

# Strategic Policy and Resources Committee

Friday, 7th August, 2009

## MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE

Members present: Councillor Hartley (Chairman);  
the Deputy Lord Mayor (Councillor Lavery); and  
Councillors Adamson, Attwood, M. Browne, Campbell,  
Convery, Hendron, N. Kelly, P. Maskey, Newton,  
Rodgers and Rodway.

In attendance: Mr. P. McNaney, Chief Executive;  
Mr. G. Millar, Director of Improvement;  
Mr. T. Salmon, Director of Corporate Services;  
Mr. L. Steele, Head of Committee and  
Members' Services; and  
Mr. J. Hanna, Senior Committee Administrator.

### Apologies

Apologies for inability to attend were reported from Councillors D. Browne, W. Browne and Crozier.

### Minutes

The minutes of the meetings of 12th and 19th June were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meetings on 22nd June and 1st July respectively.

### Human Resources

#### Post of Director of Finance and Resources

The Committee was reminded that, at its meeting on 21st November, it had delegated authority to the selection panel to appoint the Director of Finance and Resources with the outcome being reported back to the Committee.

The Chief Executive explained that the post had been publicly advertised during May/June, with the application process having been managed by SOLACE Enterprises. Following an assessment and interviews, the selection panel had unanimously agreed to the appointment of Mrs. Julie Thompson on the appropriate point of the salary band, £85,133 - £97,283 per annum.

The Chief Executive pointed out that, due to the successful candidate's existing pension arrangements, there would be a discrepancy between her current remuneration package and the lower point of the salary band. Accordingly, to ensure that she would suffer no financial detriment by accepting the post, he was seeking the Committee's authority to offer Mrs. Thompson the post on the third incremental point of the salary band.

After a brief discussion, during which it was pointed out by Members who had represented the Committee on the interviewing panel that Mrs. Thompson had demonstrated herself to be a most suitable and able candidate, the Committee granted the authority sought.

### **Transition Committee Business**

#### **Review of Public Administration Update**

The Committee considered the undernoted report:

##### **"1.0 Relevant Background Information**

- 1.1 The RPA is now entering into a critical stage whereby necessary far-reaching and enabling legislation is being drafted and issued for consultation to enable the planned local government reform to take place by May 2011; outstanding policy and HR related issues are being worked through; revised delivery structures put in place for the purpose of preparing for, and giving full affect to, the reorganisation of local government and the establishment of the 11 new councils. The focus of the RPA is rapidly moving into implementation phase.
- 1.2 Since the last update provided to the Committee in June, there has been important developments in the RPA programme which Members need to be made aware of as they will inevitably impact upon how the local government reform and RPA transition process will be taken forward.
- 1.3 Members will note that, as agreed by the Committee at its meeting on 19th June, an RPA Workshop has been scheduled for 17th August @ 10am in Malone House. The purpose of the workshop is to explore the key issues which need to be addressed as part of the RPA transition process (a number of which are set out within this report) consider the roles and responsibilities of the Council's RPA Transition Committee (i.e. SP&R) and Transition Management Team in leading this process; and explore potential options in regard to the future engagement with the Transition Committee representing Lisburn and Castlereagh.

2.0 Key Issues

2.1 Legislative Timetable

2.1.1 The key driver over the next number of months will be the legislative timetable and the need to ensure that the Council is geared up and prepared to engage within this process.

2.1.2 There have been three major RPA related consultation papers released in July which the Committee (as the Councils Transition Committee) will need to consider and respond to. These include:

1. Local Government (Miscellaneous Provisions) Bill – *refer to Agenda Item Agenda Item 2 (b)*

This Bill makes legislative provisions for the following:

- to clarify the powers of district councils to enter into long-term service contracts with the private sector
- to enable councils to vest land for waste management purposes
- to enable the Department of the Environment (DOE) to issue directions to existing councils as a means of control, so that in the lead up to reorganisation, councils will not be able to dispose of land or enter into capital contracts above specified values
- to enable the DOE to make regulations for the establishment of statutory transition committees for new councils, including regulations for the appointment of members to the committees, the functions of the committees, and the procedures to be followed by the committees

2. Reform of the Planning System in Northern Ireland’ – *refer to Agenda Item Agenda Item 2 (c)*

Sets out proposals for the reform of the planning system in Northern Ireland in the medium to longer term. Far-reaching and will impact upon almost every aspect of the planning system, combined with the transfer of responsibility for the majority of the functions to councils in 2011

### **3. The Draft Local Government (Finance) Bill**

- The Bill seeks to modernise the legislative framework for the finances of district councils and, in particular, proposes the introduction of a prudential regime of capital finance to ensure that finances are managed carefully as possible; giving councils more responsibility for the management of their own financial affairs through the removal of the need to obtain the prior approval of the DoE in most instances; and the introduction of new powers including the power to invest.
- Given the fact that the Bill has only been released, it would be the intention that a draft response to the consultation document will be submitted for the consideration of the Committee at its meeting on 26th September 2009.

