments in other jurisdictions, particularly in relation to governance arrangements.

#### **Governance**

4. In relation to governance the policy objective, drawn from Minister Foster's statement, is the development of arrangements with appropriate checks and balances that are designed mindful of the need to ensure effective and inclusive local democracy, to protect the rights of minorities, to prevent any direct or indirect discrimination, and to promote the need of equality of opportunity. These would include arrangements to allocate Council Chairs, Deputy Chairs and positions on Council committees and to facilitate cross community decision making. The aim of the new council governance arrangements is to ensure the protection of the rights of all people in Northern Ireland, and provide for fair, transparent and efficient decision making. Members agreed that any arrangements to satisfy these objectives should also be in keeping with the democratic process.
5. In the context of this strategic policy objective members agreed that the management Terms of Reference for this project be defined as:

'To bring forward proposals for governance arrangements that provide for effective, efficient and transparent decision making by Councils, with appropriate checks and balances, taking account of Councils additional service delivery and community planning responsibilities.'

6. The policy objective and the Terms of Reference were translated by the Panel into the following key drivers for change against which the various issues were considered and assessed:
  - i. Efficient and effective decision making
  - ii. Checks and balances
  - iii. Proportionality in allocating key positions
  - iv. Transparency and Oversight
7. Members also expressed the view that the governance arrangements should recognise the importance of the role of a councillor and that there should be capacity building opportunities for all councillors to enable them to perform their role effectively. The business of council should also be organised to allow as many people as possible to consider becoming, or remaining a councillor.
8. After considering the work of the original Taskforce's Governance Sub-group, and the additional research material provided by the joint secretariat, members have agreed a range of policy proposals in relation to governance arrangements for the new councils.

### Decision Making Structures

9. In relation to decision making and the political management structures that will operate in the new councils, members are of the view that a short list of options should be provided in legislation. Individual councils would then have the flexibility to decide on the structure that is most appropriate for their circumstances. It is proposed that the list of options would be:
  - **Traditional committee system**
  - **Streamlined committee system**
  - **Cabinet**
10. In the cabinet option membership could be decided through a Voluntary Coalition comprising one or more parties. Parties would reserve the right to choose to opt out of the cabinet in preference for other positions in accordance with their own Party priorities.
11. In order to protect the rights of minorities, to prevent any direct or indirect discrimination, and to promote the need of equality of opportunity, proportionality would be a key principle underpinning **each** of the available options. As a check and balance the selection of the decision making structure would be a Key Decision of the Council.
12. The streamlined committee system and cabinet style structures by their nature provide for the devolution of a range of decisions from full Council. The extent of the powers to be devolved would however be a matter to be agreed by individual Councils. For these models members agree that provision must be made for effective scrutiny arrangements.
13. Whilst there is agreement amongst the members in relation to the political governance structures that would be available to the new councils there is nevertheless an acknowledgement that there could be circumstances where a council may not be able to agree on a specific model. In order to cover these circumstances provision would be made for a 'default model' that would contain the following key elements:
  - **based on the committee system;**
  - **the opportunity to devolve powers;**

- **a Scrutiny Committee in the event that powers are devolved; and,**
- **an overarching Central Policy committee.**

14. In relation to the decision making process it is the consensus view of members that there should be a specified list of Key Decisions which would be matters for full Council. Members are also of the view that certain of these decision could, if consensus cannot be reached, be subject to a Qualified Majority Vote (QMV). Further research and discussion will be undertaken by the Panel on this issue, and the threshold that would apply for the QMV.
15. In the context of the adoption of either the streamlined committee or cabinet structure there is the presumption that issues not defined as Key Decisions for Council would be devolved, within the framework of a Delegation Scheme. In these circumstances in addition to the provision of effective scrutiny arrangements, members propose that provision is made for the 'call-in' of decisions taken by a committee or the cabinet. The criteria for the 'call-in' provision would cover both procedural matters in relation to how the decision was reached, and issues in relation to the protection of minorities.
16. Further work will be taken forward, as a matter of urgency, to determine the arrangements that would be required to underpin the outworking of these arrangements. This will cover issues including the key features of how a decision is reached and those issues which must be considered; who may call-in a decision; arrangements for the determination of whether a 'call-in' is valid; and the options for handling a valid 'call-in'.
17. In order to support the effectiveness of the 'call-in' procedure and ensure that all councils are in a position to perform their role effectively it is proposed that councils will develop a mechanism which will provide advance notice to all Councillors of decisions to be taken. It is also proposed that in all bar a limited range of circumstances there should be a short period after a decision is made but before it is implemented during which the 'call-in' procedure can be invoked.

#### Proportionality

18. As indicated above members agree that proportionality would be a key principle underpinning the new governance arrangements. In relation to the arrangements for the allocation of key positions, members consider that the following methodologies should be available:
  - **D'Hondt**
  - **Saint Lague**
  - **Single Transferable Vote**

The choice of methodology would be a Key Decision for the Council. In the absence of agreement on the methodology to be applied the default would be the application of D'Hondt over the council term.

19. The allocation methodology would be applied to a stipulated list of key positions, including those for membership of external bodies, over the full 4 year term of the Council. Each appointment would be for a single year unless otherwise stated. Any additional key positions identified over the 4 year period would be allocated by continuing the application of the proportionality model adopted by council. The list will include the Mayor / Deputy Mayor or Council Chair / Vice Chair; Chairs / Vice Chairs of Standing Committees; Cabinet Positions (where applicable); and all external appointments.

20. In relation to external bodies this approach would only apply to automatic appointments. When the external body is seeking the nomination of a number of representatives and the final selection would be subject to the 'public appointments' process, these would be excluded from the 'list system'. This would also apply when the external body stipulates geographic or other specific criteria in relation to the Council representation. The approach to the allocation of positions excluded from the list system will require further consideration.
21. In relation to the membership of committees, positions would be allocated, over the 4 year term, by the following methods:
  - **Greatest Remainder, or**
  - **Droop**
  - **quota**

The default model for committee membership would be Greatest Remainder.

## Standards & Oversight

22. Work on the ethical standards regime for councils had been taken forward separately by the Code of Conduct Working Group as part of the modernisation agenda. That group had recommended following the Welsh system for ethical standards, but that the principles in the recommended Code of Conduct should mirror those for the Assembly Ethical Standards. Panel members agreed the broad recommendations, but some members expressed strong concern over the role of independent members on the proposed Standards Committee. Members have requested that further research be undertaken in relation to the role of the proposed Monitoring Officer and the Pledge of Office for Councillors. Members also indicated that consideration would need to be given to a protocol on relations between Councillors and senior council officers.
23. Panel members acknowledge the requirement for a changed role for the Local Government Auditor, following the reorganisation and the transfer of functions from central government. Members take the view that the determination of this changed role would best be informed in the context of the development of the proposed Performance Management framework which is being taken forward by the Policy Development Panel on service delivery.

## Transparency

24. Transparency in the operation and the decision making processes in councils has been a consistent theme in the reform of local government in other jurisdictions. Members recognise that openness can be a key element when seeking to ensure the engagement of local citizens in the democratic process.
25. In order to support the achievement of this objective, members express the view that there should be a presumption that decision making would be open to the public, but that this needs to be tempered by the need to progress the business of Council effectively. In addition, members agree that the new councils should be required to prepare and publish a 'Constitution', which would set out details on how the Council operates, including its Standing Orders, decision making processes, and an Annual Report. The detail on the content of each of these documents, and the development of a framework within which Councils would prepare their 'Constitution' will be the subject of further research and discussion.

## **Community Planning**

26. The essence of Community Planning is recognition that the needs of individuals and communities – if they are to be addressed successfully – must be addressed collectively,

not separately. The policy objective for this strand is the development of an effective statute-based community planning process, led and facilitated by local councils, that enhances civic leadership and that allows local councils, working in partnership with all sectors, to be at the heart of the provision of high quality, efficient services that respond to the needs of people and communities and which continuously improve over time.

27. The management Terms of Reference for this strand were defined as

'To bring forward proposals to effect the implementation of the duty of "Community Planning" and a power of "Well Being" to district councils in Northern Ireland, recognising local diversity and the need to devise approaches suited to local circumstances'.

28. Members considered the work of the Taskforce Sub-group on Community Planning and held a workshop at which senior officers from a number of Scottish Councils and a former Councillor from an English local authority provided insights into the operation of community planning in these jurisdictions. Flowing from the workshop, members support the view that the statutory framework for the council-led community planning process should not be overly prescriptive to provide for flexible approaches at a local level.
29. This framework should place a duty on councils to make arrangements for community planning which provides for consultation and co-operation in the planning and provision of public services in their districts. While the effectiveness of the process will be grounded in the establishment of effective relationships with other public sector bodies it is considered that their support and participation should be underpinned in statute. A number of members express the view that this duty should be couched in the strongest terms possible.
30. Members recognise that the broad framework approach will need to be supported by detailed guidance and further work will be taken forward on this during the next phase of the project.

### **Central / Local Relations**

31. For this strand of the Panel's deliberations members considered the policy objective to be the development of appropriate mechanisms to provide for the optimum partnership between central and local government in carrying out their separate but inter-related functions in the provision of efficient and effective citizen centred services. Flowing from this members agreed the following management Terms of Reference:

'To develop the framework to underpin the formalisation of relations between the Northern Ireland Executive and local government on matters of mutual interest and concern.'

32. Members considered the report from the Taskforce's Sub-group on Central / Local Relations finalised in July 2006 and agreed that the establishment of a statute based Partnership Panel, along the lines of the Welsh model, remains an appropriate mechanism for the formalisation of relations. This model provides for a formal partnership comprising Ministers and representatives from local government. It is further proposed that a framework of key principles should be developed to underpin the relations.

## **EMERGING PROPOSALS – POLICY DEVELOPMENT PANEL C**

**Agenda Item:** 3.3 (SLB 51/2008)

**Summary:** To provide details of the emerging policy proposals relating to the structural reform elements of local government reform which may require primary legislative provisions.

**Action required:** that the SLB

- Agrees the emerging policy proposals for structural reform; and,
- Notes that further detailed policy on these proposals will be presented to the SLB for discussion and agreement at their meeting on 5 December 2008.

### **Overview**

1. In response to Minister Foster's statement of 31 March 2008 on the future shape of local government, the Strategic Leadership Board agreed the establishment of three Policy Development Panels to support the reform and modernisation programme. Panel C has been charged with the development of recommendations on policy and implementation proposals in relation to 6 structural reform work strands. These embrace Human Resources, Capacity Building, Finance, Estates, Transfer of Functions and Service Delivery (i.e. on a Regional/Sub Regional basis).
2. At the inaugural meeting Panel C, on 31<sup>st</sup> July 2008, it was agreed that working groups should be established to assist in the development of policy and implementation proposals for each of these work strands or projects as listed below:
  - Assessment of Options for Local Government Service Delivery
  - Human Resources
  - Finance/Estates
  - Capacity Building
3. The Assessment of Options for the Local Government Service Delivery project, which embraces the transfer of functions, is being taken forward by way of a consultancy assignment. The other three projects were taken forward mainly by Working Groups comprising central and local government officers.
4. Panel C has met on 6 occasions and this paper sets out members' agreed policy proposals in relation to Human Resources, Capacity Building and Finance/Estates. Further work is required to develop detailed proposals in relation to the outworking of certain aspects of these areas that may potentially be provided for in subordinate legislation/guidance.
5. This report provides the SLB with details of the structural reform policy proposals which have primary legislative implications.
6. It should be noted that the remit of Panel C will require further policy proposals to be developed which have no legislative implications. This will be addressed as part of the Panel's future work programme and presented to SLB at a later date.

### **Timetable**

7. Each of the Panel's working groups was tasked with identifying, by 30 October 2008, policy proposals which will require primary legislation. Following this, the working groups

will prepare more detailed policy on each of the legislative proposals to allow Panel C to present a final legislative policy paper for clearance by the SLB

8. These proposals along with those identified by Panels A and B will issue for public consultation in spring 2009 with a view to being included in the Local Government Reorganisation Bill.

## **Introduction**

9. The objectives of Policy Development Panel C, as agreed with SLB, are: -

“To lead the development of policy, for the structural reform work strands of the local government modernisation programme, to facilitate the effective and smooth transition from the current configuration of 26 council areas to the 11 new council areas which are to be in place in 2011. These structural reform work strands embrace Human Resources, Capacity Building, Finance, Estates, Regional and Sub Regional Design and the Transfer of Functions from central to local government.”

## **Detail**

10. Panel C has made a number of initial legislative proposals in relation to structural reform which are attached at Annex A.
11. If the SLB agrees with these policy proposals then further details will be developed by the Panel and presented to SLB for further discussion and agreement at their meeting scheduled for 5 December 2008.

## **Recommendation**

12. It is recommended that SLB:
  - Agrees the initial policy proposals for structural reform; and
  - Notes that further detailed policy on each proposal will be presented to SLB for discussion and agreement at their meeting on 5 December 2008.

**Annex A**  
**POLICY DEVELOPMENT PANEL C (Structural Reform)**  
**EMERGING POLICY PROPOSALS**

**Policy proposals which will require primary legislation**

1. Taking account of the Public Service Commission Guiding Principles, TUPE , additional commitments given in relation to the transfer of pensions (TUPE Plus), and following the principles for the Scheme of Transfer of Officers as outlined in the Libraries Act 2008, it is recommended by Policy Development Panel C (Structural Reform) that legislation should include provisions to: .

- a) enable the transfer of staff from central government to the new councils;
- b) enable the transfer of staff from the existing 26 councils to the new councils;
- c) enable the transfer of staff from the other bodies, e.g. NIHE, to the 11 councils.

**Please note that The Local Government Staff Commission is currently developing a model Scheme of Transfer which will take account, for example, of staff affected by the redefined council boundaries.**

2. It is also recommended by Policy Development Panel C (Structural Reform) that legislation should include provisions to:-

- a) enable the transfer of functions, assets and liabilities (including assets under construction/lease commitments) from central government to the new councils;
- b) enable the transfer of functions, assets and liabilities (including assets under construction/lease commitments) from the existing 26 Councils to the new councils;
- c) enable the transfer of existing functions, assets and liabilities (including assets under construction/lease commitments) from the other bodies, e.g. NIHE, to the 11 councils;
- d) protect local government from liabilities arising from the services transferring from central government;
- e) create a general definition for estate assets and liabilities, defined in legislation to avoid any ambiguity over which assets and liabilities are covered by the proposals and any subsequent controls;
- f) allow existing councils, (in the interest of good accounting practice) to incur expenditure on behalf of the new councils, prior to their establishment, and to subsequently recover that expenditure from the new councils e.g. expenditure associated with the funding of the local government elections 2011;
- g) provide the new councils with the power to acquire, hold, manage, develop and dispose of land and buildings in connection with their range of functions, including environmental and social improvement or well being of their districts or in connection with their other statutory functions. It is recommended that central government, in conjunction with the transferring departments, reviews and updates the legislation on vesting land and makes reference to statutory limits relating to the change of use.

**Policy proposals which will require amendment to legislation**



3. It is recommended by Policy Development Panel C that existing legislation is reviewed as outlined below:
  - a) Sections 81 and 82 of the Local Government Act (NI) 1972 (which were repealed and replaced by Articles 19 and 20 of the Local Government (NI) Order 2005) enable a surcharge to be imposed when a local councillor or officer is held to have cost the ratepayer money either by incurring unlawful expenditure or by wilful misconduct which causes a loss to be incurred. The provision of a Code of Conduct for Councillors is currently under consideration by Panel A. When legislation is introduced, the Code of Conduct will provide for a separate mechanism for declaring that certain actions by councillors may be unlawful. Sections 81 and 82 will need reviewed to reflect this.
  - b) Sections 41 of the Local Government Act (NI) 1972 relating to the specification of qualifications of officers by the Department should be repealed as the provision is considered to be out of date and of little value.
  - c) Section 42 of the Local Government Act (NI) 1972 relating to the requirement for Councillors not to be appointed officers of any Council, could be amended to reflect similar provisions in Scotland, and England and Wales where Councillors cannot be appointed Officers only in their own council area.

### **Emerging Policy Proposals which may require primary legislation**

#### **4. Striking of the Regional and District Rates**

- a. Legislation may be required to achieve a transfer of funds from central to local government to cover those functions transferring to district councils.

It has previously been agreed that the overall rate burden should not increase simply as a consequence of transferring functions under RPA. It had been anticipated that the regional rates income would reduce, with a corresponding increase in the income from district rates. Initial financial modelling, suggests that there may be an imbalance in the rate to be determined for functions transferring to the individual new councils.

Before a final decision can be taken on how to address this anomaly, further work is required on:

- the costs of transferring functions across the new council boundaries;
- further detailed modelling on the generation of revenue through district rates; and
- how grants may operate under the new council structures.

It should be noted that this work cannot be completed prior to the publication of the final recommendations of the Local Government Boundaries Commissioner.

The Panel recommends providing powers to allow Councils to:

- b) strike differential rates for domestic and non domestic properties; and
- c) introduce a discretionary provision for district rate relief on specified non-domestic properties, which would be at a cost to the Council.

Depending on decisions yet to be taken by the Executive: -

#### **5. Compensation**

- a) Legislation may be required to provide for the payment of compensation in relation to the early release of staff. It is considered that legislation should provide for compensation from central government and not the existing 26 councils.

### **Cross cutting issues**

**6. Role of Chief Executive and Chief Finance Officer**

- a) The Group recommends that, in accordance with CIPFA guidance, legislation is made to enable the separation of roles between that of the Chief Executive and the Chief Financial Officer of the new councils. This is a governance issue and has, therefore, been passed to Panel A for consideration.

**7. Grants**

- a) A power is required which will enable departments to make grants to fund certain functions transferring to the new councils. Each department will need to examine its current policy and legislation for those functions and consider how it should be amended.

**8. Interim Controls**

- a) It is understood that the Local Government (Finance) Bill will include provisions to ensure that financial controls in the areas of capital programmes, borrowings and reserves are in place in the lead up to 2011.

**9. Other**

- a) In line with the previous 2003 Taskforce recommendation, a review and consultation should take place on whether to provide the new councils with powers to dispose of land and property "at less than best consideration", without reference to the Department, subject to capital limits and conditions. Current legislation requires Departmental approval for the disposal of land "at less than best price".

## **Appendix 3: implementation of Local Government Reform**

**BCC NEWS RELEASE** - Published: 2008/10/28

By Martina Purdy  
BBC NI political correspondent

### **Executive block could hit reforms**

**Plans to streamline Northern Ireland's councils could be delayed by the failure of the Executive to meet, the environment minister has said.**

Sammy Wilson has announced a new committee system to oversee the reduction from 26 to 11 councils.

However, he warned that the deadline would be missed if legislation was not tabled soon.

The plan is to have the 11 new councils up and running in time for elections in May 2011.

To achieve this, the minister is inviting councillors to take part in 11 new committees to manage the transition.

The minister, however, is concerned that a paper outlining the plans ahead of legislation had not been taken forward by the executive.

The executive has not met since June amid a dispute over the devolution of policing and justice powers.

Mr Wilson blamed Sinn Fein for blocking the meetings and said his request to have the first and deputy first minister deal with the issue using an urgent procedure has so far been declined.

"Some of this legislation should have actually been on the floor of the assembly now and be discussed by the environment committee," he said.

"I have asked for it to go through under special procedures that has not been agreed and therefore I'm still waiting for that legislation to get onto the floor of the assembly.

"The longer that goes on then the greater the risk to this whole project."

Each transition committee, one for each new council area, will consist of no more than 16 councillors, with an initial budget of about £150,000.

From the office of the  
Minister of the Environment



Department of the  
**Environment**  
[www.doeni.gov.uk](http://www.doeni.gov.uk)

Mayors and Chairs of Councils

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Telephone: 028 9054 1166

Email: [private.office@doeni.gov.uk](mailto:private.office@doeni.gov.uk)

Your reference:

Our reference: SUB/550/2008

27 October 2008

Dear Mayor/Chair

#### **IMPLEMENTATION OF LOCAL GOVERNMENT REFORM PROGRAMME**

We have reached a key milestone in the delivery of the Local Government Reform Programme.

My predecessor announced the Executive's decisions on the Local Government Reform Programme to the Assembly on 31 March 2008. In doing so, she noted that her aim was to implement the agreed structural reform package by 2011, with elections to local councils being held on the same day as elections to the Assembly. That timescale is extremely challenging and the full and active co-operation of our colleagues in the Assembly, Local Government, the Northern Ireland Office and the Electoral Commission will be needed if that aim is to be achieved.

I am pleased to report that we are making good progress. The programme is being led by a Strategic Leadership Board, which I chair. That Board represents a strategic partnership between central government, local government and the five main political parties. It is working well and in a true spirit of partnership. It is supported in its work by three Policy Development Panels that are considering the key policy issues associated with the structural reform package, including: service delivery; governance; community planning, and the relationship between central and local government. All three Panels have already made good progress in addressing the critical policy issues associated with the reform programme, and their work will inform our legislative programme.

The next key structures in the programme are now ready to be put in place: a Regional Transition Co-ordinating Group, comprised of senior local government officers and civil servants, and eleven Transition Committees, one for each new Council area, and each supported by a Transition Management Team. The Regional Transition Co-ordinating Group will provide the essential interface between the strategic policy direction set by the Strategic Leadership Board and its Policy Development Panels, and the local policy set by the Transition Committees and their local operational delivery teams (the Transition

Management Teams). The Regional Transition Co-ordinating Group will be responsible to the Strategic Leadership Board for co-ordinating and supporting the consistent implementation of the regional reform policies across the 11 council areas.

The establishment of the Regional Transition Co-ordinating Group, the Transition Committees and the Transition Management Teams will provide the basic programme infrastructure to allow work to begin in the new council groups, and will allow those Departments transferring functions to engage in discussions with the local government sector at an operational level.

My officials are issuing a circular to your Chief Executives/Town Clerks, with detailed guidance to the councils on the terms of reference for the Transition Committees and Transition Management Teams. This guidance will enable the Transition Committees and Transition Management Teams to be implemented in a consistent manner, to a common understanding. My officials are developing a funding package, which will be provided to each of the council groups to support the establishment of the Transition Committees and Transition Management Teams. Details will follow in the next few weeks.

One of the critical issues I have addressed in framing terms of reference and guidance for the Transition Committees is whether the new councils should operate in shadow form for a period after the May 2011 elections before assuming full power and responsibility. I have considered this issue carefully and have sought the views of NILGA and the political parties through the Strategic Leadership Board.

I have considered carefully and fully all the views put to me and have concluded that I will not seek to provide for a shadow period. Power and responsibility will transfer to the new councils on the fourth day after polling day, in accordance with Part III of the Electoral Law (Northern Ireland) Act 1962. My overriding consideration in reaching this decision is that the public expect to see modern, efficient services, including those transferred from central to local government, in place as soon as possible and I believe it is my responsibility to deliver on this without delay. This means that the Transition Committees will be responsible for a very significant programme of work to ensure that the new Councils will be in a position to take full executive responsibility for services from the outset. This in turn means that the Transition Committees will need to be given statutory powers, subject to the direction of my Department. In bringing detailed proposals for the creation of statutory Transition Committees to the Executive and Assembly, I will ensure that the concerns raised by the political parties are addressed, and I will engage fully with all political parties, through the Strategic Leadership Board, in framing those legislative proposals. In particular, I will invite the Policy Development Panel with responsibility for developing proposals for council governance arrangements to urgently consider the issue of the governance arrangements for the statutory Transition Committees and to develop specific proposals for inclusion in the legislative proposals to provide for fair, transparent and efficient decision-making. In addition, I will seek to ensure that the arrangements put in place do not unduly fetter the democratic right of the new councils to develop and deliver their own vision for the area which they serve.

Providing for a smooth transition from the existing structures to the new councils will require very careful thought and planning. I am confident, however, that the implementation structures we are putting in place, coupled with the energy and enthusiasm of all those involved in the implementation process, will provide for a smooth transition to the new

---

council structures and, most importantly, ensure that citizens do not see a reduction in the quality or level of service during the transition period.

I look forward to working closely with the local government sector to deliver the new local government structures in 2011.

Yours sincerely

A handwritten signature in black ink that reads "Sammy Wilson". The signature is written in a cursive style with a large, stylized 'S'.

**SAMMY WILSON MP MLA**  
**Minister of the Environment**

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**Clerk & Chief Executive of each District Council**

**Circular No: LG 16/08**

**Local Government Policy Division**

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Our reference: DO1-08-8703

28 October 2008

Dear Sir/Madam

**GUIDANCE ON THE ESTABLISHMENT OF TRANSITION COMMITTEES AND  
TRANSITION MANAGEMENT TEAMS**

We have reached a key milestone in the delivery of the Local Government Reform Programme.

On 31 March 2008, the then Minister of the Environment Arlene Foster announced the Executive's decisions on the Local Government Reform Programme to the Assembly. In doing so, she noted that her aim was to implement the agreed structural reform package by 2011, with elections to local councils being held on the same day as elections to the Assembly.

The programme is being led by a Strategic Leadership Board, chaired by the Minister. That Board represents a strategic partnership between central government, local government and the five main political parties. It is supported in its work by three Policy Development Panels that are considering the key policy issues associated with the structural reform package, including: service delivery; governance; community planning, and the relationship between central and local government. All three Panels have already made good progress in addressing the critical policy issues associated with the reform programme, and their work will inform our legislative programme.

The next key structures in the programme are now ready to be put in place: a Regional Transition Co-ordinating Group, comprised of senior local government officers and civil servants, and eleven Transition Committees, one for each new Council area, and each supported by a Transition Management Team. The Regional Transition Co-ordinating Group will provide the essential interface between the strategic policy direction set by the Strategic Leadership Board and its Policy Development Panels, and the local policy set by

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the Transition Committees and their local operational delivery teams (the Transition Management Teams). The Regional Transition Co-ordinating Group will be responsible to the Strategic Leadership Board for co-ordinating and supporting the consistent implementation of the regional reform policies across the 11 council areas.

The establishment of the Regional Transition Co-ordinating Group, the Transition Committees and the Transition Management Teams will provide the basic programme infrastructure to allow work to begin in the new council groups, and will allow those Departments transferring functions to engage in discussions with the local government sector at an operational level.

Please find enclosed detailed guidance on the establishment of the Transition Committees and Transition Management Teams. This guidance will enable the Transition Committees and Transition Management Teams to be implemented in a consistent manner, to a common understanding. The Department is developing a funding package, which will be provided to each of the council groups to support the establishment of the Transition Committees and Transition Management Teams. Details will follow in the next few weeks.

One of the critical issues addressed in framing terms of reference and guidance for the Transition Committees is whether the new councils should operate in shadow form for a period after the May 2011 elections before assuming full power and responsibility. Minister Wilson has considered this issue carefully and has sought the views of NILGA and the political parties through the Strategic Leadership Board.

The Minister has concluded that he will not seek to provide for a shadow period. Power and responsibility will transfer to the new councils on the fourth day after polling day, in accordance with Part III of the Electoral Law (Northern Ireland) Act 1962. The Minister's overriding consideration in reaching this decision is that the public expect to see modern, efficient services, including those transferred from central to local government, in place as soon as possible and he believes it is his responsibility to deliver on this without delay. This means that the Transition Committees will be responsible for a very significant programme of work to ensure that the new Councils will be in a position to take full executive responsibility for services from the outset. This in turn means that the Transition Committees will need to be given statutory powers, subject to the direction of the Department. In bringing detailed proposals for the creation of statutory Transition Committees to the Executive and Assembly, the Minister will ensure that the concerns raised by the political parties are addressed, and he will engage fully with all political parties, through the Strategic Leadership Board, in framing those legislative proposals. In particular, the Minister will invite the Policy Development Panel with responsibility for developing proposals for council governance arrangements to urgently consider the issue of the governance arrangements for the statutory Transition Committees and to develop specific proposals for inclusion in the legislative proposals to provide for fair, transparent and efficient decision-making. In addition, the Minister will seek to ensure that the arrangements put in place do not unduly fetter the democratic right of the new councils to develop and deliver their own vision for the area which they serve.

Providing for a smooth transition from the existing structures to the new councils will require very careful thought and planning. The Minister is confident, however, that the implementation structures we are putting in place, coupled with the energy and enthusiasm of all those involved in the implementation process, will provide for a smooth transition to



the new council structures and, most importantly, ensure that citizens do not see a reduction in the quality or level of service during the transition period.

I would like to invite you to a briefing that I have organised for your attention on the 4<sup>th</sup> November from 10.30 am to discuss the Transition Committees and Transition Management Teams further. The briefing will be held in the Whinstone Suite in the Antrim Civic Centre (50 Stiles Way, Antrim, BT41 2UB; map and directions attached), and will be followed by a light lunch. Please confirm attendance by email to [paula.oneill@doeni.gov.uk](mailto:paula.oneill@doeni.gov.uk).

Yours faithfully

**MR IAN MAYE**

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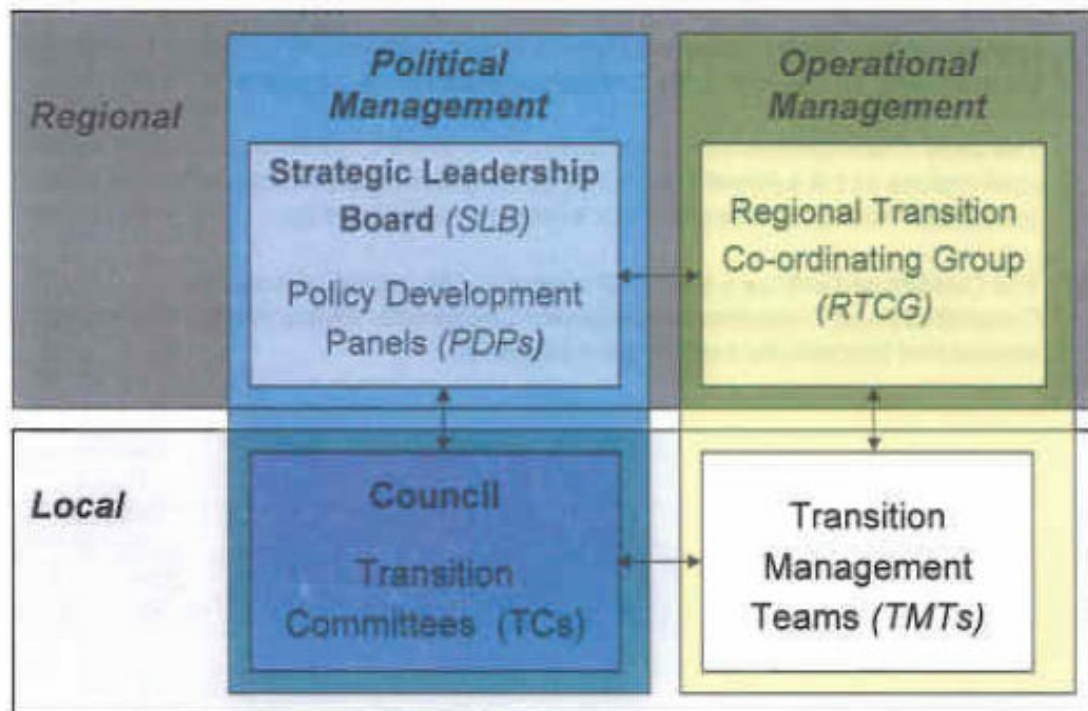
## GUIDANCE ON THE ESTABLISHMENT OF TRANSITION COMMITTEES AND TRANSITION MANAGEMENT TEAMS

### Background

1. This Circular sets out initial guidance on the formation of Transition Committees and Transition Management Teams.

### Detail

2. In response to guidance from the Minister in July 2008, a number of amalgamating councils have either begun, or are about to begin, the process of establishing voluntary Transition Committees.



3. The diagram above illustrates the linkages and flows of information and control between the implementation structures.
4. The Transition Committees are made up of elected members from the constituent councils which will form the new authorities. It is important to note that Belfast City Council will require its own transition committee arrangement due to the unique nature of the new council – i.e. it is not formed from the amalgamation of existing entities, but rather is based largely on the existing Belfast City Council, with its new boundaries as recommended by the Local Government Boundaries Commissioner. The detail of the Belfast approach can be developed in due course, but the principles which are set out in this paper should apply where appropriate.
5. Transition Management Teams are tasked with the operational delivery of the

restructuring programme at the local level, working under the direction of their Transition Committees.

### **Context**

6. The next key step in the programme of restructuring is to establish the Transition Committees and the Transition Management Teams. This will provide the basic programme infrastructure to allow the initial work to begin in the council groups.
  7. The terms of reference for Transition Committees and Transition Management Teams are attached at Annex 1 and Annex 2 respectively. A Guidance Note on governance arrangements for Transition Committees is attached at Annex 3.
  8. This should be considered to be initial guidance, to inform the creation and establishment of the bodies. As the implementation structures develop, it is anticipated that the Strategic Leadership Board, through the Regional Transition Co-ordinating Group, will issue further guidance as the programme proceeds.
  9. The early dissemination of this guidance is intended to assist in the formation of such groups at the earliest opportunity, and to ensure that they are formed in a consistent manner and operate to a common understanding.
  10. The Department will, as a matter of urgency, also provide Transition Committees and Transition Management Teams with a reporting framework, to ensure that programme reporting is consistent.
-

## GUIDANCE ON THE FORMATION OF TRANSITION COMMITTEES

### 1 ROLE OF TRANSITION COMMITTEE

The primary role of the Transition Committee is to take the key decisions necessary to ensure that there are eleven effective Councils in place on the fourth day after polling day in May 2011, in accordance with Part III of the Electoral Law (Northern Ireland) Act 1962. Transition Committees will be comprised of elected members from the existing Councils supported by Transition Management Teams of officers from those Councils together with representatives of the transferor public bodies. Transition Committees will operate to the following Terms of Reference: -

#### 1.1 Terms of Reference

##### (1) General

- To secure a coherent and co-ordinated approach to local decisions in line with the strategic direction and key policies developed by the Strategic Leadership Board and Policy Development Panels and the operational advice issued by the Regional Transition Co-ordinating Group.
- To action and develop the implementation template provided by the Regional Transition Co-ordinating Group through the development of a local prioritised work plan (including activity map and timeline).
- To liaise with local stakeholders to ensure that the implementation process takes account of their views.
- To direct the work of Transition Management Teams and establish working groups, as appropriate, to support the work of the Transition Committee.
- To ensure that agreed local programmes and timescales are met.

##### (2) Governance

- To develop a shared corporate vision for the new Council.
- To develop local governance arrangements to meet the requirements as set out by the Strategic Leadership Board, through the work of Policy Development Panel A.
- To prepare financial arrangements and draft standing orders for the operation of the new Council.
- To advance the convergence of key plans and programmes, including the capital development programmes of existing councils.

- To develop a local communication strategy, in line with and informed by the overarching Programme Communications Strategy, to inform members, staff and the public regarding the implementation process.
- To develop a local capacity building programme as necessary, based on the recommendations on capacity building agreed by the Strategic Leadership Board, as developed by Policy Development Panel C, for members and officers.
- To ensure that local winding-up arrangements are put in place for the affected public bodies.

**(2) Service Delivery**

- To ensure continuity of service delivery across the new Council area from the operative date.
- To integrate transferred services and new functions into the new Council's operations.
- To develop an Integrated Service Delivery Strategy and Performance Plan
- To formulate a customer service strategy for the new Council.
- To examine the potential for service delivery efficiencies and economies through service rationalisation measures.
- To plan a cohesive IT strategy for the new Council building on the output of Policy Development Panel B.

**(3) Structural Reform**

- To appoint a Chief Executive designate for the new Council as soon as possible.
- To design an appropriate staff structure for the new Council.
- To make early appointments of senior staff designate, especially in the finance and human resources fields.
- To address the local implications of the outworking of the staff transfer scheme and compliance with Public Service Commission Guiding Principles.
- To formulate an estates strategy and address accommodation issues for the new Council.
- To establish a corporate financial management system and prepare a budget for the new Council.

- To manage the transfer of assets and liabilities to the new Council and the associated legal and administrative issues.

## 1.2 Membership

| Nominating Body       | Member   |
|-----------------------|--|
| Amalgamating Councils | Councillors <i>(Number of Councillors will vary from area to area according to size)</i> |

## 1.3 Policy and Administrative Support

A Change Management Officer should be appointed by the Transition Committee to assist the transition process for both the Transition Committee and Transition Management Teams. The Change Management Officer should attend meetings, undertake associated activities and provide administrative support. Transition Committees will be assisted by the Strategic Leadership Board, Regional Transition Co-ordinating Group and Transition Management Teams in their planned programme of key policy activities. The new Chief Executive designate and senior management team designate, when appointed, will undertake the key advisory and management role until transfer to the new Councils.

## 1.4 Term of Office and Vacancies

The amalgamating Councils will nominate members for an agreed period. The nominating body will fill any vacancies arising as soon as possible. Transition Committees will cease activities on the operative date of the new Council.

## 1.5 Legal Status

The DOE will provide a legislative framework for the Transition Committees as soon as possible. Until this happens, Transition Committees should be set up as joint committees constituted as bodies corporate and should commence work immediately on the basis of a joint committee because of the urgency required to meet implementation timescales.

## 1.6 Flexibility

Transition Committees will operate in a flexible manner to successfully manage the change process in preparation for the effective operation of the new Council. Accordingly, the Terms of Reference may evolve to accommodate unanticipated policy development at Strategic Leadership Board and Policy Development Panel levels and any new issues that may emerge at the local level through existing Councils, Transition Management Teams and transferor bodies.

## **2 MANAGEMENT ARRANGEMENTS**

### **(1) General**

- Membership of the Transition Committees will consist only of elected members from the existing Councils and should proportionately reflect the political composition of those existing Councils.
- The size of a Transition Committee should take account of the need for efficient and effective management and numbers should be in the range of 10–16 members. (A guidance note will be issued on this matter.)

### **(2) Secretariat**

- The secretariat will be provided by the Change Management Officer.

### **(3) Meetings**

- Transition Committees will meet at times considered appropriate and venues for meetings should be rotated among the existing Councils.
- Transition Committees may invite any person or body to attend meetings and may invite such a person or body to make a presentation and/or submit evidence and produce documents.

### **(4) Agendae**

- The Chair of the Transition Committee will determine the agenda for meetings, with the assistance of the Secretariat.
- Documents relating to the business will normally be made available to members at least three working days before the meeting to which they relate.

### **(5) Record of proceedings**

- Minutes of meetings will be in action format listing key decisions and actions to be taken and will be prepared by the Secretariat. Copies of such minutes should be submitted to the Strategic Leadership Board.

## Guidance on the Establishment of Transition Management Teams

### 1 ROLE OF TRANSITION MANAGEMENT TEAMS

Transition Management Teams will have responsibility for the ongoing operational management of the transition at the local level. Each Transition Management Team will work under the direction of the Transition Committee, taking account of the guidance from the Regional Transition Co-ordinating Group, to ensure that there is an effective Council in place on the operative date of the changeover. Transition Management Teams will include Chief Executives from the amalgamating Councils and Senior Officers from transferor public bodies at the local level. A Change Management Officer should be appointed by the Transition Committee to assist the transition process for both the Transition Committee and Transition Management Teams. The Change Management Officer should attend meetings, undertake associated activities and provide administrative support. Transition Management Teams will operate to the following Terms of Reference: -

#### 1.1 Terms of Reference

##### (1) General

- To secure a coherent and co-ordinated approach to local operational management issues in line with the policies developed by the Strategic Leadership Board and Policy Development Panels, Transition Committees and the operational advice issued by Regional Transition Co-ordinating Group.
- To action and develop the implementation template provided by Regional Transition Co-ordinating Group through the development of a prioritised work plan (including activity map and timeline).
- To inform the Transition Committee of key issues needing policy direction.
- To inform the Regional Transition Co-ordinating Group of key issues needing regional operational guidance.
- To liaise with local officer stakeholders to ensure that their perspectives inform the implementation process.

##### (2) Governance

- To support the Transition Committee, where appropriate, to develop operational policies.
- To undertake, in the context of policy direction from the Transition Committee, the convergence of key plans and programmes, including the corporate plans and capital development programmes of existing councils.



- To ensure implementation of local capacity building and training programmes for affected staff, based on policy developed through Panel C, and operational guidance through the Regional Transition Co-ordinating Group, particularly those 'at risk'.
- To establish local winding-up arrangements for the affected public bodies at the local level.