## **2.2 Boundary Commissioner's Final Recommendations Report**

**2.2.1** Members will be aware that the Local Government Boundary Commissioner's Final Recommendations Report was published on the 26th June 2009 setting out his recommendations in regard to the new 11 District Council areas (copies of which has been circulated to members directly from the Boundary Commissioner). In terms of the Belfast position, the report currently recommends:

- that the new Belfast local government district should incorporate the whole of the existing Belfast district as currently defined, together with parts of the current Castlereagh, Lisburn City and North Down districts.
- From the area of the existing Castlereagh district, I recommend that the localities of Tullycarnet, Gilnahirk, Braniel, Hillfoot, Merok, Cregagh, Wynchurch, Glencregagh, and Belvoir should be incorporated in the Belfast district.
- From the area of the existing Lisburn City district, I recommend that the localities of Collin Glen, Poleglass, Lagmore, Twinbrook, Kilwee and Dunmurry should be incorporated in the Belfast district.
- From the area of the existing North Down district, I recommend that a relatively small area of housing at Cedar Grove, Knocknagoney should be incorporated in the Belfast district.

2.2.3 In term of next steps, the Department of the Environment and Minister will now consider the Final Recommendation Report before seeking agreement with both the Executive and the NI Assembly on a draft Order giving effect to the Commissioner's recommendations, with or without modifications. If modifications are proposed, a statement must be prepared outlining the reasons for the modifications and laid at the same time as the draft Order. The draft Order must be debated by the Assembly and, if approved, is made and takes effect at the next local government election.

### 2.3 Meeting of the NI Executive Sub-Committee

2.3.1 A meeting of the Local Government Reform Executive Sub Committee, which comprises of the Environment Minister and his Ministerial Colleagues responsible for transferring function Departments, had been scheduled for 20th July 2009 to consider and provide Ministerial direction in regard to the following outstanding issues:

- the integration of work between councils and departments on Community Planning;
- transfer of NICS staff to Local Government;
- implementation funding; and
- the finalisation of arrangements for transferring functions.

Unfortunately, this meeting did not take place and will be reconvened for early September.

### 2.4 Update on the work of the Policy Development Panels

2.4.1 Whilst work is continuing on the three Policy Development Panels (PDP) to finalise any outstanding policy related issues, this is being taken forward in the absence of any firm decisions being taken in regard to the aforementioned issues.

2.4.2 One particular area to note is the emerging policy proposals in regard to how Community Planning will be taken forward. Members will be aware that Policy Development Panel A had been charged with bringing forward policy proposals to shape the legislation and statutory guidance in regard to Community Planning. To this end, PDP A established a Community Planning Sub Group (including the Council's Director of Development) to take this forward.

- 2.4.3 The sub-group has raised early concerns in regard need to attract resources to support the development and roll-out of community planning. To this end the working group has been engaged in initial discussions with SEUPB with the view to testing if there is any scope to make a funding bid through PEACE III Measure 2.2. *'Developing key institutional capacities for a shared society'*.
- 2.4.4 In order to enable the submission of a funding bid, Liam Hannaway, Chief Executive of Banbridge District Council and Chair of the Community Planning Sub-Group, has written to all local government Chief Executives seeking agreement by each Council to issue a letter of support for such a funding bid .
- 2.4.5 Accordingly, Members are asked to consider the request for support and agree in principle subject to further consultation and agreement with the Council on the detail of the submission.
- 2.5 **Review of Local Government Reform Organisational Structures**
- 2.5.1 Members will note that a review is currently underway of the established RPA structures (i.e. SLB, PDPs and RTCG. The review will, inter alia, make recommendations on appropriate structures and governance arrangements for securing greater integration between the policy development and implementation phases of the local government RPA reform programme.
- 2.5.2 The review is being taken forward by a Joint Secretariat Team comprising officers from NILGA and the Department of the Environment and supported by Dr Bill Smith, Senior Research Fellow with the Institute of Governance, Public Policy and Social Research at Queen's University Belfast. The Chair of SP&R had attended a workshop as part of the stakeholder engagement exercise undertaken as part of the review.
- 2.5.3 Without pre-empting the outcome of the review, it is likely that the proposals put forward will result in a greater direct involvement of Transition Committees in driving forward the overall RPA implementation process.