### **(3) Service Delivery**

- To assist the Transition Committee in developing key Service Delivery strategies, including: -
  1. *Integrated Service Delivery Strategy and Performance Plan;*
  2. *Identifying the potential for service delivery efficiencies and economies through service rationalisation measures;*
  3. *Formulating a customer service strategy for the new Council.*
- To prepare and execute operational plans to secure continuity of service delivery across the new Council area on the operative date.
- To help the Transition Committee ensure the smooth transfer of services and functions
- To help the Regional Transition Co-ordinating Group on associated regional transfer operational issues.
- To identify and implement improvements in key administrative and IT systems, procedures and processes through harmonisation and development of cohesive, efficient and effective management strategies for the new Council.

### **(4) Structural Reform**

- To assist the Transition Committee with policy development, including:
  1. *The formulation of an estates strategy and accommodation issues;*
  2. *Establishment of a corporate financial management system and preparation of a draft budget;*
  3. *Development of an integrated IT strategy;*
  4. *The transfer of assets and liabilities to the new Council and the associated legal and administrative issues.*
- To implement the staff transfer scheme, as agreed by the Strategic Leadership Board and Transition Committee, taking account of the Public Service Commission Guiding Principles.
- To work closely with the Chief Executive designate and senior managers designate.
- To engage with Regional Transition Co-ordinating Group on potential

regional solutions and establish local officer working groups to support the work of the Transition Committee and Transition Management Teams.

## 1.2 Information and Resources

The Terms of Reference can only be successfully addressed if:

- full details are supplied to the Transition Committees and Transition Management Teams with regard to functions transferring to the new Councils; and
- an adequate level of central resources is made available to the Transition Committees and related Transition Management Teams to fund their activities.

## 1.3 Membership

| Nominating Body      | Representative  |
|----------------------|---|
| Councils             | Chief Executive (Chair rotating until Chief Executive designate is appointed) |
| Councils             | Senior Officers   |
| Transition Committee | Chief Executive designate (when appointed)                                    |
| DOE Planning Service | 1 Officer   |
| DRD Roads Service    | 1 Officer   |
| DSD                  | 1 Officer   |
| DETI /INI            | 1 Officer   |
| Other                | Co-opted as required by task (time limited)                                   |

The Chief Executives and Senior Council officers will be from the amalgamating Councils. Officers from the transferor public bodies should preferably have a working knowledge and a functional relationship with the amalgamating Councils.

The new Council Chief Executive designate, when appointed, would assume the role of Chair. The Change Management Officer would attend and provide administrative support.

## 1.4 Term of Office and Vacancies

The Transition Management Teams will cease activities on the operative date of the new Council. The nominating body will fill any vacancies arising as soon as possible.

## 1.5 Flexibility

Transition Management Teams will operate in a flexible manner to successfully manage the operational change process. Accordingly, the Terms of Reference may evolve to accommodate unanticipated policy development at Strategic Leadership Board and Regional Transition Co-ordinating Group levels and the new issues that may emerge at the local level from Transition Committees, existing Councils and transferor bodies.

## **2 MANAGEMENT ARRANGEMENTS**

### **(1) General**

- Membership of the Transition Management Teams will consist of Chief Executives and Senior Officers of Councils and Senior Officers of the transferor bodies, as indicated above. The new Council Chief Executive designate, when appointed, would become Chair and selected members of the new officer management team designate would also attend.
- The Chair of a Transition Management Team will be a Chief Executive on a rotational basis until the Chief Executive designate is appointed and assumes the role.
- Each Transition Management Team will be assisted by a Change Management Officer and support staff.

### **(2) Secretariat**

- The secretariat will be provided by the Change Management Officer.

### **(3) Meetings**

- Transition Management Teams will meet at times considered appropriate and venues for meetings should be rotated among the existing Councils.
- Transition Management Teams may invite any person or body to attend meetings and may invite such a person or body to make a presentation and/or submit evidence and produce documents.

### **(4) Agendae**

- The Chair of the Transition Management Team will determine the agenda for meetings, with the assistance of the Secretariat.
- Documents relating to the business will normally be made available to representatives at least three working days before the meeting to which they relate.

### **(5) Record of proceedings**

- Minutes of meetings will be in action format, listing key decisions and actions to be taken, and will be prepared by the Secretariat and submitted to the Transition Committee. Copies of such minutes should also be submitted to Regional Transition Co-ordinating Group.

## **GUIDANCE NOTES ON GOVERNANCE FOR TRANSITION COMMITTEES**

### **1 Background**

The Terms of Reference for Transition Committees set out that they will play a lead role in taking the key decisions necessary to ensure that there are eleven effective Councils in place on the operative date of the reorganisation of Local Government in 2011.

Transition Committees will be comprised of elected members from the amalgamating Councils supported by Transition Management Teams of officers from those Councils together with representatives of the transferor public bodies. The Regional Transition Co-ordinating Group will also give advice and support on the important operational issues. These bodies will operate in the context of the Strategic Leadership Board high-level policy direction and advisory arrangements.

### **2 Framework**

This Guidance Note provides a governance framework to Transition Committees for the effective, efficient and accountable management of their activities. Good governance is also considered to be an essential prerequisite for the allocation of funds by the Department of the Environment (DOE) to assist Transition Committees with their work. In creating the various governance components within the framework set out below, Transition Committees should utilise support services and best practice residing in the amalgamating Councils. To do so will accelerate formation and ensure that effective governance and administrative support systems are employed.

### **3 Legal Status**

The 11 Transition Committees will be set up to reflect the groupings of councils specified in the Local Government (Boundaries) Act (NI) 2008. In the first instance, the Transition Committees will meet in a voluntary capacity and proceed as soon as possible to formation as a Joint Committee using the existing provisions of the Local Government legislation (*See Annex 4 – Extract from the Local Government Act (Northern Ireland) 1972*). As a body corporate, the Transition Committees will have a statutory basis for accountable decisions within the framework set out in the terms of reference.

The Department of the Environment intends to make enabling provisions for statutory Transition Committees in the Local Government (Finance) Bill, with a planned operative date of no later than April 2010. These new provisions will enable the Department, by regulations, to provide the Transition Committees with powers to enable them to make essential decisions in preparation for the new Councils.

Figure 1 below sets out the legal status, role progression and indicative timetable for Transition Committees.

**Figure 1 – Progression of Transition Committees**

| Date   | Key Role   | Legal Status  |
|--|--|---|
| Oct 2008 – Nov 2008  | <i>Preparing for Change – agree Governance arrangements and undertake key lead - in activities</i>                 | <i>Voluntary Transition Committees</i>  |
| <i>Dec 2008 – April 2010 (or sooner, depending on the legislative timetable and vehicle)</i> | <i>Prepare Transition Plan and initiate transition programme to ensure effective Council on the operative date</i> | <i>Joint Committees under section 19 of the Local Government Act (NI) 1972. The Department will constitute the joint committees as bodies corporate</i>                         |
| <i>April 2010 – May 2011 local government elections</i>                                      | <i>Continue detailed transition work to ensure an effective Council on the operative date</i>                      | <i>Statutory Transition Committees as per legislation in the Local Government (Finance) Bill</i>  |
| <i>May 2011 Elections</i>  | <i>Statutory Transition Committees will complete their required programme of work 4 days following polling day</i> | <i>Under section 19(7) of the Local Government Act (NI) 1972, members of a joint committee remain in office until the day after the first meeting of the succeeding council</i> |
| <i>Post Elections 2011</i>   | <i>Transformation programme</i>  | <i>New Councils legally operative</i>   |

#### **4 Accountability and Decision Making**

Transition Committees will be accountable for their decisions and, accordingly, they must ensure that they have good governance arrangements, including: -

- Operating in accordance with agreed standing orders (*such standing orders may be adopted from an amalgamating Council*)
- Efficient and effective approach to work planning and decision making
- Openness and inclusiveness
- Compliance with all the legal obligations pertaining to a public body

#### **5 Reporting and Transparency**

Transition Committees will be subject to the accepted norms of internal and external scrutiny. They will operate to best practice in management of meetings, reporting arrangements and general administration.

The terms of reference for Transition Committees provide advice on meetings, agendas, and reporting. In particular, the terms of reference state that *'minutes of meetings will be in action format listing key decisions and actions to be taken and will be prepared by the Secretariat. Copies of such minutes should be submitted to the Strategic Leadership Board.'* The Strategic Leadership Board and Department of the Environment will require regular reports on transition progress for the effective coordination and strategic management of the reform process.

To ensure transparency, Transition Committees will make arrangements for public access to the decision making process. A communication strategy should be developed to regularly inform the public and stakeholders.

## **6 Chair and Representation**

In order to secure fairness and inclusiveness: -

- The Chair of the Transition Committee will rotate between amalgamating Councils;
- Each Council within the Transition Committee should have the same number of members and this membership should reflect the existing political strength of the Council (*subject to a maximum of 16 Councillors per Transition Committee*).

## **7 Conduct and Standards**

Members and officers working within the Transition Committees and associated projects will be expected to abide by the existing local government codes of conduct and ethical standards.

## **8 Responsibilities and Allowances**

The Terms of Reference set out the responsibilities of a Transition Committee. As these responsibilities will constitute an important role for the Councillors appointed to Transition Committees they will be paid from the DOE allocated block grant an agreed supplementary allowance for the additional responsibility involved. The amount proposed is £2700 pa, in parity with the Strategic Leadership Board and Policy Development Panels. Members appointed to Transition Committees should have the time, capacity and commitment to contribute effectively to the development of new Councils.

## **9 Finance**

Each Transition Committee must ensure probity, accountability and efficiency in all its financial activities. This will include: -

- Operating within approved financial arrangements (*such arrangements may be adopted from an amalgamating Council*)
- Preparation of a working budget
- Preparation of annual accounts
- Being subject to the Local Government Audit arrangements

In this context, the Department of the Environment will allocate a block grant to each Transition Committee to help fund its work including staff costs, members' allowances, research, etc. Expenditure from the block grant must be in pursuit of the activities of a Transition Committee and in accordance with the Transition Committee Terms of Reference and the legislative provisions.

## **10 Staff and Support Services**

Each Transition Committee will reach agreement with the amalgamating Councils to provide support services such as finance, audit, HR, legal, insurance, etc. The Transition Management Team will have a key supportive role.

Local Government Staff Commission advisory and oversight provisions will apply to Transition Committees with regard to staffing and relevant human resource matters. In accordance with Local Government Staff Commission advice, a Change Management Officer will be appointed to provide support to each Transition Committee. This post will be funded from the DOE-provided block grant. As stated in the Terms of Reference, *Transition Committees will also be assisted by the Strategic Leadership Board, the Regional Transition Co-ordinating Group and Transition Management Teams in their planned programme of key policy activities. The new Chief Executive designate and senior management team designate, when appointed, will undertake the key advisory and management role until transfer to the new Councils.*

Transition Committees will abide by the Public Service Commission (PSC) Guiding Principles and, in particular, ensure the fair treatment of staff in the change process for which they (the Transition Committees) are responsible.

## **11 Location**

A Transition Committee will not be based in any one Council and thus the meetings of the Transition Committee will rotate between the amalgamating Councils.

**The good governance arrangements adopted will be the modus operandi for each Transition Committee during its tenure. However, governance arrangements may be subject to amendment as the legislative process proceeds.**

**EXTRACT FROM - LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972<sup>1</sup>****PART II****MEMBERS, MEETINGS AND PROCEDURE<sup>2</sup>****Councillors****19 Joint committees**

(1) A council may concur with any one or more than one other council in appointing a committee of those councils (in this Act referred to as a "joint committee" ) for any purpose in which they are jointly interested, and may delegate to the joint committee, with or without restrictions or conditions as the council thinks fit, any functions of the council relating to the purpose for which the joint committee is formed, except the power of making a rate, or (except where the joint committee is constituted as a body corporate by an order under subsection (9) and power in that behalf is conferred by the order) the power of borrowing money, or of acquiring, holding or disposing of land, and any transferred provision regulating the exercise of a function by a council shall also apply to regulate the exercise of that function by a joint committee.

(2) Subject to the provisions of this section, the number of members of a joint committee, their term of office and the area, if any, with respect to which the joint committee is to exercise its functions shall be fixed by the appointing councils.

(3) The persons appointed by a council to a joint committee may include persons who are not councillors, but at least two-thirds of the members of the joint committee who are so appointed shall be councillors.

(4) A joint committee may appoint a sub-committee for the exercise of any function which in the opinion of the joint committee would be better exercised by a sub-committee.

(5) A sub-committee appointed under subsection (4) may include persons who are not councillors, but the majority of the members of every sub-committee shall be councillors of the councils which appointed the joint committee.

(6) Every member of a joint committee or sub-committee who at the time of his appointment was a member of a council which concurred in appointing the joint committee shall, upon ceasing to be a member of that council, also cease to be a member of the joint committee or sub-committee.

(7) A member of a joint committee, unless his term of office earlier expires, shall continue in office until the day after the first meeting of the council by which he was appointed that is held after an election of councillors (other than an election to fill a casual vacancy), and at that first meeting the council shall appoint the members of the joint committee whom it is entitled to appoint.

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<sup>1</sup> This version of this statute is extracted from the UK Statute Law Database (SLD)  
[http://www.opsi.gov.uk/RevisedStatutes/Acts/spni/1972/capni\\_19720009\\_ah\\_1](http://www.opsi.gov.uk/RevisedStatutes/Acts/spni/1972/capni_19720009_ah_1)



(8)A council which appoints members of a joint committee, or a joint committee which appoints a sub-committee, may revoke any appointment made under this section, and councils which concur in delegating any function, or imposing any restriction or condition, under subsection (1), or in fixing anything under subsection (2), may concur in revoking or varying anything so delegated, imposed or fixed.

(9)The Ministry concerned, on the application of all the councils concerned, may by order make provision for the purpose of—

(a)constituting a joint committee a body corporate with perpetual succession by the name specified in the order;

(b)fixing the functions of the body corporate so constituted;

(c)applying to that body any transferred provision, subject to the modifications (if any) specified in the order;

(d)providing for the winding-up and dissolution of any body corporate so constituted.

(10)A member of a joint committee or sub-committee who is not a councillor shall have the same exemption from personal liability as if he were a councillor.

### **F119A Voting rights of members of committees, sub-committees and joint committees**

(1)A person who—

(a)is a member of a committee appointed under section 18(1) by a council and is not a member of that council; or

(b)is a member of a joint committee appointed under section 19(1) by 2 or more councils and is not a member of any of those councils; or

(c)is a member of a sub-committee appointed under section 18(4) or 19(4) by such a committee as is mentioned in paragraph (a) or (b) and is not a member of the council, or one of the councils, which appointed that committee,

shall for all purposes be treated as a non-voting member of that committee, joint committee or, as the case may be, sub-committee.

(2)Where a person is treated by virtue of this section as a non-voting member of any committee, joint committee or sub-committee, he shall not be entitled to vote at any meeting of the committee, joint committee or sub-committee on any question which falls to be decided at that meeting.

(3)In this section any reference to voting includes a reference to making use of a casting vote.]

### **Annotations:**

[E11992 NI 6](#)

### **20 Expenses of joint committees**

The expenses incurred by a joint committee shall be defrayed by the councils by whom the joint committee is appointed in such proportions as they may agree upon, or in the case of disagreement as may be determined by the Ministry.

### **21 Disqualification for membership of committees**

(1)A person who is disqualified for being elected or being a member of a council shall be disqualified for being a member of any committee or sub-committee of that council, or for being a representative of that council on any joint committee, or for being a member of a sub-committee of a joint committee on which that council is represented.

(2)Section 6 shall apply to members of a committee or sub-committee of a council who are not councillors as it applies to councillors

**Appendix 5: Statement of Principles on Transfer of Functions**



Department of the  
**Environment**  
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Room 717  
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BELFAST  
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Our Ref:SUB/507/08

**FROM: SAMMY WILSON MP MLA**  
**DATE: 6 OCTOBER 2008**  
**TO: MINISTERIAL COLLEAGUES**

As you will be aware I am working with our local government colleagues to implement the decisions of the Executive on the restructuring of local government, which were agreed in March 2008. This restructuring will result in a reduction in council numbers from 26 to 11, and will give additional powers and duties to local government.

Since that time my officials have been working closely with the local government sector and central government departments to develop policy proposals and agree implementation arrangements for the local government restructuring programme.

I chair the Strategic Leadership Board, a consultative board, drawn from local government elected members. This body meets regularly to take forward the high level policy and implementation issues in the local government restructuring programme. A number of Policy Development Panels have also been formed to examine specific policy areas. Representatives from government departments have been invited to attend these meetings, and indeed are contributing significantly to policy development.

The Northern Ireland Local Government Association (NILGA) which represents councils, is a key partner in the process. The NILGA president is the Vice Chair of the Strategic Leadership Board, and NILGA is closely involved with my Department in both policy development and implementation.

The transfer of functions from central to local government control forms a key part of the restructuring process. The subject is of great importance to local government, and NILGA has developed a statement of principles which it feels should guide the process for the transfer of functions from central to local government.

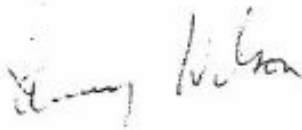
I attach the paper which NILGA submitted to the Strategic Leadership Board on the principles of transfer, as an annex to this letter.

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I have been asked by NILGA to support the principles as set out, and to write to Ministerial colleagues to that effect.

The principles which NILGA has espoused are centred on openness of approach, consistency with the Ministerial statement to the Assembly on 31 March 2008 which launched the programme, and ongoing consultation with the sector throughout the process. I am sure that these are points to which we can all agree.

The principles themselves build further detail as set out in the NILGA paper. I would encourage you to consider and support these principles as we move into the implementation phase of the local government restructuring programme.

A handwritten signature in black ink, appearing to read 'Sammy Wilson', written in a cursive style.

**SAMMY WILSON MP MLA**  
**Minister of the Environment**

## DELIVERING ON THE REVIEW OF PUBLIC ADMINISTRATION

### CREATING STRONG LOCAL GOVERNMENT

#### A Paper Outlining a local Government Preferred Approach

August 2008

#### Context

1. The Review of Public Administration (RPA) initiated by the devolved Assembly was announced in September 2002. It was subsequently overseen by direct rule Ministers from October 2002 until May 2006, when devolution was restored. In July 06, the then Minister for the Environment, Arlene Foster MLA, initiated a further Review of the Local Government Aspects of the Review of Public Administration.
2. Arlene Foster MLA announced the outcome of the review to the Assembly on March 31<sup>st</sup> 2007. The key elements of the final decisions were:-
  - the rationalisation in the number of local authorities in Northern Ireland from 26 to 11, to be effective from May 2011
  - the transfer of a range of functions from central to local government including planning, regeneration, public realm aspects of local roads, and some minor economic development, tourism and housing related functions
  - the creation of new Community Planning and Wellbeing Powers for Local Government
  - Statutory Governance arrangements
  - A clear indication that the strengthening of local government would be “*a process and not an event*” and that a further review would be carried out 12 months after the new councils become operational
  - Central and Local Government to work in partnership to deliver the Programme for Government and the vision for local government
4. In the announcement the Minister set out a vision for Local Government.

*“Our vision for local government is therefore one of a strong, dynamic local government creating communities that are vibrant, healthy, prosperous, safe, sustainable and have the needs of all citizens at their core. Central to the vision is the provision of high quality, efficient services that respond to the needs of people and continuously improve over time. That vision resonates with the Executive’s Programme for Government and the strategic priorities contained within it. It also reflects the strong desire that central and local government should work in partnership to deliver the Programme for Government and the vision for local government.”*
5. The **vision** articulated in the announcement is consonant with the vision outlined by NILGA at its conference on 16/17 February 2006. This vision recognises the requirement that citizens’ needs need to be at the centre of delivering public services. It further recognises the need to integrate public services both to serve the public more effectively and to provide better value for money. Finally it recognised that for community planning to work local government, central government, statutory agencies and the voluntary community and

private sector will have to build relationships and **common cause** on what they are trying to achieve.