**2.6 Engagement with Lisburn/Castlereagh Transition Committee**

**2.6.1** Members will note that confirmation is still to be received from the Lisburn/Castlereagh Transition Committee in regards to the request for a joint meeting with the Chair, Deputy Chair and Party Group Leaders on Belfast's Transition Committee (i.e. SP&R). This has been delayed as a result to the recent change in the Chair of the Lisburn/Castlereagh Transition Committee with Councillor Edwin Poots (outgoing Chair) taking up post as the Minister for the Environment and being replaced. The purpose of the meeting is to identify and discuss those transitional issues of mutual concern which need to be addressed and to explore how such issues could be taken forward through formal engagement between both Transition Committees.

**2.7 Establishment of HR Joint Forum**

**2.7.1** Clearly there a number of very important HR related matters which need to be progressed as a matter of urgency (e.g the introduction of vacancy controls; process for filling posts in new organisations; staff transfers schemes; staff severance) with greater clarity required in regard to how and when such critical issues are to be addressed.

**2.7.2** Whilst the Public Service Commission has released a series of Guiding Principles around such issues, a new HR Local Government Reform Joint Forum has been recently established (comprising of representatives from the Employers and Trade Union Sides) to take forward detailed consideration and negotiation on HR matters and to develop detailed guidance on how councils and Transition Committees should address such issues in the lead up to the RPA. Both Cllr Tom Hartley and the Director of Corporate Services are represented on this Forum nominated by the Joint National Council (JNC) and Northern Ireland Joint Council (NIJC) respectively.

**2.8 Assessment of Options for Local Government Service Delivery**

**2.8.1** As Members will be aware, PricewaterhouseCoopers were appointed by the DoE to consider potential options for future local government service delivery (as part of Phase I of their work) and to undertake a detailed economic appraisal of the emerging options (as part of Phase II).

**2.8.2** Phase I of the PwC work is now complete and has been agreed by the Strategic Leadership Board on 3rd July (copy of summary proposals are attached at Appendix 5). The report promotes the need to adopt a design lead approach to future local government service delivery and recommends that:

- there is no 'one size fits all' model – the new councils need to be designed to address the needs and preferences of the citizens they serve;
- there is no 'best' model - analysis of operating models for service delivery in other jurisdictions are based on a marriage of political leadership and accountability and efficient and effective service delivery to meet local need
- the following recommended options be taken forward for consideration as part of Phase II detailed Economic Appraisal.
- Option 1 – Do Nothing (baseline position)
- Option 2 – Do Minimum (transition)
- Option 3 – Transformation within council functional areas
- Option 4 – Transformation across council functional areas
- Option 5 – As Option 4 but with an exploration of functions which could be delivered on a shared services basis
- Option 6 – Option 4 with the addition of a regional support organisation operating on behalf of local government delivering a range of shared services, within or apart from a LGA

PwC are scheduled to report back on Phase II by the end of August 2009.

**2.9** Transition Committee workshop on Planning and Programme Management for the Reform Programme

**2.9.1** The Department of the Environment and the Northern Ireland Local Government Association (NILGA) recently appointed PA Consulting Services Ltd. to act as a strategic advisor on planning and programme management for the RPA Reform Programme.



- 2.9.2 As part of this process PA Consulting are keen to seek the views of Transition Committees in regards to the effectiveness of the programme management procedures and a workshop has been arranged for Monday 10th August with representatives from each of the 11 Transition Committees.
- 2.9.3 Accordingly, Members are asked to approve the attendance of the Chair and Deputy Chair (or that of a nominee) of the Strategic Policy and Resources Committee and the Director of Improvement (or a nominee) to this workshop.

### 3.0 Resource Implications

There are no financial or Human Resources implications contained within this report.

### 4.0 Recommendations

Members are asked to:

- (a) note the contents of this report and, in particular, that the RPA Workshop for Members of the Council's Strategic Policy and Resources Committee has been confirmed for 17th August, 10am in Malone House;
- (b) consider the request from the Chair of the RPA Community Planning Sub-Group and approve, in principle, the issuing of a letter of support for the submission of a community planning funding bid to SEUPB subject to further consultation and agreement with the Council on the detail of the submission; and
- (c) approve the attendance of the Chair, Vice-Chair (or that of a nominee) and the Director of Improvement (or a nominee) to the scheduled RPA programme management Workshop scheduled for 10th August."