6. In the context of the discussion about the future relationship between central and local government and the transfer of functions from central government to local government it is important to note the principles underpinning the Review.
  - (1) **Subsidiarity** – the need to balance the efficiency of regional service delivery against local democracy and local responsiveness;
  - (2) **Equality and Good Relations** – in terms of service delivery, diversity and employment, the governance of organisations including the Councils and the embracement of principles set out in A Shared Future – The Framework for Good Relations;
  - (3) **Common Boundaries** – experience elsewhere demonstrates that people can understand public services better when they are delivered in common boundaries which also make it much easier for organisations to deliver real joined-up services; and
  - (4) **Strong Local Government** – all the Review consultations saw people strongly in support of local government as the centrepiece in service delivery and local democracy.
7. The RPA is now reaching the critical stage of implementation where functions will be transferred from central government to local government. It is essential that there is a common understanding across central government on the purpose and vision underpinning the transfer of functions to local government. Local Government now calls upon the Minister and Executive Colleagues **agree a set of principles to firmly set the context in which the implementation work for the transfer of functions should be approached.**
8. Such a statement of principles will serve to ensure that both central and local government are working in partnership to a common vision and that the transfer of functions takes place in an environment of trust, mutual regard and the common cause of providing integrated public services meeting the needs of our citizens. NILGA therefore requests the Minister of the Environment in line with the specified vision to endorse the principles set out below and to seek agreement from Ministerial colleagues to inform the manner in which the Departments and local government approach the work of implementing the transfer of functions to local government.
9. The purpose of the transfer of functions to local government is to create a strong local government having direct control over local services which are delivered in a manner responsive to local needs. Such services must be provided fairly and equitably and in a manner which ensures value for money. Community planning is the mechanism through which the aim of integrated public services responsive to the needs of local communities will be pursued. This will require both central and local government to look at the manner in which services are delivered at the moment and the manner in which resources are allocated.
10. The common aim of both central and local government is to work in partnership to create sustainable, safe and fair communities that live in attractive places and enjoy effective public services and a good quality of life. Such communities will also be economically successful and socially cohesive with an appreciation of the rights and responsibilities of people from all backgrounds, providing opportunities for business and individuals to thrive in a sustainable manner.

**Local Government Requests**

11. Local government therefore requests the Minister of the Environment to endorse the following set of principles and to seek agreement from Ministerial colleagues to agree the statement of principles and subsequently ensure that Government Departments adhere to these principles when transferring functions to local government.

Local Government feel the following statement of principles to guide the work would be appropriate.

- (1) The transfer of functions to local government will be governed by the vision and guiding principles set out in the Ministers speech, as reiterated above in paragraphs 2-6 above.
- (2) To build and sustain the trust that will create the relationships to deliver community planning, the transfer of functions must take place in an open and transparent manner. This will require the Departments and agencies transferring functions and representatives of local government to hold early and open conversations involving the mutual exchange of information on the resources and capacity of the functions being transferred.
- (3) This work should be facilitated within the arrangements for the task force, ensuring a timetable, consultation arrangements and a project plan for implementation is prepared and overseen by the Minister in liaison with the Strategic Leadership Board.
- (4) Reports on the transfer of individual functions should be prepared by individual Departments and be reported to the Minister and Strategic Leadership Board for endorsement.
- (5) Ministers should require Departments to prepare reports in consultation with local government and each report going to the Strategic leadership Board should be signed off by both parties indicating the areas of agreement and disagreement.
- (6) Ministers should require their Departments to prepare these reports based on the following principles:
  - (a) All services announced by the Minister as transferring to local government will transfer (subject to discussions with local government on some minor items).
  - (b) A clear definition will be provided for of the transferring functions in terms of their scope, currently policy, associated resources and current governance arrangements.
  - (c) A clear time line and project plan will set out the methodology and processes (including consultation arrangements) necessary for the timely transfer of functions.
  - (d) Functions being transferred should be sufficiently funded at the point of transfer to ensure that the same quality of service is available to citizens pre- and post-transfer in a manner that ensures that at the point of transfer there is no additional cost to the ratepayer.
  - (e) All the resources associated with the function in terms of estate, fleet and human resources together with a proportionate amount of the back office administration and human resources associated with the exercise of the function will transfer.
  - (f) Both parties recognise that it is essential that skilled staff are transferred with the function as it is these staff who will ensure that

services to citizens are maintained and improved. Discussions will take place between both parties to agree the number, capacity levels and skills of staff who should transfer.

- (g) The Minister in liaison with the Strategic Leadership Board will determine whether the above principles have been complied with when considering the reports from the individual Departments and if there is disagreement will consider taking independent advice on the arguments put before them.
- (h) The Minister and Strategic Leadership Board recognise that it is vital to maintain staff motivation and morale through a period of radical change and therefore undertake that the principle of parity will apply to all staff who are affected by the change whether they be in local or central government. This means that the same compensation and transfer arrangements will apply and that the principle of fair and equal treatment will be at the heart of all decisions.

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**Belfast City Council**

|                           |  |
|---------------------------|--|
| <b>Report to:</b>         | Strategic Policy & Resources Committee               |
| <b>Subject:</b>           | <b>Publishing of Committee Reports on Modern.Gov</b> |
| <b>Date:</b>              | 14 <sup>th</sup> November, 2008                      |
| <b>Reporting Officer:</b> | Liam Steele, Head of Committee & Members' Services   |
| <b>Contact Officer:</b>   | Stephen McCrory, Principal Committee Administrator   |

**Relevant Background Information**

Members may recall that the Committee, at its meeting on 21<sup>st</sup> September, 2007, approved a policy to publish Committee reports to the internet at the same time as the publication of the minutes, that is, after the monthly Council Meeting, omitting those reports which could be justifiably excluded.

However, it is considered that the time is now right to reconsider this policy in light of the need for the tracking of Committee decisions, the Council's commitment to openness and transparency as part of its customer focus and the anticipated forthcoming changes to Governance arrangements for the new Councils post 2011.

**Key Issues**

Governance Arrangements post 2011

The Committee will be aware of the framework which has been established to prepare for the reduction from 26 to 11 Councils in 2011. A number of Policy Development Panels have been established by the Department of the Environment to consider different issues and one such Panel is developing protocols and procedures for Governance, Community Planning and Central/Local Relations.

This Panel has produced a paper setting out its proposals around governance for the new Councils in which there is a clear acceptance of a high level principle of openness and transparency in decision-making. Although there are not yet formal proposals as to how this principle should be applied to Council and Committee meetings, it seems reasonable to assume that, at the very least, Councils will be required to make their Committee reports available to the public prior to the meetings taking place.

It is anticipated that the Council will in 2011 be required to make a policy shift to a system of publishing its Committee reports in advance of meetings and it is considered that it would be better for the Council to lead on this matter of its own accord rather than being forced to comply. In this way, Belfast can again be seen to be leading on policy development and it will place us in a better position to influence the ultimate outcome of the consideration of governance arrangements in the run-up to 2011.

#### The Council's Commitment to Openness and Transparency

The Strategic Policy & Resources Committee, at its meeting on 23<sup>rd</sup> May, adopted a set of recommendations of the Audit Panel in relation to a Code of Governance for the Council. Part of that Code committed the Council to "taking informed, transparent decisions which are subject to effective scrutiny....." It is certainly the case that the simultaneous publication of Committee reports would be in line with this commitment.

The Council is also in the process of gathering information in order to review its customer focus. While not wishing to anticipate the outcome of the review, there would certainly be an expectation that members of the public should be provided with as much information as possible about the Council's decision-making processes and the simultaneous publication of Committee reports would be consistent with a customer-focussed service delivery.

#### Technical Considerations

It should be remembered that the Modern.Gov system has been developed primarily for use by Councils in England and Wales where there is a legislative requirement to publish Committee papers before the meetings take place. One of the key advantages of the system is that it operates on the basis of simultaneous publication to both the intranet and internet sites. Requiring the system to separate the internal publication from the external publication, as we have had to do in order to adhere to the current policy, has led to a number of operating problems. It is anticipated that a decision to move to the simultaneous publication of reports, in preparation for the commencement of the tracking of Committee decisions, would make the operation more straightforward and streamlined and prove to be less time consuming.

#### Implications for Members

It should be noted that, as the Committee reports will be available publicly before the meetings take place, there will in all likelihood be increased contact with Committee Members, and particularly Chairmen, by the media and the public seeking to either ascertain opinions on issues to be discussed or to elicit a view as to the decision which the Committee may take. Most Members will be happy to receive such enquiries and will be able to respond by merely emphasising that views expressed are either their own personal opinion or that of their Party and ought not to be construed as the stance which the particular Committee might take. However, if Members wish to receive any additional advice or direct training on the handling of such enquiries, then this can be arranged on request.

#### **Resource Implications**

There would not be any resource implications arising from a decision to publish Committee reports to the Internet at the same time as the Intranet. In fact, there would be a saving in terms of staff time.

**Recommendation**

That a policy of openness and transparency in the Council's decision-making processes be adopted by agreeing to publish simultaneously to the Internet and Intranet in advance of meetings taking place Committee summonses and reports (excluding those reports or parts thereof which are restricted under the publications policy).

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**Belfast City Council**

|                           |   |
|---------------------------|---|
| <b>Report to:</b>         | Strategic Policy and Resources Committee                                |
| <b>Subject:</b>           | Requests for the use of the City Hall and the provision of hospitality  |
| <b>Date:</b>              | Friday, 14 <sup>th</sup> November, 2008                                 |
| <b>Reporting Officer:</b> | Mr. Liam Steele, Head of Committee and Members' Services<br>(ext. 6325) |
| <b>Contact Officer:</b>   | Mr. Gareth Quinn, Development Officer<br>(ext. 6316)                    |

**Relevant Background Information**

A schedule of applications, together with an indication as to whether they fall within the criteria approved by the Committee, is attached as Appendix 1.

**Key Issues**

To advise the Committee of applications which have been received for the use of accommodation in the City Hall and/or the Provision of Civic Hospitality.

**Resource Implications**

Provision has been made in the Revenue Estimates for hospitality.

**Recommendations**

The Committee is asked to approve the recommendations as set out in the Appendix.

**Key to Abbreviations**

Not applicable

**Documents Attached**

None

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## Appendix 1

**SCHEDULE OF APPLICATIONS FOR THE USE OF THE CITY HALL AND THE  
PROVISION OF HOSPITALITY**

| <b>Organisation/<br/>Body</b>        | <b>Event/Date –<br/>Number of<br/>Delegates/Guests</b>   | <b>Request</b>  | <b>Comments</b>   | <b>Recommendation</b>   |
|--------------------------------------|--|---|---|---|
| Queen's University Belfast           | The Universities' Personnel Association Annual Conference<br><br>14 <sup>th</sup> May, 2009<br><br>Approximately 250 attending | The provision of hospitality in the form of a pre-dinner drinks reception.                              | It is estimated that 200 delegates will be staying in accommodation in Belfast and the conference will take place within the city.  | The provision of hospitality in the form of wines and soft drinks.<br><br>Approximate cost £1,000<br><br>Approximate budget remaining £166,730                              |
| Victoria College Belfast             | 150 <sup>th</sup> Anniversary Gala Dinner<br><br>27 <sup>th</sup> March, 2009<br><br>Approximately 400 attending               | The provision of hospitality in the form of a pre-dinner drinks reception.                              | This event seeks to celebrate the 150 <sup>th</sup> Anniversary of Victoria College Belfast and to acknowledge its contribution to the general life and well-being of the city.                 | The provision of hospitality in the form of wines and soft drinks.<br><br>Approximate cost £1,600<br><br>Approximate budget remaining £165,130                              |
| Northern Ireland Bowling Association | Centenary Dinner<br><br>22 <sup>nd</sup> October, 2010<br><br>Approximately 250 attending                                      | The use of the City Hall and the provision of hospitality in the form of a pre-dinner drinks reception. | This event seeks to celebrate the 100 <sup>th</sup> Anniversary of the Northern Ireland Bowling Association and to acknowledge its contribution to the general life and well-being of the city. | The use of the City Hall and the provision of hospitality in the form of wines and soft drinks.<br><br>Approximate cost £1,000<br><br>Approximate budget remaining £164,130 |

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### Belfast City Council

|                           |   |
|---------------------------|---|
| <b>Report to:</b>         | Strategic Policy and Resources Committee                                  |
| <b>Subject:</b>           | Request for Funding   |
| <b>Date:</b>              | 14 November 2008  |
| <b>Reporting Officer:</b> | David Cartmill, Acting Head of Corporate Services Directorate<br>Ext 6084 |
| <b>Contact Officer:</b>   | David Cartmill, Acting Head of Corporate Services Directorate<br>Ext 6084 |

#### Relevant Background Information

This paper presents for consideration a request for financial assistance by the Be Your Best Foundation towards the Belfast Rock Challenge 2009, to be staged in the Waterfront Hall. The Council provided £2,000 sponsorship towards the 2008 event also staged at the Waterfront Hall.

Under Section 115 of the Local Government Act (NI) 1972, the Council has discretion to consider exceptional requests for financial assistance. A Special Expenditure budget within the Corporate Services Department is available to provide support which may be made available providing:

- (i) The Council has statutory authority to make such payments
- (ii) Assistance is not available from the remit of another Committee.

The criteria for assessing requests for assistance which would fall within the Council's Special Expenditure budget is included at Appendix 1.

#### Key Issues

The Be Your Best Foundation is a UK registered charity. It organises an annual 'Rock Challenge' as a drug and crime prevention vehicle which takes the form of a performing arts challenge for schools. The scheme aims to increase the resilience of young people and development of their self-esteem without dependence on negative influences of tobacco, alcohol or other drugs.

The organisation stages Rock Challenges at cities throughout the UK. Seven schools from Northern Ireland and one from Dublin will participate in the 2009 Belfast Challenge including Belfast Model, Ashfield and Little Flower schools.

The Rock Challenge project is deemed to contribute to several Council agendas including Arts and Culture, Children and Young People, Good Relations and, in particular, Community Safety. Discussion has been held with staff responsible for the above areas. It is accepted that the proposal may not score highly under specific

Council support schemes. (Small grants schemes for Community Safety and Good Relations are currently closed). However, its collective impact across a range of Council priorities is deemed to make it a special case which is eligible for consideration.

In line with the Council's commitment to creating a safer city the Belfast Rock Challenge offers an opportunity to encourage young people to make positive lifestyle choices. Moreover, recent public consultation has highlighted that underage drinking and antisocial behaviour continue to be key concerns for residents of the city. A survey of Belfast participants in the 2008 Rock Challenge event indicated a higher percentage consumed alcohol, smoked or used drugs compared to participants across the UK. The vast majority of those questioned responded that they had either stopped or reduced consumption as a result of Rock Challenge. It is anticipated therefore that this event would complement ongoing work within Council such as its Safer Neighbourhoods Pilot and warden schemes as well as the Get Home Safe campaign and presents an opportunity to engage with young people in a positive environment.

Although not exclusively for the benefit of Belfast it is considered that the project merits support from Belfast City Council and that the benefits accruing to the city would be, at least, commensurate with a donation of £3,000. However, as this would be the second year the Council has supported the event, and in light of the financial pressures facing ratepayers, it is recommended that the promoters are advised that it is unlikely that further assistance will be offered.

**Resource Implications**

There are minimal implications for Belfast City Council and resources are available from current budget.

Financial

The Committee may wish to consider a contribution of £3,000.

Human Resources

None.

Asset and Other Implications

None.

**Recommendations**

It is recommended that the Committee considers a contribution of £3,000 towards the Belfast Rock Challenge 2009, a not for profit event, to be staged in the Waterfront Hall and passes the under-noted resolution:

That the expenditure in respect of the aforementioned event be approved under Section 115 of the Local Government Act (Northern Ireland) 1972, it being the opinion of the Committee that the expenditure would be in the interest of, and would bring direct benefit to the District, and inhabitants of the District, with the Committee being satisfied that the direct benefits so accruing would be commensurate with the payments to be made.

**Documents Attached**

Appendix 1 - Criteria for the assessment of requests for financial assistance.

**APPENDIX 1**

B Policy and Resources Committee,

2772 Friday, 18th June, 2004

Special Expenditure Budget - criteria to be applied in the assessment of requests

- (1) whether there are sufficient funds remaining in the Council's Special Expenditure budget for the relevant financial year;
- (2) whether the application for financial assistance links to any of the Council's Corporate Objectives;
- (3) whether the direct benefit to be obtained is specific to the Council or its district or inhabitants;
- (4) whether the activity or initiative in respect of which assistance is being sought is being promoted by a person or organisation living or operating, or otherwise having a direct connection with, the City;
- (5) whether the request for financial assistance relates to an event or initiative which falls within the remit and statutory power of any other Committee of the Council (in which case it should be so referred);
- (6) whether the request relates to a specific event, activity or initiative as distinct from a request for a contribution to general funds;
- (7) whether the benefit to be obtained will be commensurate with the payment to be made.

Notwithstanding the foregoing, the Council would nevertheless reserve to itself the right to give special consideration to any particular request for financial assistance if the Members consider that special circumstances apply and legal advice has been sought where appropriate.

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Belfast City Council

|                           |  |
|---------------------------|--|
| <b>Report to:</b>         | Strategic Policy and Resources Committee   |
| <b>Subject:</b>           | Efficiency Programme   |
| <b>Date:</b>              | 14 November 2008   |
| <b>Reporting Officer:</b> | Trevor Salmon, Director of Corporate Services                                      |
| <b>Contact Officer:</b>   | Trevor Salmon, Director of Corporate Services<br>Ronan Cregan, Improvement Manager |

### Purpose

Policy and Resources Committee agreed that the Council will make £3.0 million efficiency savings over the period 2006/07 – 2008/09. Over this period the Director of Corporate Services has reported cash savings amounting to £3.87m. In November 2007, Strategic Policy and Resources Committee agreed a further efficiency target of £1.0m per annum for the period 2009/10-2011/12.

The purpose of this report is to discuss the efficiency programme for 2009/10.

### Relevant Background Information

#### Capturing of Savings

It is important to note that the £1,762,873 savings are cash savings. This means that they will be captured as part of the rate setting process which ensures that they are directly passed on to the ratepayer.

#### Efficiency Programme 2009/10

The table below summarises the efficiency programme for 2009/10.

| <b>Efficiency Area</b>                   | <b>£</b>         |
|--|------------------|
| Insurances                               | 482,000          |
| Stationery                               | 128,723          |
| Personal computers                       | 105,839          |
| Department Contributions                 |                  |
| • Health & Environmental Services        | 770,000          |
| • CIT                                    | 200,000          |
| • Development                            | 76,311           |
| <b>Total Efficiency Savings</b>          | <b>1,762,873</b> |
|  |                  |
| <b>Rates income from vacant property</b> | <b>2,700,000</b> |

A brief description of each efficiency area is provided below.

**Insurances**

Insurance costs have been reduced from £1,552,000 in 2008/09 to £1,070,000 for 2009/10 – giving a cash saving of £482,000. This has been achieved by tendering the insurance broker services on the insurance policies which resulted in reduced broker and premium costs.

**Procurement**

The Procurement Unit carried out two reverse auctions for stationery and personal computers. A reverse auction is where suppliers bid on a real time basis for a contract. These auctions are most effective where a detailed specification can be put together in terms of volume and quality. The savings achieved for these two auctions amount to £128,723 for stationery and £105,839 for personal computers.

**Departmental Contributions**

Four departments have provided estimates for 2009/10 which in real terms show net expenditure savings. These are:

- Health & Environmental Services - £770,000. These savings have been produced in the budget areas of employee costs, activity-based modelling of landfill contract costs, segregated waste and compensation claims.
- CIT - £200,000. These savings have been achieved through increased rental income following rent reviews on a number of units in the Council's industrial estates and a reduction in employee costs.
- Development - £76,311 employee cost savings.

**Rates income from vacant property**

A new contribution to the efficiency programme is the work the Council has been doing to ensure that collectable rate income is maximised. Each year the Council loses millions from vacant properties. In the case of domestic properties, where a property is currently vacant no rates are paid and for non-domestic properties half the rates are paid. It is therefore in the interest of the Council to ensure that all properties defined as vacant are actually vacant. The Council's Building Control Unit inspected around 12,000 vacant properties and found that 51% were in fact occupied. This information was passed to LPS so that rates bills could be issued. This work resulted in an additional £2.7m rates income. Currently Building Control is carrying out a second phase of vacant inspections and this will hopefully lead to a reduction in the amount of lost rates income from vacant properties which will therefore help to produce a more favourable EPP for 2009/10.

**Efficiency Programme Post 2009/10**

The efficiency programme to date has been relatively non-threatening to the organisation and to individual services. The opportunities, however, for realising savings through improved budgetary control are diminishing. This means that a more strategic approach to efficiency will be required which will involve both changing how we do things today and progressively making fundamental changes to the Council's business operation. The Chief Executive has already commissioned an external review of the centre of the organisation and it is anticipated that this will deliver significant efficiency savings. The outcome of this report will be discussed with the party groups and the presented to Strategic Policy and Resources Committee for approval. As part of the Corporate Plan the Council is committed to develop a value for money framework and a critical issue for the review of the centre to address is to create a resource dedicated to efficiency.

It is clear that budgetary constraints are being felt across the public sector in the region. This will have an impact on how other agencies are spending and will impact on Council services that trade externally and receive external income. Information Services Belfast (ISB) is one

of these services with customers locally and in England and Wales. ISB is undertaking a review of its service as changes in the market have meant a significant decrease in forecasted income. This downturn in income means the service has to consider ways of decreasing expenditure and increasing its return to the Council. The outcome of the review will be presented to Strategic Policy and Resources Committee for approval.

**Recommendations**

1. Agree the programme of efficiencies for 2009/10 as outlined in the report.
2. Note the work already underway to realise future savings.

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**Belfast City Council**

|                           |   |
|---------------------------|---|
| <b>Report to:</b>         | Strategic Policy and Resources Committee                |
| <b>Subject:</b>           | Standing Order 55 – Employment of Relatives             |
| <b>Date:</b>              | 21 November 2008  |
| <b>Reporting Officer:</b> | Trevor Salmon, Director of Corporate Services, ext 6083 |
| <b>Contact Officer:</b>   | Jill Minne, Acting Head of Human Resources, ext 3220    |

**Relevant Background Information**

To inform the Committee of delegated authority exercised by the Director of Corporate Services to the employment of individuals who are related to existing officers of the Council.

The Director of Corporate Services has authorised the appointment of the following individuals who are related to existing officers of the Council in accordance with the authority delegated to him by the Policy and Resources (Personnel) Sub-Committee on 27 June, 2005. The Committee is asked to note the appointments authorised by the Director under Standing Order 55.

| <b>NAME OF NEW EMPLOYEE</b> | <b>POST APPOINTED TO</b> | <b>RELATIONSHIP TO EXISTING OFFICER</b> | <b>NAME OF EXISTING OFFICER</b> | <b>DEPARTMENT</b>                             |
|-----------------------------|--------------------------|---|---------------------------------|---|
| Anthony McAllister          | Cemetery Operative       | Brother                                 | Gerard McAllister               | Parks & Leisure                               |
| Darren Meek                 | Senior Refuse Collector  | Nephew                                  | Brian Craig                     | Health and Environmental Services - Cleansing |

**Resource Implications**

Financial

Provision for these posts exist within the revenue budgets of the relevant departments.

Human Resources

There are no Human Resource considerations. All appointments have been made on the basis of merit in accordance with the Council's Recruitment Policies.

Asset and Other Implications

There are no other implications.

**Recommendations**

Committee is asked to note the appointments authorised by the Director of Corporate Services in accordance with Standing Order 55.

**Key to Abbreviations**

None.

**Documents Attached**

None.



### Belfast City Council

|                           |   |
|---------------------------|---|
| <b>Report to:</b>         | Strategic Policy and Resources Committee                |
| <b>Subject:</b>           | Belfast Wheel   |
| <b>Date:</b>              | 21 November 2008  |
| <b>Reporting Officer:</b> | Shirley McCay, Head of Economic Initiatives (ext. 3459) |
| <b>Contact Officer:</b>   | Gerry Copeland, Events Manager (ext. 3412)              |

#### Relevant Background Information

In March 2006 Council agreed to the temporary installation of the 60m high Belfast Wheel in the grounds of City Hall (Donegall Square East) with a further extension of the Wheel being agreed by Committee in December 2007. To date the wheel has had been very popular with visitors and attracted considerable positive media attention. Due to the ongoing considerable success of the project the operators of the Belfast Wheel, World Tourist Attractions (WTA), have requested that the Council consider another extension the use of the City Hall grounds beyond December 2008 to August 2009.

The period, requested by WTA, would not only necessitate Council approval but also require an extension of the current planning consent granted by Planning Service (NI).

#### Key Issues

- **Cost to the Council.** There still would be no cost to Council. However WTA have agreed to pay BCC £4,166 plus VAT per month from January to August 2009. If the Belfast Wheel were to stay to the end of August 2009 this would mean £33,328 plus VAT revenue for the Council.
- **Location.** The Belfast Wheel is currently on the Donegall Square East car park of City Hall and it would stay in situ if the Council agreed to the extension.
- **Site Inspection.** A site inspection of the wheel has been undertaken and regular additional site checks are on-going.
- **Temporary Planning Permission.** This has been granted until the end of December 2008. Any extension would be subject to Planning Service approval.
- **Contract.** The existing contract with WTA would expire at the end of December 2008. A new contract would be required for any agreed date extension.
- **Duration.** Total duration, of the requested date of extension, would be eight months. After this period WTA would then analyse if the Belfast Wheel could be re-sited to a location in another part of the city.
- **Operation during Key Civic Dates (Remembrance Sunday).** The project is required to cease during events like Remembrance Sunday. This condition is included in the Council's contract with WTA.

- **Early termination.** Both the Council and WTA would have the right to terminate the contract earlier.

**Resource Implications**

Financial

By the end of December 2008, BCC would have earned £50,000 plus VAT from the Belfast Wheel at no cost to the Council. If the Council agreed a further extension to the end of August 2009, the total income would be in £83,328 plus VAT.

Human Resources

None

Asset and Other Implications

Use of Council property.

**Recommendations**

Members are requested to provide approval for the Belfast Wheel staying in the grounds of City Hall to end of August 2009, subject Planning Service approval.

Appendix 1



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World Tourist Attractions Ltd

Gerry Conleard,  
Events Manager  
Belfast City Council  
Coal Ward Building  
Tinnenhall Street  
Belfast  
BT2 8BP

Dear Gerry

Re: Belfast Wheel

Further to our letter requesting an extension to the term of the wheel to August 2009, I can confirm that WTA are willing to offer a rental payment of £4166 per month or part thereof for the period of the proposed extension. Rent will be payable up to the last day of trading (open to the public).

Regards

A handwritten signature in blue ink, appearing to read "Nigel Ward", is written over a horizontal line.

Nigel Ward  
Chief Executive

World Tourist Attractions Ltd [www.worldtouristattractions.co.uk](http://www.worldtouristattractions.co.uk)  
1st Floor, 4 Mitre Court, Lichfield Rd, Sutton Coldfield, B74 2LZ, United Kingdom  
T: 0121 355 8401. F: 0121 270 9609 Registration number 04585536. Vat Number 807 3746 21

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## Belfast City Council

|                           |   |
|---------------------------|---|
| <b>Report to:</b>         | Strategic Policy & Resources Committee        |
| <b>Subject:</b>           | <b>City Hall Tours &amp; Themes</b>           |
| <b>Date:</b>              | 14 <sup>th</sup> November 2008                |
| <b>Reporting Officer:</b> | George Wright – Head of Facilities Management |
| <b>Contact Officer:</b>   | As above (Ext.5206/6232)                      |

### Relevant background information

Members will be aware that the City Hall is one of the principal tourist destinations in Belfast, and that tour numbers have been increasing significantly in recent years. By way of illustration, in the year ended 31<sup>st</sup> March 2007 a total of **56,200** visitors took public tours of the building, up by 30% from the 43,070 visitors who took tours in the previous year.

It is clearly important to maintain and indeed enhance the City Hall's position as one of the premier tourist attractions in the city, however a number of factors militate against this which the current closure provides opportunities to address. The main problems are:-

- many areas of the building are in use during the tours and consequently the art & artefacts located in these areas can't be viewed by visitors (86% of tours could not access all areas in a recent survey);
- the current tour route provides a somewhat disjointed view of the building;
- the various items of historical and cultural significance are distributed throughout the building, rather than being drawn together in meaningful themes; *and*
- some items would benefit by being on permanent public display.

Consequently the Facilities Management tours staff have been working on proposals to improve the situation during the closure. In doing so they have been guided by the recommendations of the **Advisory Panel on City Hall Memorabilia**, approved by the Committee in February 2003.

This Panel's recommendations included the following:-

- as the signing of the Covenant in 1912 was one of the most significant events in the history of Northern Ireland the Covenant table should be located in a prominent location and highlighted with appropriate signage;
- the setting up of a "Freemen of the City" exhibit. An interesting display to make history come alive should be centred around a few personalities who have been awarded the honour;
- the Robing Room (which was considered by the Panel to be a very 'bland' area) should be used for displaying art & artefacts currently in storage or not in the public view; *and*
- developing a photographic display or collages depicting contemporary significant figures or local achievers: the display would be of particular interest to the younger people in the city.

While many of the short-term recommendations made by the Panel have already been implemented the above issues remain outstanding, and clearly the closure represents the best opportunity to take them forward. It is therefore proposed that the following themed areas be created within the building:

1. the history of the City Hall (located in the marble area);
2. our 'Freedom of the City' recipients (located in the Rotunda area);
3. Belfast in the 2 World Wars (located in the Rotunda area);
4. notable Belfast citizens (located in the Reception Hall);
5. the Titanic & Belfast's Lord Mayors (located in the Banqueting Hall);
6. the civic regalia (located in the Robing Room); *and*
7. display of gifts received by the city (located in the East Entrance area).

In order to give effect to these themes the a number of changes would be required in terms of the use and positioning of existing art and artefacts, of which the following are the most notable:-

- the Covenant table will remain in the Council Chamber but would be supplemented with archive photographs of the signing of the covenant in 1912, new signage and additional historical material while tours are in progress;
- the civic regalia including maces, chains of office and robes currently stored in the Lord Mayor's Parlour would be moved to public view in the Robing Room;
- the Seaman Maginess portrait would be moved from the Robing Room to the Rotunda;
- a number of items connected with the Freedom of the City including caskets and scrolls currently in the Reception Hall and crystal in the Lord Mayor's Parlour and silver keys currently in storage would be brought together in a display on the Rotunda;
- the "No Mean City" display (suitably updated) which was previously located on the ground floor west corridor would be moved to the Reception Hall to form the central part of a Belfast Citizens exhibit;
- a number of items connected with the history of the City Hall including the black and white photographs in the Robing Room and the charters, silver trowel and gavel in the Reception Hall would be brought together and put on permanent display in dedicated display cases in the marble area;
- the portraits of Sir Edward Harland and Viscount & Viscountess Pirrie currently in the Council Chamber & Reception Hall would be moved to the Banqueting Hall; *and*
- a number of crystal and silver items presented to the city and currently in storage or in the Lord Mayor's Parlour would be brought together in the East Entrance area.

The location of some exhibits is linked to existing fixtures in the City Hall such as stained glass windows. Others such as the civic regalia sit naturally in the Robing Room which is adjacent to the Council Chamber and the Lord Mayor's Parlour. Having some of the themed displays in mobile cases will allow exhibits to be moved around the building, and this will be particularly beneficial when specific areas are being used for functions.

(It should be noted that, if the proposal to establish a coffee-shop facility in the City Hall and to 'theme' the area (e.g. Titanic theme) proceeds, this may have an effect on the siting of some specific items which may consequently differ somewhat from the locations set out above).

The tour script and route will be revised and changed to link in with the themed displays, however the length of the tour will still be approximately 40-45 minutes. The re-displaying of items will give an opportunity to work towards the achievement of a more balanced and inclusive display which represents all aspects of former and contemporary life in Belfast. New signage and free-standing visitor floor plans will also be used throughout the building in order to improve the visitor experience.

Before the City Hall re-opens the opportunity will also be taken to clean and carry out restoration work on many of the Council's art & artefacts, and also to create an updated inventory of all items held. Over 1,300 art & artefact items were removed from the City Hall and placed in climate-controlled stores. Each item has been checked for damage and many items have been photographed as part of the computerisation of our inventory database, which is now complete.



**Key Issues**

An opportunity now exists, in the context of the City Hall closure, to improve the tour offering to visitors and at the same time to implement a number of the outstanding recommendations of the Advisory Panel on City Hall Memorabilia.

**Resources Implications**

Financial

There will be no direct costs associated with the movement of items in line with the recommendations set out above, but additional cost will be incurred in terms of additional bespoke display and signage facilities, cleaning and restoration work and in the development of a computerised inventory application.

The overall costs are therefore estimated to be in the region of **£71,000**, and provision has been made in the unit's revenue budget for this.

Human Resources

There are no direct human resources implications arising from this report. All tours will continue to be delivered by dedicated BCC personnel, as at present.

Asset & other implications

There are no direct asset implications arising from this report, which does not involve any significant changes to the fabric of the building or its systems & services.

**Recommendations & Decisions**

It is recommended that the opportunity is taken during the closure to rationalize and improve the City Hall tour offering through the creation of the themed areas and displays outlined above. This will also provide an opportunity to implement some of the outstanding recommendations of the Advisory Panel on City Hall Memorabilia.

To achieve a fully balanced and inclusive display, it is further recommended that the six elected Members of the Good Relations Partnership act as a cross-party reference group in any future discussions regarding the display of City Hall memorabilia in the longer term. This will ensure that the City Hall is as welcoming and as representative of our community as possible, in line with previous Council decisions.

**Key to Abbreviations**

None.

**Documents attached**

None.

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**Belfast City Council**

|                           |  |
|---------------------------|--|
| <b>Report to:</b>         | Strategic Policy and Resources Committee   |
| <b>Subject:</b>           | Asset Management – Estates Issues  |
| <b>Date:</b>              | 14 November 2008   |
| <b>Reporting Officer:</b> | Gerry Millar, Director of Improvement, Ext. 6217.  |
| <b>Contact Officer:</b>   | Sub-Item 1, John Hamill, Estates Manager, Core Improvement, Ext. 3495.<br>Sub-Items 2, 3, 4 and 5 Ken Anderson, Estates Surveyor, Core Improvement, Ext. 3496. |

**Relevant Background Information**

- Sub-Item 1. NIE Cable Easement – Duncrue Industrial Estate
- Sub-Item 2. Acquisition of Additional Land at McCrory Park
- Sub-Item 3. Proposed Wayleave at the Waterworks
- Sub-Item 4. Proposed Contractor's Compound at Annadale Embankment
- Sub-Item 5. Proposed Lease to BBC at Ulster Hall

Sub-Item 1 – NIE Cable at Duncrue

BCC has committed to the installation of an electricity cable to service the development of the North Foreshore. This will link our site with the NIE sub-station on Skegoneil Street to provide power and facilitate the export of electricity from the landfill gas generating plant to the national grid. Several potential cable routes have been considered and the most efficient and cost effective for the Council will be predominantly over public roads.

Sub-Item 2 – McCrory Park

At its meeting on 14 February 2008 the Parks and Leisure Committee agreed to the acquisition of an additional portion of land (approximately 0.16 acres) in addition to the land (approximately 0.42 acres) currently held by the Council on a 15 year lease from the Trustees of Whiterock/Westrock Residents Association. The land has been developed as a childrens' play facility.

A copy of the minute of the above mentioned Committee is attached as Appendix 2 to this report and a map showing the existing site (outlined with a heavy black line) and the additional land (hatched) is attached as Appendix 3.

The WWRA title to the existing site is via a lease to them from the Trustees of Cardinal O'Donnells GAC. Similarly the granting of a lease to the Council by the WWRA in relation to the additional lands, is contingent upon the grant of a further lease from the Trustees of Cardinal O'Donnells GAC to the WWRA.

#### Sub-Item 3 – The Waterworks

At its meeting on 7 November 2006 the former Parks and Cemeteries Services Sub-Committee approved a number of arrangements with Cliftonville Football Club (CFC) and their contractor to allow access etc. across Council owned lands in connection with the construction and subsequent use of a new spectator stand at to be constructed at CFC's ground.

The Council has recently been approached with a new request to provide a sewer wayleave across Council lands within the Waterworks site. The sewers are to be installed as part of the new stand development at the football ground.

The location of the proposed combined storm and foul sewer is shown on the attached map (Appendix 4).

The installation of this sewer across Council owned land has been selected by the Club on the basis that it would have been more expensive for them to take the sewer in the opposite direction through their own land and out to the public street. On this basis the Estates Management Unit have negotiated a payment of £3000 from the Club.

Installation of the proposed sewers would involve fencing off the immediately surrounding area for a period of approximately 2 weeks. Appropriate reinstatement of the lands would be a requirement of any agreement reached with CFC.

#### Sub-Item 4 – Annadale Embankment

At its meeting on 15 May 2008 the Parks and Leisure Committee provided authority to officers to act to protect the Council's property interests through discussions with the Carvill Group who are developing some 216 apartments on land adjoining Council owned land at Annadale Embankment.

Discussions with Carvill Group remain on-going on a number of issues. At this stage however officers have agreed outline terms with Carvill Group to allow them to occupy Council land on a temporary basis during the construction of the apartment development. The main terms agreed are:

- i) Carvill Group have agreed to take responsibility for the entirety of the area (approximately 1.21 acres) shown outlined with a heavy black line on the attached map (Appendix 5).
- ii) Carvill Group expect to cease occupation of the site on 31 October 2009 but have sought some flexibility in this timescale.
- iii) Carvill Group will hand back the land to the Council duly landscaped in accordance with their Planning Permission and as agreed with Parks & Leisure Department.
- iv) Carvill Group have agreed to pay the Council a Licence Fee of £30,000 per annum for use of the land identified on the attached map.

Any agreement with Carvill Group is 'without prejudice' to discussions on other outstanding issues related to protection of the Council's property interests.

Sub-Item 5 – BBC Lease Ulster Hall

The BBC previously leased a room in the Ulster Hall for use as a recording studio to control the broadcasting of performances held at the hall. The termination of this leasing agreement was approved by the Belfast Waterfront and Ulster Halls Board on 30 August 2006 to facilitate planned refurbishment of the Ulster Hall. The Board requested that a further report be submitted for its consideration in relation to any proposed future arrangements with the BBC following completion of the Ulster Hall work. Terms have now been agreed with the BBC's agent for a new 10 year lease for a studio and store on the second floor of the Ulster Hall. The proposed lease would commence on 1 January 2009 at an agreed rent of £2,500 per annum reviewable after 5 years. The BBC would also pay an annual service charge to cover the costs of heating and the cleaning and maintenance of common areas. The BBC will also be responsible for rates and internal repairs plus insurance of their fittings and contents. The lease will provide a two month rent free period at the commencement of the lease to allow for fitting out by the BBC and will also provide an opportunity for the BBC to terminate the lease after 5 years.

**Key Issues**

Sub-Item 1– NIE Cable at Duncrue

There is one instance where NIE will require an easement over privately held lands. This is in the Duncrue Estate where a plot of land held by the Council has been leased to Action Mental Health. Under the City Council's cable provision agreement with NIE in respect of the North Foreshore the Council is liable for the cost of obtaining the easement and following negotiations with Action Mental Health's estate agent compensation has been agreed at £15,000 plus reasonable agents and legal costs to be agreed.

Sub-Item 2 – McCrory Park

Council already hold lands (0.42 acres) at McCrory Park on a lease from the Trustees of Whiterock/Westrock Residents Association. The parties have agreed to an extension of the existing play area to include additional land (approx. 0.16 acres).

- The acquisition of the additional lands by the Council on lease from the WWRA is contingent upon grant of lease to the WWRA by the Trustees of Cardinal O'Donnells GAC.
- The Council would become responsible for maintenance of the facility but the acquisition of the land and its development would be at no cost to the Council.
- Members may wish to note that development works (funded by BRO) have already been carried out on the site, these include installation of seating, a barbeque and grass areas.

Sub-Item 3 – The Waterworks

- Sewer wayleave required by Cliftonville Football Club to facilitate development of new spectator facilities at their football ground. The proposed wayleave is across Council owned land at the Waterworks.
- Outline terms have been agreed between the Club and the Council's Estates Manager and will be incorporated in a suitable Wayleave Agreement.

Sub-Item 4 – Annadale Embankment

- Agreement reached with Carvill Group in relation to temporary

occupation of approximately 1.21 acres of Council's owned land at Annadale Embankment for use as a contractor's compound in connection with development of 216 apartments on their adjoining land.

- Outline terms include hand-back of land duly landscaped as previously agreed and required by Planning Service.
- Agreement reached with Carvill Group to pay a Licence Fee of £30,000 per annum for use of Council land.
- Agreement is 'without prejudice' to other issues on which discussions remain on-going.

Sub-Item 5 – BBC Lease Ulster Hall

- Lease of third floor studio and store at Ulster Hall to the BBC on a 10 year lease commencing 1 January 2009 at a rent of £2500 per annum.
- Appropriate Legal Agreement to be prepared by the Director of Legal Services.

**Resource Implications**

Sub-Item 1– NIE Cable at Duncrue

Financial

The proposal requires an expenditure of £15,000 plus fees by way of compensation for the grant of easement. However this will be more than compensated by the expected income from electricity generation from landfill gas at the North Foreshore.

Human Resources

No additional human resources required

Asset and Other Implications

The easement will assist in realising potential for electricity generation within the North Foreshore asset.

Sub-Item 2 – McCrory Park

Financial

There are no acquisition or development costs to the Council but the Council will become responsible for future maintenance costs in respect of the additional land and facilities installed on it.

Human Resources

No additional human resources required.

Asset and Other Implications

The small area to be acquired (approx. 0.16 acres) would increase the Council's responsibilities at this location. It is understood the additional land improves the overall quality of the scheme play area scheme by providing additional seating, a barbeque area and grass areas.

Sub-Item 3 – The Waterworks

Financial

Potential small capital receipt to Council from grant of wayleave. No other known financial implications.

Human Resources

No additional human resources required.

Asset and Other Implications

Installation of this short length of sewer at this location will have negligible impact on the future use of the Council's asset as public open space. Given the location of the sewers it is also unlikely that their presence would impact upon any future built development. Some disruption during installation works.

Sub-Item 4 – Annadale Embankment

Financial

Some savings in maintenance consumables during Carvill occupation. In addition agreed fee of £30,000 per annum helps compensate for loss of this amenity land while also facilitating Carvill Group and reducing their 'on site' costs during the construction of this development.

Human Resources

No additional human resources required.

Asset and Other Implications

Agreement ties up this portion of land on a temporary basis but is specifically 'without prejudice' to the longer term preservation of the Council's interest.

Sub-Item 5 – BBC Lease Ulster Hall

Financial

The Council will receive an annual rental income of £2,500 plus an initial annual service charge of £700.

Human Resources

No additional human resources required.

Asset and Other Implications

The recording studio and store shall be held under a 10 year lease by the BBC with the option to break after 5 years.

**Recommendations**

Sub-Item 1– NIE Cable at Duncrue

It is recommended that the Committee grant approval to the NIE cable easement at Duncrue Place in the location shown hatched on Appendix 1.

Sub-Item 2 – McCrory Park Committee is recommended to approve the acquisition of approximately 0.16 acres of additional land at McCrory Park (as shown on Appendix 3) subject to completion of an appropriate legal agreement, similar to that for the lease on adjoining lands, to be prepared by the Director of Legal Services.

Sub-Item 3 – The Waterworks

Committee is recommended to approve the installation at the Waterworks of a combined foul and storm sewer to agreed specifications at the location shown on the attached map (Appendix 4) on terms agreed by the Estates Manager and incorporated in an appropriate legal agreement to be drawn up by the Director of Legal Services.

Sub-Item 4 – Annadale Embankment

Committee is recommended to approve the outline terms in respect of temporary use of the area at Annadale Embankment outlined with a heavy black line on the attached map (Appendix 5) as agreed with Carvill Group and set out in the body of this report, subject to these being incorporated in an appropriate Licence Agreement to be drawn up by the Director of Legal Services.

Sub-Item 5 – BBC Lease Ulster Hall

Committee is recommended to approve the leasing of the premises (shown on Appendix 6) at the Ulster Hall to the British Broadcasting Corporation for a term of 10 years at an initial rent of £2,500 and subject to the incorporation of the outline terms contained within the body of this report within an appropriate legal agreement to be drawn up by the Director of Legal Services.

**Key to Abbreviations**

WWRA – Whiterock/Westrock Residents Association.  
GAC – Gaelic Athletic Club.  
BRO – Department for Social Development, Belfast Regeneration Office.  
CFC – Cliftonville Football Club  
NIE – Northern Ireland Electricity plc  
BBC – British Broadcasting Corporation

**Documents Attached**

Sub-Item 1– NIE Cable at Duncrue

Appendix 1 shows hatched black location of proposed NIE cable easement across land leased by the Council to Action Mental Health. The Council's surrounding lands at Duncrue Industrial Estate are shown shaded pink.

Sub-Item 2 – McCrory Park

Appendix 2 – Extract from the minutes of the Parks and Leisure Committee of 14 February 2008.

Appendix 3 – Map showing the existing site at McCrory Park outlined with a heavy black line and the additional land to be acquired shown hatched.

Sub-Item 3 – The Waterworks

Appendix 4 – Map showing the position of the proposed sewer at the Waterworks marked blue and the Council's surrounding land shaded green.

Sub-Item 4 – Annadale Embankment

Appendix 5 – Map showing outlined with a heavy black line, an area of approximately 1.21 acres at Annadale Embankment which is the subject of the proposed temporary occupation by Carvill Group as a contractor's compound.

Sub-Item 5 – BBC Lease Ulster Hall

Appendix 6 – Floor plan showing the second floor rooms to be leased to the BBC outlined with a heavy black line.





M2 MOTORWAY

M2 MOTORWAY

M2 MOTORWAY

Warehouse

Warehouse

30 to 36

30 to 36

20 to 28

15 to 18

DUNCRUE PLACE

DUNCRUE PLACE

Works

DUNC

Tank

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War

sw

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Extract from minutes of –

PARKS AND LEISURE COMMITTEE

14th FEBRUARY, 2008

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**“McCrorry Park**

The Committee considered the undernoted report:

**‘Relevant Background Information**

The Committee may recall that the development of a playground facility at McCrorry Park has been ongoing from April 2000 when the former Parks and Amenities Sub Committee agreed to acquire the land from the O’Donnell’s GAC at no cost to the Council. The funding for the project has come from three sources, Belfast Regeneration Office; Creating Common Ground consortium and Lloyds TSB. This has been a protracted project with delays in acquiring title and funding.

The Council has agreed to manage and maintain the facility once completed.

The project is nearing completion, March 2008. However, a request has now been received from the Community in relation to the landscaping of a piece of land adjacent to the facility and indicated on the drawing at Appendix A. The piece of land was not included in the original lease from the O’Donnell’s GAC; however discussions with the Club and local residents have indicated that both were under the impression that the land had been included.

The work was not included in the original tender; however discussions with the contractor have indicated that the work can be undertaken. The Belfast Regeneration Office has also advised the Council that it would be willing to meet the additional cost of the work providing the council is willing to revise its lease with O’Donnell’s.

**Key Issues**

**Key Issues for consideration**

The Committee is asked to note the following points

1. The Committee is being asked to agree to extend the current lease from O’Donnell’s GAC to incorporate the additional area of land;
2. The BRO is willing to fund the additional work providing it is undertaken prior to end of March 2008;

- 2 -

3. Formal confirmation has been sought from O'Donnell's GAC in relation to the transfer of the land;
4. It is anticipated that the lease will be in line with the existing agreement and will be at nil cost to the Council;
5. The work will enhance the environmental and aesthetic appearance of the area

### **Resource Implications**

#### **Financial**

The acquisition of the land will have revenue implications in terms of ongoing maintenance.

#### **Human Resources**

There are no significant human resource implications.

#### **Asset and Other Implications**

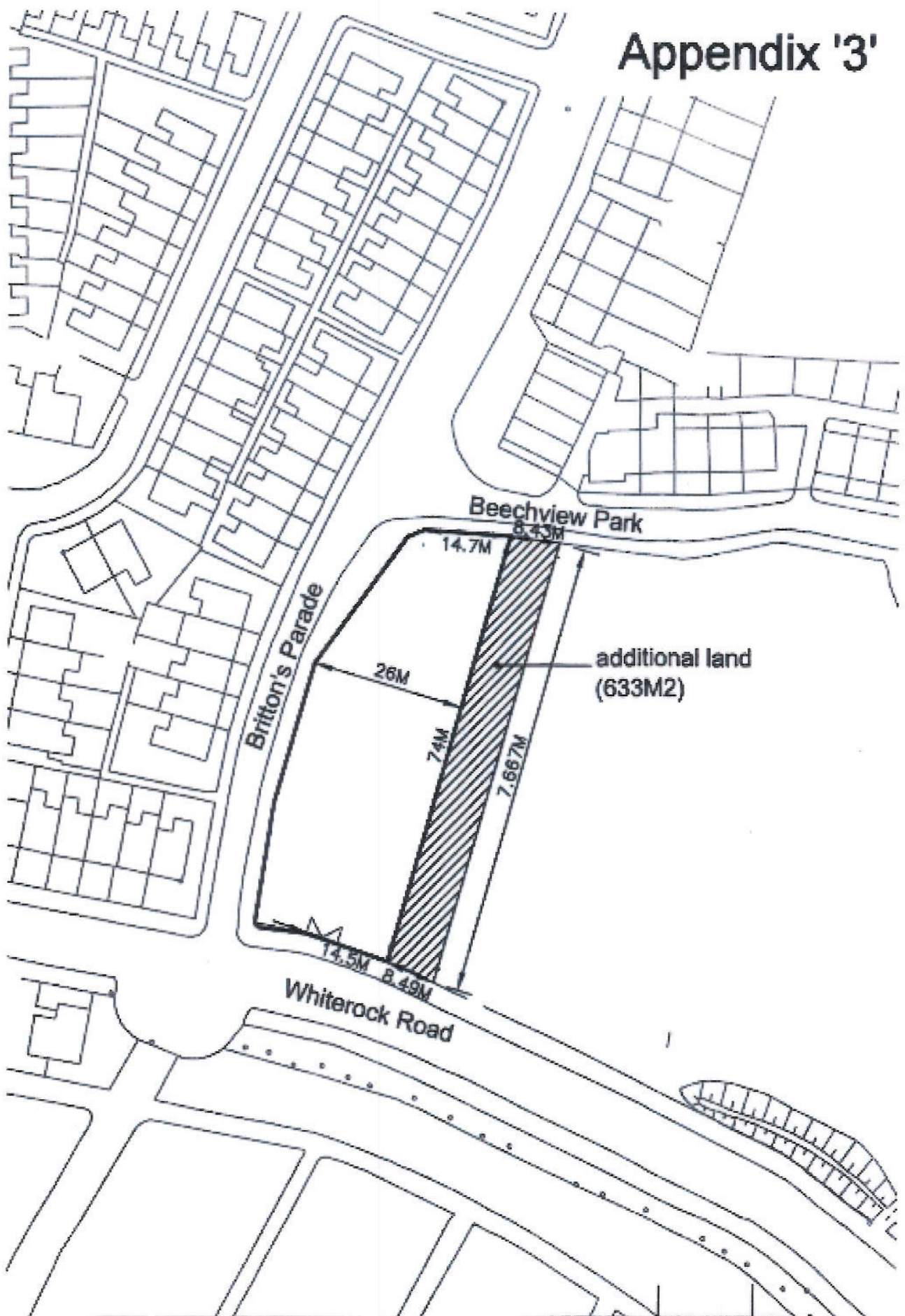
The additional work will enhance the appearance and attractiveness of the area.

### **Recommendations**

It is recommended that the Committee agree in principle to accept the acquisition of the additional land at nil cost to the Council subject to the entering into an appropriate legal agreement between the Council and O'Donnell's GAC. It is further recommended that the Committee agree to accept the management and maintenance of the area and carry appropriate public liability insurance in respect of the facility.'

The Committee adopted the recommendation, subject to notification, in accordance with Standing Order 60, to the Strategic Policy and Resources Committee."

# Appendix '3'



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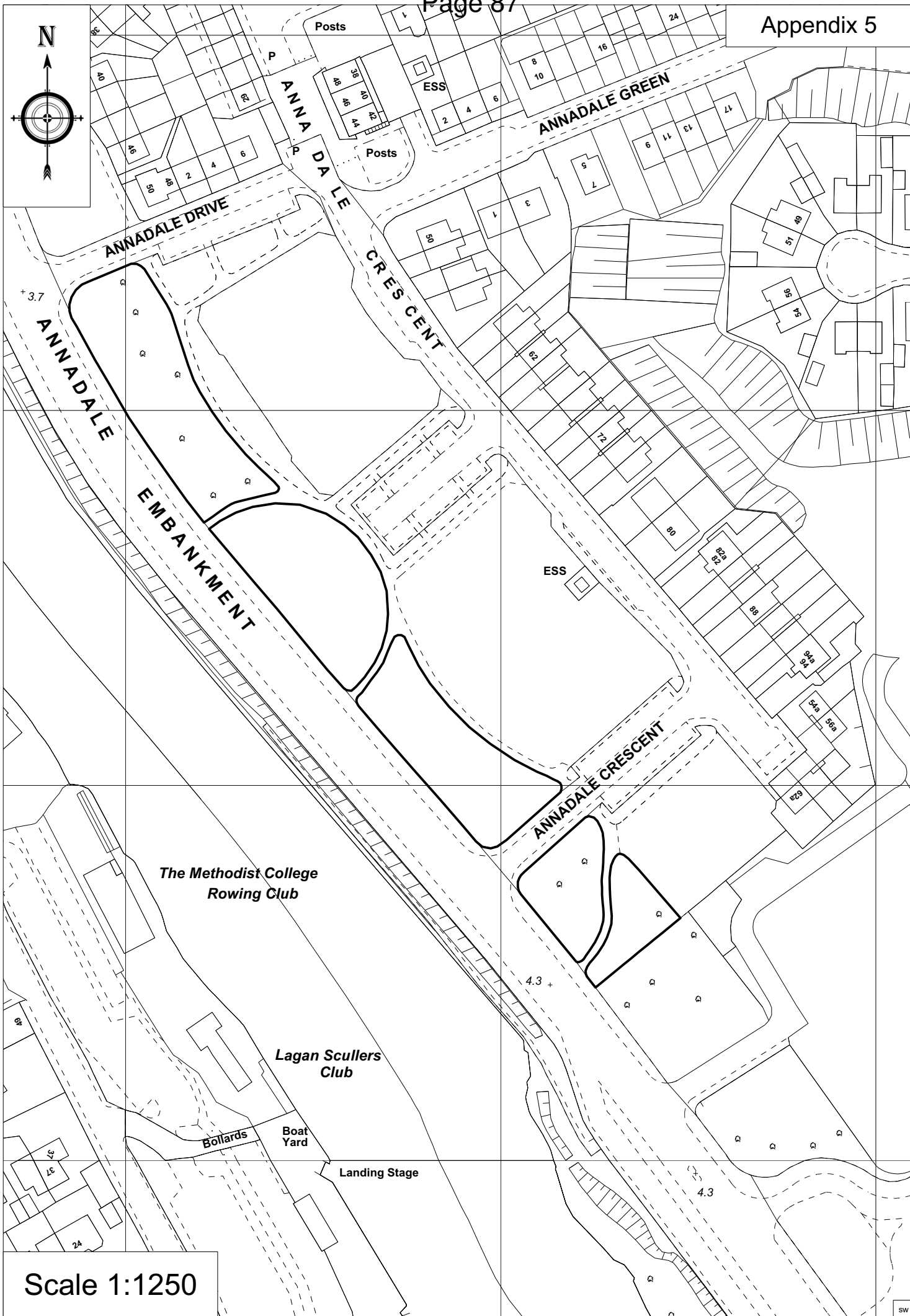


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SW

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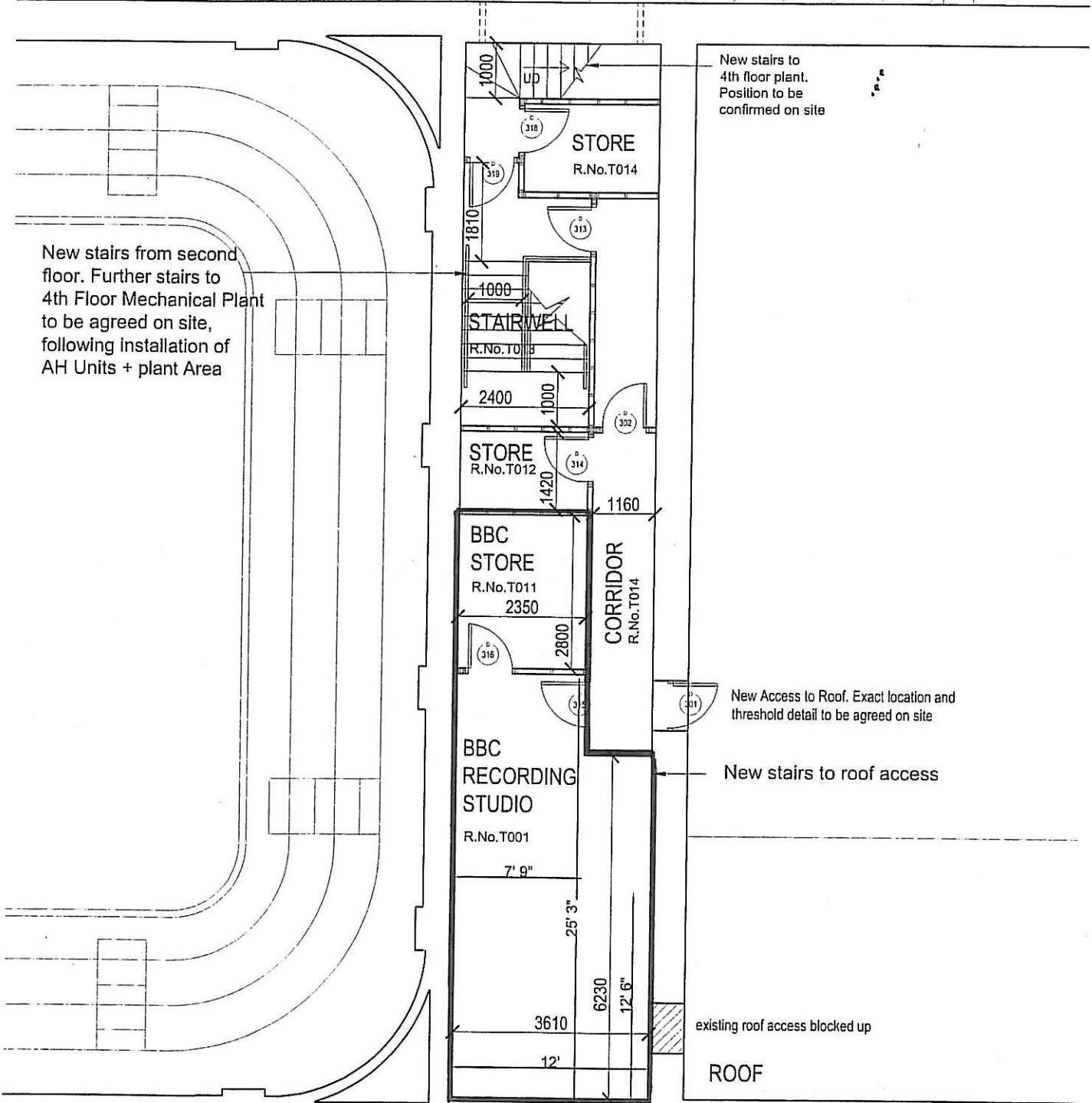


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SW

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NEW FLAT ROOF OVER ESCAPE STAIRS



New stairs from second floor. Further stairs to 4th Floor Mechanical Plant to be agreed on site, following installation of AH Units + plant Area

New stairs to 4th floor plant. Position to be confirmed on site

New Access to Roof. Exact location and threshold detail to be agreed on site

New stairs to roof access

existing roof access blocked up

ROOF

status  
date 15/01/08  
scale 1:100  
© Consarc Design Group  
Figured dimensions to be taken in preference to scaled dimensions.  
Site dimensions are to be checked prior to commencement of all work and discrepancies reported immediately.  
DO NOT SCALE THIS DRAWING.  
All dimensions are in millimetres  
drawn checked approved

client Belfast City Council  
project Refurbishment of The Ulster Hall Phase 2  
content Proposed Third Floor Plan Showing Revised BBC Studio  
job no. BC05/004 drawing no. SP15 revision

**CONSARC CONSERVATION**



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EMD

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**GOOD RELATIONS PARTNERSHIP****FRIDAY, 7th NOVEMBER, 2008****MEETING OF THE GOOD RELATIONS PARTNERSHIP**

- Members present: Councillor Long (Chairman); and  
Councillors C. Maskey, McCausland,  
McCarthy and Stoker.
- External Members: Ms. H. Smith, Protestant Churches;  
Rev. S. Watson, Protestant Churches;  
Mr. P. Scott, Catholic Church;  
Mrs. M. Marken, Catholic Church;  
Mr. R. Galway, CBI;  
Mr. P. Bunting, Irish Congress of Trade Unions;  
Mr. P. Mackel, Belfast Trades Council;  
Ms. J. Hawthorne, Northern Ireland Housing Executive;  
Mr. M. Wardlow, Voluntary/Community Sector;  
Mr. S. Brennan, Voluntary/Community Sector;  
Ms. M. De Silva, Voluntary/Community Sector; and  
Ms. A. Chada, Minority Ethnic Groups.
- In attendance: Ms. H. Francey, Good Relations Manager;  
Mr. D. Robinson, Good Relations Officer;  
Mr. I. May, Peace III Programme Manager; and  
Mr. J. Heaney, Committee Administrator.

**Apologies**

Apologies for inability to attend were reported from Councillor Kyle, Ms. L Coates and Miss. E. Wilkinson.

**Minutes**

The minutes of the meeting of 10th October were taken as read and signed as correct.

**Bonfire Management Programme – Presentation  
by Community Consortium**

The Good Relations Officer reminded the Partnership that, at its meeting on 10th October, it had agreed to receive a presentation in respect of the community's role in the development of the Bonfire Management Programme. It was reported that Mr. Paul Hutchinson, Imagined Spaces, together with Messrs. T. Greer (Roden Street), C. Patton (Roden Street) and P. White (Annadale), was in attendance and they were admitted to the meeting and welcomed by the Chairman.

Mr. Hutchinson presented a discussion paper which he stated had emerged from discussion between seven of the fourteen groups which were participating currently in the Council's Bonfire Management Programme. He indicated that the purpose of the paper was to instigate discussions with the key stakeholders regarding the subject of bonfires within the wider aspects of loyalist culture and within the "shared city" space.

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Friday, 7th November, 2008**

Mr. Hutchinson highlighted the areas which had been considered during the discussions within the consortium and these had included:

- (i) the a perception that the existing Bonfire Management Programme was merely a policing exercise, lacking in any long-term strategic vision. This had resulted in the consortium posing the question of what was the Council's vision for Bonfires? The consortium had suggested the action required could be to create a shared vision, which would include buy-in from all of the fourteen groups participating in the programme and an outreach been made to all of the other bonfires groups in the City;
- (ii) bonfires could only adequately be addressed within the larger context of loyalist culture/tradition. In this respect the group had sought answers to the questions relating to why other organisations, such as the Loyal Orders, Band Associations and Politicians were not significantly involved in the programme and they had suggested the creation of Cultural Committees to promote and manage Bonfire Programmes;
- (iii) the grant-aid framework should be removed and finance should be allocated on the basis places of a firm commitment to the proposed principles. The consortium had suggested that this would mean that any breach of the principles would endanger future financial support and the decision for entry and exit from the programme would be made at a multi-party forum;
- (iv) a piece of research should be commissioned to explore the economic, environmental and cultural benefits of the Bonfire Management Programme;
- (v) there should be a twin track-approach to future Bonfire Management Programmes. Firstly, the 2009 programme should continue with the current programme, but with the possibility of revisions arising out of the consultation exercise. Secondly, a pilot Cultural Committees Forum should be created in order to explore other aspects of loyalism that impacted or connect with Bonfire.

The deputation then outlined the suggested principles which had emerged from its consultation exercise. Foremost among the proposals was the need for the development of Cultural Committees in each area to look at the promotion of all aspects of loyalist culture and expression. Mr. Hutchinson suggested that the Cultural Committees would take responsibility for the monitoring of materials collected and determine the starting date for collections. The process for dealing with fly-tipping, untidy sites, health and safety issues and post bonfire clear-ups would be worked out in conjunction with the Council and other stakeholders.

In regard to the development of bonfire beacons, Mr. White indicated that the beacon and associated celebrations which had taken place at Woodvale Park had been a tremendous success. However, he suggested beacons were viewed as an alternative to bonfires, to be used only where there was not sufficient space to build a traditional

bonfire. The deputation indicated that the consultation they had undertaken had suggested that tyres should not be collected or burned on the bonfires and that the fire should be restricted to the burning of wood only. The proposed Cultural Committee should, where possible, seek to promote positive expressions of loyalist culture and attempt to limit the display of sectarian or paramilitary trappings. The proposed Cultural Committees should also attempt to build and maintain strong relationships with statutory bodies and should seek actively to have a representative involvement in the planning and delivery of inclusive family/community events over the July period.

The deputation concluded the presentation by suggesting that, where practical, local communities should seek to explore ways of working together with neighbouring loyalist communities in the sharing of resources, training skills and cultural activities.

The Members of the deputation answered questions from various Members in relation to their discussion paper, in particular, the use of the beacons and the future development of the Bonfire Management Programme. The deputation thanked the Partnership for receiving them and they retired from the meeting.

The Partnership noted the information which had been provided.

**Belfast City Council**  
**Bonfire Management Programme**

The Partnership considered the undernoted report, together with the executive summary of the Evaluation Report which had been produced by Mr. J. Byrne, Institute of Conflict Research.

**“Relevant Background Information**

**Members may be aware that the Council has had a Bonfire Management Programme for the past few years. The Council initiated work in this area in response to a number of public concerns:**

- **an increase in the number of bonfires across the city**
- **significant paramilitary displays in some areas**
- **considerable media coverage around issues such as dumping, fly-tipping and the general state of land on which bonfire sites were located**
- **greater awareness about environmental issues such as the burning of tyres.**

**There was also an emerging view that there was a desire and willingness within many communities to move forward on the issue and address many of the negative elements about bonfires. Following some initial pilot programmes, in January 2007 the Council approved a 3-year programme for a Council-led initiative to work with communities in a more sustained way on promoting better bonfire management.**

An inter-agency Working Group meets regularly to monitor the programme, with representatives from the following agencies: the Council's own Cleansing, Anti-Social Behaviour, Community Safety, Parks & Leisure and Good Relations Units; NI Fire & Rescue Service; PSNI; NIHE Community Cohesion Unit; NIO Community Safety Unit; DRD Roads Service; and Environment & Heritage Service. Groundwork NI, a UK wide environmental organisation, delivers the programme on behalf of the Council. Reports have been made to the previous Good Relations Steering Panel on progress.

An independent evaluation of the 2008 programme has been completed by the Institute for Conflict Research (ICR) and the Police Service for NI (PSNI) have analysed relevant statistics (reports attached). Some general findings of these reports are worth noting:

- Although there was a significant increase in bonfire related reported incidents throughout NI in 2008 and Belfast in particular and an increase in call-outs to the Fire Service in Belfast, the PSNI report a 30% reduction and the Fire Service a 12% reduction on call-outs to incidents in and around sites on the programme.
- Communities themselves report 'a significant decrease in incidents of anti-social behaviour, especially involving young people and alcohol'
- The Council's Bonfire Management programme was deemed to be a 'success', with a 'number of positive outcomes' and sites on the programme showing 'steady progression'.

#### Key Issues

The Bonfire Management Programme is having a positive impact on communities, agencies and the city as a whole. Many of the issues being addressed within the programme not only contribute to the Council's corporate objective of promoting Good Relations, but the strategic objectives of all of the partner agencies:

- The environmental concerns have been met within the programme; illegal dumping at sites and the burning of tyres have been substantially tackled
- Paramilitary influence and trappings are no longer a central component of bonfires within the scheme



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- The 11th day festival celebrations were much more family friendly and focused on the wider community including events for children and senior citizens
- Improved community safety is being reported across the board, with a marked reduction in the consumption of alcohol and greater community involvement being reported
- Within participating communities, there is a greater understanding of the significance of bonfires within loyalist culture
- More groups want to participate in the scheme. In 2008, the programme worked at an introductory level with an additional 14 sites.

The success of the Programme can be attributed to a number of factors:

- Proactive engagement with the communities on the programme by the Council
- Local bonfire committees and communities are delivering on the guidelines set out in the programme and this leadership is demonstrated at a local level
- The positive partnership between Groundwork NI, Imagined Spaces and the Council
- The role of the inter-agency committee in advising and engaging actively within the programme. The contribution of the external agencies and the various BCC Departments has been very positive
- Council support for the programme
- The very successful Beacon project within the Woodvale community.

#### Performance related grant-aid framework

In the 2008 programme, the grant aid framework was adjusted to take into account many of the communities' concerns around some of the issues that proved to be difficult; these changes have been generally successful and ICR recommend that the grant-aid framework is retained. (see Appendix to this report for details).

### Beacons

The local Woodvale committee used a bonfire beacon for the first time in Woodvale Park. It was an outstanding success and the evaluation report highlights the fact that although the beacon was the focal point and catalyst, in reality it played a minor role in the overall programme in 'transforming the Eleventh night celebrations into a family festival that was open to all neighbouring areas and provided opportunities for an exploration of the history and culture around the Eleventh of July'. The report notes that a significant change in approach is possible, given the commitment and hard work of the local committee and key individuals and the incorporation of the beacon concept within a broader programme of events and activities. The beacon concept was developed jointly by the Council and Groundwork NI and the Good Relations Unit has co-ordinated the research, design, construction and testing to date; funding has been from a variety of sources. The beacon structure requires further testing to assess its longevity and this will be carried out shortly by the Fire Service at their HQ test centre.

### Difficult issues

There are still some very difficult issues in relation to bonfires in Belfast in general:

1. *Groups who are not engaging with better bonfire management and areas that have been described as 'problem areas' by the PSNI report.*

The PSNI statistics suggest that we try to incorporate some of the 'problem' areas in 2009, specifically East Belfast and the Donegall Road area into our 2009 programme. This was supported by the inter-agency Working Group.

2. *The continued burning of nationalist symbols on 11th July bonfire*

The evaluation report notes that discussions have commenced within communities on this issues and although progress seems slow, a number of bonfire committees have made significant progress and this will be addressed in the longer term.

3. *Some emerging difficulties within republican communities around 8th of August internment commemoration bonfires*

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This is sporadic and is best managed by developing a series of cultural and commemorative events to engage local people; key to success here has been the partnership with the statutory agencies and access to resources.

**4. *How to manage the issue of bonfire management and wider cultural issues at the end of the 2009 programme.***

Further discussion, consultation and input will be needed over the coming year to agree any future initiatives that can command community buy-in. Indeed, there is a huge opportunity to build on what has been achieved thus far on bonfire management. All of the stakeholders are keen to actively participate in this process.

**Resource Implications**

**Financial** Continuation of the 3rd year of the agreed 3-year programme (of £50,000 per year for 3 years) as agreed by Council in January 2007.

**Human Resources** Continued Good Relations Unit staff engagement with the programme

**Recommendations**

- (a) That the Good Relations Partnership notes the information in the attached reports and adopts the key findings set out in the Executive Summary of the ICR report.
- (b) That the Bonfire Management Programme begins a proactive process of engagement with areas identified within the PSNI report as being 'problematic'; namely East Belfast and Donegall Road, with the aim of reducing the number of overall reported incidents within these areas in 2009
- (c) That the introductory work with the additional 14 sites from 2008 continues in 2009.
- (d) That the Programme continues to seek the additional funding for year 3 of the current pilot programme from the partner agencies.
- (e) That the Good Relations Unit begins drawing up proposals for the post 2009 programme in partnership with other stakeholders

- (f) To agree that the revised aims and grant-aid framework, set out in the Appendix to this report, are included in the guidelines for participating groups in the 2009 programme.

## APPENDIX

### Bonfire Management Programme aims:

1. To continue to support a number of communities in Belfast in the celebration of their cultural tradition through positive engagement
2. To continue proactive engagement with a number of communities on the perceived negative aspects that have become associated with bonfires
3. To target resources and attention to areas that have been documented by agency statistics as recording an increase in reported incidents
4. To work with and support local communities to bring about improvements in bonfire management, particularly in terms of inclusivity, safety and increased family atmosphere.
5. To further reduce the adverse health and environmental impacts of bonfires on the city including the illegal disposal of waste.

### Grant aid framework

1. Successfully create a community committee by March 1st that is representative of the key stakeholders in the area and includes a balance of people in terms of age, gender, role within the community and young bonfire builders. Award: £300
2. Engage with programme deliverers to create a programme for communities to:
  - develop a local tool kit of resources for engagement on cultural heritage issues

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- build local capacity to deliver locally based programmes
  - facilitate engagement with local elected representatives
  - develop local dialogue to begin to address issues of Nationalist flags on and within the vicinity of bonfires.
  - A plan of activities to be developed by April 1st.  
Award: £400
3. Having no collection by the 1st of June remains the ideal position within the programme. However, there is an awareness and recognition of the difficulties that the date for beginning of collection of bonfire materials presents to local committees. It is also true that many groups see the collection date as something that is good for the local community. Therefore, to balance these positions, the following guideline will be part of the programme for 2008.
- Consult within the local community and with relevant statutory agencies on the site, location and size of the bonfire. Ensure no collection of materials on the site by May 16th. Award: £100
  - If groups refrain from collecting materials, there will be an additional award of £400 if collection of bonfire materials has not begun before June 1st.' All groups will also be invited to send representatives to Fire Service HQ around this time to discuss health and safety issues around bonfires.
4. Successfully maintain a clean, compact, tidy, tyre-free site, also free from materials such as plastics and other carbon negative materials up to July 11th Award: £300
5. Continue with a 'Most improved Bonfire programme' prize as an additional incentive for groups to create positive changes, with the following criteria:
- Progress on achieving the guidelines in comparison with the previous year
  - Efforts made to deal with difficulties within the programme

- Innovation in community activities planned for the 11th day
- Innovation in the capacity building and reflection element of the programme”

**Evaluation of Bonfire Management Programme 2008**

**Executive Summary**

ICR was commissioned by Belfast City Council (BCC) to undertake an evaluation of the 2008 BCC Bonfire Management Programme. The programme aimed to support a number of communities in Belfast in the celebration of their cultural tradition through positive engagement, whilst engaging with the perceived negative aspects that have become associated with bonfires; to work with and support local communities to bring about improvements in bonfire management, particularly in terms of inclusivity, safety and increased family atmosphere and to further reduce the adverse Health and Environmental impacts of bonfires on the city including the illegal disposal of waste.

The 2008 programme was the second year of a 3-year programme undertaken by BCC. The evaluation was qualitatively based and involved a number of discussions and site visits with participating communities, meetings with BCC representatives, along with discussions with Groundwork NI (GWNl) who were tasked with assisting with the day to day delivery of the programme.

The following table documents the key findings to emerge from site visits and discussions with participating communities.

**Table 1 Key Bonfire Management indicators and bonfire site findings**

| <b>Indicators</b>                                | <b>Comments</b>   |
|--|---|
| <b>Collection of materials prior to May 16th</b> | <b>Eleven of the fourteen (Loyalist/Unionist) sites managed to adhere to this guideline. A number of sites did not begin collecting until the end of June</b> |
| <b>Collection of materials prior to June 1st</b> | <b>Eleven of the fourteen sites (Loyalist/Unionist) managed to adhere to this guideline. A number of sites did not begin collecting until the end of June</b> |

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| Indicators                                      | Comments  |
|---|---|
| Tyres   | None of the sites had tyres on them. This is a significant achievement for the programme. A number of bonfires outside of the programme continued to burn tyres, although this has been largely reduced in the greater Belfast area   |
| Evidence of fly-tipping                         | According to bonfire committees there was not as much illegal dumping as in previous years. The independent contractor and fence in Annadale) contributed to assisting committees maintaining sites.  |
| Use of independent contractor                   | Of the fifteen sites in the programme (including Lower Falls) only three did not require the use of the contractor. The majority of the sites were well maintained and the contractor has contributed to the environmental improvements.  |
| Displays of sectarian/paramilitary trappings    | All but one of the sites adhered to this guideline. There does not appear to be a direct association between bonfires and paramilitary organisations. Bonfire committees continue to transform the Eleventh into a more family orientated festival. However, the practice of burning Tricolours and Republican/Nationalist perceived flags and symbols continued at the majority of bonfire sites |
| Community participation in bonfire organisation | All of the sites had activities for adults and young people. There was a strong sense of increasing family participation on the Eleventh.   |
| Amalgamation of bonfire sites                   | Attempts were made where appropriate to combine bonfires within a community into one site. In the coming years site availability will become more problematic in certain communities.   |
| Paramilitary shows of strength on 11th night    | There were no paramilitary shows of strength at any of the bonfire sites within the programme.  |

| Indicators   | Comments  |
|--|---|
| Participation in the programme of reflection and capacity building | This element of the programme again needs further development and improvement. There were many improvements on the experience of groups compared with last year. The concept was positive, but its practical implementation did not achieve the desired impact. One complicating factor is that many groups are now engaged in similar work at a local level, and maybe the programme is duplicating what is already happening on the ground. |
| Attendance at Participants Forums                                  | There was one Participants Forum that was attended by representatives from nine bonfire committees. It was widely felt that the forum this year was very constructive and positive.   |
| Progress from 2007   | There has been consistent progress from last year. Committees are becoming stronger and communities more environmentally and culturally aware of the impact of bonfires.  |

This was the second year of performance linked funding in an attempt to encourage greater co-operation in the delivery of the Bonfire Management Guidelines. The following table documents the performance of communities against the key targets that formed the Grant Aid Framework.

**Table 2 Overall performance of groups against the Grant Aid Framework**

| Key target  | Action  | Outcome (funding awarded)    |
|---|---|------------------------------|
| Create community committee by March 1st   | All fourteen groups established a bonfire committee.  | All groups were awarded £300 |
| Create a programme of reflection and capacity building on Good Relations and Cultural Traditions by May 1st | All fourteen groups worked in conjunction with GWNI and Imagined Spaces to develop a programme. | All groups were awarded £400 |



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| Key target   | Action  | Outcome (funding awarded)   |
|--|---|---|
| No collection of material before May 16th              | Eleven of the sites adhered to this guideline.          | Eleven of the groups were awarded £100. Those not awarded were Sandy Row, Inverary and Donegall Road. |
| No collection of material before June 1st              | Eleven of the sites adhered to this guideline.          | Eleven of the sites were awarded £400. Those not awarded were Donegall Road, Inverary and Sandy Row.  |
| Maintain a clean, compact and tidy site till July 11th | All fourteen groups managed sites in a suitable manner. | All groups were awarded £300  |

There have been a number of key developments in the 2008 Bonfire Management Programme that have been outlined below:

#### Programme engagement

There was a significant amount of effort put into the delivery of the programme this year by BCC and GWNI. Between July 2007 and July 2008, BCC developed a very strong process of engagement with participating communities. In 2007, there was significant criticism of the programme – mostly centred around the grant-aid framework. There was also significant community suspicion with the programme in terms of what it was ultimately seeking to achieve. Therefore, after July 2007, BCC engaged strongly with a number of stakeholders within the programme.

##### (a) Participating communities

Each group was met with by BCC in August and September in 2007 to hear at first hand peoples experience of the programme. These views and opinions were subsequently incorporated into a review of the guidelines of the programme and the grant aid framework. The communication of the outcome of the Council's decision – and a copy of the revised guidelines – were presented individually to all of the groups in November and December. This engagement signalled a continuous process of engagement with all of the bonfire committees and provided a feeling of the programme being year long as opposed to being seasonal.

**(b) Belfast City Council elected members**

Programme delivery staff met with each of the political parties on Belfast City Council to discuss with them the shape and scope of the Bonfire Management programme as it moved into year 2 of the current 3-year cycle. The Council adopted the amended proposals at its November meeting in 2007.

**(c) Inter-agency partnership**

The inter-agency partnership continues to make a huge contribution to the delivery of the programme. In April 2008, representatives of a large number of those groups represented on the inter-agency partnership met with a number of the bonfire committees to look at the bonfire issue and share perceptions and formulate a common understanding around the issue.

There is no doubt that all of this engagement has kept an important momentum within the programme and has been extremely important to participating groups. There has been a growing feeling among groups this year of the sincerity of the programme, what it is seeking to achieve and an understanding of a clear demonstrable commitment to supporting Loyalist communities within Belfast in their cultural expression.

A number of recommendations emerged from the discussions with bonfire committee representatives, BCC and GWNI. These have been documented below:

**Programme impact**

**Community safety**

1. There has been a significant change in the attitude of local communities towards Eleventh night celebrations. It may be appropriate for BBC Community Safety Unit to build upon the initial success of the Bonfire Management Programme and provide a more direct link to bonfire committees in supporting community safety initiatives within their areas.
2. This is the second year of the pilot programme and the PSNI have reported a 30% reduction on call-outs to bonfire related incidents in and around sites on the programme compared with 2007. (down from 36 to 25) The NIFRS reported 19 call-outs to sites on the programme – down 4, or 12% on 2007. Similar targets should be set for the programme in 2009.

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### Programme content

#### Cultural sessions

3. There are three possible scenarios for the future direction of this aspect of the Bonfire Management Programme: (A) a number of communities are engaged with statutory and community groups in programmes around good relations, diversity, history and cultural awareness. It may be appropriate for BCC to provide guidance, support and resources to existing programmes to facilitate discussions that provide a context for the bonfire; (B) for those communities that do not have on-going programmes and initiatives they have the opportunity to apply to BCC Good Relations Unit for funding for a specific programme on good relations; (C) this element of the programme is discontinued and is addressed through existing charters and not simply viewed through the context of bonfire management.

#### Bonfires and culture

- 4 It may be appropriate to examine the potential for developing a strategy that encompasses bonfires within the context of an overarching view of cultural expression within Protestant/Unionist/Loyalist communities.

#### Site maintenance

##### External contractor:

5. There is no doubting the success of the external contractor. However, the costs incurred are significant. Therefore discussions need to take place to determine its long-term role in the process of bonfire management.

##### Fencing

6. The costs incurred in managing the Annadale bonfire site are high. Although, it is widely acknowledged that the fence has restricted the amount of illegal dumping, the external contractor has continued to remove large quantities of fly tipped material. It is important that discussions take place between BCC, GWNI and the bonfire committee to determine the viability of continuing the programme with or without a fence.

**Clean up**

7. The agencies represented on the Interagency Forum should examine the costs incurred in the cleaning up of bonfire sites, both within and outside of the programme. Further discussions on the issues surrounding the clean up of bonfires should take place between GWNI and the bonfire committees.

**Sectarian flags and symbols**

8. The practice of burning Nationalist and Republican symbols and flags on the bonfires needs to be challenged within participating communities. Discussions led by BCC need to be focused on the context for engaging in this aspect and the conditions necessary for removing it as a practice associated with Eleventh night bonfires.

**Programme structure**

**Grant Aid Framework**

9. The fact that eleven of the fourteen sites adhered to all of the guidelines indicated a willingness to commit to all aspects of the programme. Interestingly, two of the sites that were unable to meet the collection date in 2007 were successful in 2008. Therefore, this element of the programme should be retained.

**New developments**

**Bonfire beacons**

10. The Bonfire beacon has been a resounding success. It is crucial that the lessons emanating from Woodvale community are documented and used to inform other communities and statutory organisations of the positive impact that the Bonfire beacon can have within a community.
11. In relation to Woodvale it is important that they receive continued support for their Bonfire beacon plans in 2009. They were supported by the statutory organisations this year, and it is important that interest does not wane and that the same organisations maintain a close interest in what Woodvale are attempting to achieve.

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#### Additional sites

12. Each of the additional sites has noted positive benefits to being involved with the Bonfire Management Programme. They have provided groups with an opportunity to transform their Eleventh celebrations. Furthermore, local communities are developing an understanding of the complex environmental and cultural impact of bonfires. They have been briefed on the aims and objectives of the programme and several have the capacity and knowledge to participate more fully in the process if the opportunity arose. It is important that this work with the additional sites continues and where possible successful groups are identified and incorporated into the full Bonfire Management Programme.

#### The way ahead

##### Independent consultation

13. Providing bonfire committees with an opportunity to independently discuss their views of the programme and offer potential changes to it has proven to be a positive development. The bonfire committees have acknowledged that BCC are attempting to incorporate their views and experiences into future models of bonfire management. It is important that the ideas of the consortium are presented to BCC's Good Relations Partnership and appropriate feedback given to the participating bonfire committees.

#### Progress in 2008

14. The success of the programme to date cannot go underestimated. The programme has begun to challenge local communities ideas and perceptions around bonfires. It is therefore important that the Bonfire Management Programme continues. Furthermore, it may be appropriate for the Interagency Group and more specifically BCC to begin to assess the role of the programme after 2009, and any future responses to bonfire management issues.
15. Ongoing engagement by BCC with groups is now a central positive element within the programme and this should be sustained."

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The Good Relations Manager highlighted various aspects of the report and drew the Members' attention to the success of the Beacon project at Woodvale Park, indicating that further development work had been undertaken by the Council in regard to the beacon structures and the type of material used. She pointed out that the development tests had been witnessed by the Minister for the Environment and by representatives from various Councils throughout Northern Ireland.

After discussion, the Committee adopted the recommendations contained within the report.

### **Peace III – Update on Progress**

The Partnership considered the undernoted report:

#### **“Relevant background information**

**The Peace III Programme for Peace and Reconciliation 2007-2013 has an increased focus on reconciliation and is based on two strategic priorities, each with two key areas:**

- 1. Reconciling communities**
  - 1.1 Building positive relations at the local level**
  - 1.2 Acknowledging the past**
- 2. Contributing to a shared society**
  - 2.1 Creating shared public spaces**
  - 2.2 Key institutional capacities are developed for a shared society**

#### **Priority 1.1 - Building positive relations at the local level**

**This is the key priority for this Good Relations Partnership and £6.3 million has been awarded to Belfast City Council. The newly appointed Peace III Programme Manager, Isaac May, has prepared a separate paper and will give a more detailed outline of the proposed approach to the implementation of the Peace & Reconciliation Action Plan.**

#### **Priority 1.2 - Acknowledging the past**

**The Consortium made up of the Community Relations Council and Border Action has been appointed by the SEUPB as the joint delivery mechanism for priority 1.2 of the Programme.**

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The strand entitled 'addressing legacy and truth in public memory' is out for open call at present. The Good Relations Unit is preparing an expression of interest under this strand for an oral history project related to the conflict in Belfast and the Council's role in delivering public services during a very difficult period.

#### Priority 2.1 - Creating shared public spaces

In 2007 the SEUPB called for expressions of interest for potential capital projects to be funded under this measure. They sought capital projects that would contribute to a shared society by creating shared public spaces. The key objective is to regenerate urban, rural and border areas that appear derelict, segregated, underused, threatening and/or unwelcoming and transform them into shared spaces. In addition, successful projects are expected to:

- act as a catalyst for transforming the local community
- be iconic with a capacity to provide a lasting legacy to the Peace III Programme
- incorporate high design and environmental quality
- demonstrate long term sustainability
- range in size from €1.5m to €10m.

The Council's Strategic Policy & Resources Committee on 15th June 2007 noted a list of 8 schemes to be submitted for the following projects:

- Lagan Canal Gateway Project
- Laganside Foot and Cycle Bridge
- Renewing the Routes – the Challenge of Interfaces
- Your City Your Space – Belfast Heritage Trail
- Northern Community Greenway
- Skatepark
- The Chorus Centre
- Giant's Park Education Centre

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Subsequently the SEUPB ruled out 7 of the 8 schemes submitted, leaving only the Skatepark to progress further to a more detailed stage.

This has now been re-titled the Urban Sports Park as it includes scope for other sports – BMXing, in-line skating and parkour (free running) and appears likely to be awarded joint funding from Peace III and from Sport NI of around £500,000. This was reported to the Parks Committee on 16th June 2008.

The Council had made a major application to the Big Lottery Fund for the Giant's Park project but unfortunately this was unsuccessful; the Connswater Community Greenway was the successful Belfast project, being awarded £23m from the Big Lottery Fund.

As the North Foreshore bridge proposal had already been granted Council approval as part of the overall Giant's Park Lottery bid, the bridge element has been developed for submission to the SEUPB for Peace III funding under this priority 2.1. The Lottery bid preparation meant that a lot of the back-up documentation and information was already in place and that a major public consultation exercise on the proposal had been completed. This proposal is still under consideration.

**Priority 2.2 - Key institutional capacities are developed for a shared society**

As agreed by the Good Relations Partnership on 15th August, a bid under this priority for a proposed inter-agency training and learning good relations programme in Belfast was submitted to the SEUPB in early September and is under consideration at present.

A second call under this priority was made this week under the banner of 'European and international networking: exchange of good practice'. The Council's European Unit is likely to make an application under this priority.

**Recommendations**

The Partnership is requested to note the information in this report and grant approval to a bid under priority 1.2 as outlined above."

The Partnership adopted the recommendations contained within the report.



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**Peace III, Priority 1.1 – Building Positive Relationship at Local Level**

The Peace III Programme Manager outlined for the information of the Members the approach which had been adopted in relation to the implementation of the Council's Peace and Reconciliation Action Plan, including the background to the development of the plan, the next steps, the roles and the responsibilities and the initial project output.

He advised the Partnership that grant-aid of £6.3 million for the Plan, under Priority 1.1 of the Peace III initiative, had been agreed by the Peace III Programme Steering Committee.

A Letter of Offer had been received dated 26th September, 2008 which, amongst other conditions, had stated that failure to meet agreed annual spend targets might result in the removal from the project of the unspent balance of grant. The Programme Manager pointed out that, in addition to the various standard conditions of grants, the Letter of Offer set out also a number of conditions which were specific to the Council's Peace and Reconciliation Plan. These had included, inter alia, the development of an appropriate monitoring framework, the submission of an implementation work plan by the end of December, 2008 and the provision of details on the cross border dimension of the plan.

The Partnership was informed that, given the timescales involved, there was an urgent need to commence the implementation of the Peace and Reconciliation Action Plan. The Programme Manager then outlined the key steps which needed to be undertaken during the period from November, 2009 till January, 2009.

The Programme Manager reported that the Partnership would be responsible for endorsing the Action Plan and any changes which might be required. He outlined for the information of the Members the role of the Programme Manager and the other members of the Project Plan. He indicated that it was anticipated that the full Project Team would be in post by mid-January. The Good Relations Manager pointed out that some of the preparatory work, such as the development of the small grant scheme, had been undertaken by the staff in the Good Relations Unit in advance of the Peace III personnel being appointed.

The Partnership noted the information provided.

**PROPOSED COUNCIL RESPONSE  
TO SECTION 75 STATUTORY DUTIES**

The Committee considered the undernoted report and draft response.

**“Relevant Background Information**

**The Equality Commission for Northern Ireland (ECNI) recently completed an Effectiveness Review of Section 75 of the NI Act 1998 and proposes revising its Guide to reflect the findings of that review.**

The Commission's draft Guide includes proposals to require designated bodies to:

- introduce another level of 'screening' policies to be termed 'filtering'
- extend the consultation period (currently 8 weeks) to 12 weeks, to apply to all policies, even those that are 'screened out'
- produce an equality action plan to be informed by 'an audit of inequalities within its geographic boundaries' and to include international standards
- produce a revised Equality Scheme, in advance of the Review of Public Administration.

#### Key Issues

The Council has clearly demonstrated its commitment to the promotion of equality over the past 7 years. We received an excellent report from the Equality Commission in 2006/7 on our 5-year Review of the Equality Scheme, commending us for the excellent progress made in implementing our Scheme and highlighting a number of areas of good progress and good practice. These included:

- top level commitment
- mainstreaming of equality and good relations
- good relations training initiatives.

The Equality Officers from most District Councils in NI have met and agreed that the proposals are highly impractical and in general unacceptable. The attached proposed joint response outlines their comments in detail.

The most unreasonable proposal is that of requiring revised Equality Schemes within the next year. The ECNI proposes that following 'approval of the revised Guide by the Secretary of State, the Commission will call for revised Equality Schemes from public authorities to reflect the provisions of the revised Guide'.

The Guide also specifically goes on to state that 'public authorities must also undertake a review of their Scheme before they merge with another authority'. It is not clear whether Belfast's boundary changes would be regarded as 'merging'.

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With the Review of Public Administration, a time of substantial change within the public sector in general and local authorities in particular, the production of a revised Equality Scheme and the review of that Equality Scheme would impose an unnecessary burden for district councils; such Equality Schemes would then have to be revised again following the establishment of the new Council boundaries in 2011.

### Recommendations

District Council Equality Officers have agreed that the recent ECNI proposals are unrealistic and unworkable. The draft Guide shows a lack of understanding of the realities of the decision-making and operational aspects of Council activity. The Equality Officers' comments on the draft Guide have been compiled by the Local Government Staff Commission as the attached joint response to the Equality Commission.

The Partnership is requested to note and endorse the attached comments which will be submitted to the Equality Commission.

### Proposed Response to Draft Guide to the Section 75 Statutory Duties

#### General comments

Councils are committed to implementing the Section 75 duties in relation to equality of opportunity and good relations. However they are concerned that what is proposed in the revised Guide would not streamline the process and may make it unworkable.

The Guidance, as a whole, shows a lack of appreciation of the operational systems in public authorities. It also shows a lack of awareness of the length of time and the cost of completing an EQIA. It is clear that equality practitioners were not consulted when the Guidance document was being drafted.

This new Guidance is much more process driven and gives no credence to an Equality Officer's professional judgement or previous experience in implementing Section 75. What is required is a much lighter touch in order to successfully mainstream the equality agenda across organisations.

It appears that the Guidance has been strengthened because in the past a number of high level policies have been screened out as not requiring an EQIA. This is really an issue for the Equality Commission as to how they should 'police' the duties, or provide additional support for those who are not implementing the duties effectively. Public authorities who have been trying to implement the duties effectively should not be penalised because of the few who have not.

**Page 15, Para 1.33**

**'Final Report on Reviewing the Effectiveness of Section 75 of the NI Act 1998' – councils have not received a copy of this report yet although it was published in July 2008. It also does not seem to be available on the Commission's website.**

**It is suggested that the Commission use a practitioner group to develop the 'compliance standard' and auditing and validation process, as well as issuing these for consultation.**

**Page 26, Para 2.17**

**The equality impact should only be assessed where there has been a significant change to a policy. In councils, policies can be changed by elected members at a council meeting or a new project may be commenced as a pilot, or a policy in development and, by its very nature, would change many times before it is finalised. It would not be realistic to equality impact assess these changes every time unless they were significant.**

**Page 27, Para 2.22**

**Sometimes although every effort is made to research information, there is no evidence available, for example, if the information is protected by data protection legislation or has been raised by a 'whistleblower'.**

**Page 30, Para 2.34**

**The suggested date of 30th June for submission of the annual report on the review of progress would be more convenient for councils and would fit in better with their council and committee structures. However the preparation of this report is held up every year by the delay from the Equality Commission in issuing the report template. This year the template was not issued until 13th June and although we were told in advance that it would be streamlined, it was effectively the same as in previous years.**

**The Commission seems too focussed on the process of Section 75 and, in particular, in receiving information from public authorities in standard templates and formats. If the public authority is ultimately responsible for implementing its Section 75 duties, then it should be left to the public authority to determine how they wish to report on progress in a way which is appropriate to the needs of that organisation. For example, the reporting template on the disability duties was difficult to complete and did not 'fit' with the action measures which had been included in the Disability Action Plans.**

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**Page 29, Para 2.29**

Councils are familiar with the development of an action plan having previously developed one for their Disability Action Plan. However it is difficult to comment on the effectiveness of the Action Plans since the majority of council have had no feedback from the Commission on their Disability Action Plans although they were submitted in June 2007.

It would be useful if the Commission provided examples of what the Commission expects to be included in an action plan and, in particular, examples of performance indicators and targets related to relevant S75 equality categories.

Our preference would be for a timetable of actions similar to what was included in the original equality schemes, rather than an action plan.

It would also be useful if the Commission developed a model integrated action plan rather than having separate action plans for Section 75 and the disability duties.

**Page 29, Para 2.31**

The requirement on a public authority to undertake an audit of inequalities within its geographic boundaries is onerous and would require a big resource commitment from public authorities. Councils, and other public authorities, are trying to reduce their expenditure in the current economic climate and future budgets will be very tight.

This type of audit may be more appropriate in other sectors such as health, education or housing where their policies have a greater impact on the public than in councils.

Is this not something which the Commission could undertake, and which would filter down from the research on its Statement on Key Inequalities? Alternatively this type of data could be made available by NISRA or built in to the Census questions.

**Page 29, Para 2.32**

The requirement that '...objectives, targets and milestones relating to the measures must be built in to corporate and annual business/operating plans' is unrealistic. Most corporate/business plans are written at a high level and would not go in to this level of detail. Corporate plans are cascaded down into departmental, section and individual plans and there would be no benefit in repeating information which is already detailed in the equality scheme timetable or action plan.

**Page 29, Para 2.33**

Reporting 'at the most senior level' is too frequent. Six monthly reporting would be sufficient.

**Page 30, Para 2.36**

The requirement that public authorities undertake a review of their scheme before they merge with another authority or cease to exist is also unrealistic. For example the priority for councils as they merge to form 11 new councils in 2011 will be to work together to develop a new equality scheme rather than to review the scheme of the old authority.

We would seek agreement from the Commission to make special arrangements for councils and other transferring bodies in the phasing arrangements for the development of new equality schemes.

**Page 42, Filter exercise**

The screening process is difficult and it has taken public authorities some time to fully understand it and embed it into their organisations. Line managers are only now becoming familiar with the screening process. It is too early to change this process so fundamentally.

If a policy is assessed as not relevant to the duties, to issue a filter report for a consultation process of 12 weeks would considerably slow up the policy making process. There is no requirement to consult on a screening exercise in the UK gender equality scheme process.

We would suggest that the filter report could be issued for information purposes for 12 weeks rather than for consultation. Some policies have clearly no impact on equality and should not be delayed by a 12 week consultation process.

The requirement that the consultation commences within 4 weeks of filtering is unrealistic. At present, screening reports are issued once a year and it would be impracticable for both the public authority and potential consultees to consult on individual screening exercises.

**Page 45, Step 7**

It appears from this diagram that public authorities are required to monitor and publicise the annual monitoring results of policies which are screened out as not requiring an EQIA. This is not practicable as public authorities would eventually be monitoring hundreds of policies on an annual basis.

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**Page 47, Para 2.4**

We would suggest that the word 'significantly' is added to the first question. This would filter the more strategic policies in for equality impact assessment.

**Page 48, Para 2.9**

There is also concern at the suggestion that all filter reports should be signed off by the Chief Executive. The Head of Department or Director should be able to sign them off.

**Page 48, Para 2.11**

The effect of this requirement could mean that the voluntary and community sector could effectively veto the result of the filtering exercise. It should be possible for the public authority to consider their comments/evidence but still not proceed to eqia.

**Page 48, Para 2.12**

If a policy can be improved by a simple change at an early stage, surely this should be done rather than delaying the process by proceeding to a full eqia. An example of this would be if a family ticket to a venue was changed to include 2 same sex partners as well as opposite sex partners.

**Page 57, Glossary**

It would be useful if the Commission provided definitions of what it meant by other words which are used throughout the document in this glossary, for example, 'robust evidenced based' (page 42 and page 45) and 'inequalities'.

**Guidance document in general**

There is concern about the language used in the document, for example, the use of words such as 'must' and 'should' which makes it very prescriptive. For example, 'The plan should include international standards.....' (para 2.31) when there may be no international standards available.

**Additional comments**

It would be useful if the Commission:

- provided a practical example in the guidance, working through the policy appraisal process

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- **considered the RPA timescales in developing a timetable for the development and approval of new equality schemes, taking into consideration the intention that the existing 26 councils will cease to exist in 2011**
- **put together a group of equality practioners to assist in reviewing the Guidance prior to agreeing a final document**
- **convene a group of equality practioners to establish an ongoing formalised engagement process between the Commission and public authorities”**

The Partnership agreed, with three Members abstaining, to endorse the draft response to the Equality Commission proposed.

Chairman