The Committee adopted the recommendations.

**Review of Public Administration - Consultation on  
Local Government (Miscellaneous Provisions) Bill**

The Chief Executive submitted for the Committee's consideration the undernoted report in relation to the Northern Ireland Assembly's Committee for the Environment's Consultation on the Local Government (Miscellaneous Provisions) Bill:

**"1.0 Relevant Background Information**

- 1.1 The Northern Ireland Assembly's Committee for the Environment is taking forward the 'Committee Stage' (i.e. detailed investigation) of the Local Government (Miscellaneous Provisions) Bill with a view to submitting a final recommendations report to the Assembly in due course. As part of this process the Committee have issued a copy of the draft legislative Bill and accompanying Explanatory Memorandum for consultation. The deadline for the submission of written responses to the draft Bill is 14th August 2009.
- 1.2 The Bill is structured in three parts with Part 1 referring to Contracts of Councils, Part 2 dealing with Local Government Reorganisation and Part 3 dealing with Supplementary issues.
- 1.3 Members will note that Part 1 of the Bill originated as the Local Government (Contracts and Compulsory Purchase) Bill which sought to clarify the powers of district councils to enter into long-term service contracts with the private sector (e.g. Public Private Partnerships or Private Finance Initiatives type contracts). The Bill also sought to give councils the power to vest land for waste management purposes.
- 1.4 The need for the Bill has arisen because of an EC Landfill Directive (1999/31/EC) which requires Member States to meet recycling targets from 2010 through to 2020 to reduce the volume of biodegradable waste being sent to landfill. District councils are responsible for the collection and disposal of waste and it is imperative that they meet the Landfill Directive targets to avoid possible infraction proceedings and associated fines. The Bill provides enabling provisions to allow councils to enter into PPP/PFI type contracts with private sector contractors to build necessary waste facilities and provide recycling services.

**1.5** In order to ensure that the tight RPA implementation programme was deliverable and to fast-track necessary legislation, the DoE recently extended the scope of the Bill, adding Parts 2 and 3 which deal with Local Government Reorganisation. A summary of the provisions contained within the Bill is outlined below:

- 1.** to enable councils to vest land for waste management purposes
- 2.** to enable the Department of the Environment (DOE) to issue directions to existing councils as a means of control, so that in the lead up to the establishment of the 11 new district councils as part of the RPA reorganisation of local government, councils will not be able to dispose of land or enter into long-term financial commitments (e.g. capital contracts) above specified values
- 3.** to enable the DOE to make regulations for the establishment of statutory transition committees for the purpose of preparing for, and giving full effect to, the reorganisation of local government and the establishment of the 11 new councils.
- 4.** to enable the DOE to make regulations for the introduction of severance arrangements for elected members

**2.0** **Key Issues**

**2.1** It is important to recognise that the draft Local Government Miscellaneous Provisions Bill is largely enabling legislation and the detail around the specific provisions referred to above will be outlined in subsequent subordinate legislation (i.e. detailed regulations). The Explanatory Memorandum attached to the draft Bill (refer to paragraph 10-14) states that separate consultation has taken place in respect of the establishment of statutory transition committees and the introduction of a Members' severance scheme and indicates that the comments received as part of these consultation exercises will be used to inform the drafting of regulations around these issues. In the Explanatory Memorandum the DoE accepts that there has been no formal consultation undertaken in regard to the proposals for the introduction of interim financial controls on councils.

- 2.2 Members will recall that the SP&R Committee previously considered DoE consultation proposals in relation to the establishment of statutory transition committees and the introduction of a severance scheme for Elected Members and submitted its formal views to the DoE.
- 2.3 Given the previous consultation undertaken by the Department, it is unclear what level of consultation/engagement will be undertaken with local government in relation to the drafting of the detailed regulations which will underpin the primary Bill.
- 2.4 Whilst the Council will clearly seek assurances, as part of its consultation response, from the Committee for the Environment that further engagement with the Council will be undertaken as part of the drafting of regulations, there is a potential risk that any consideration/consultation on the emerging regulations could be limited to the NI Assembly, the Executive and the Committee for the Environment. At present, there are no Belfast City Council members on the Committee for the Environment which could reduce the ability of the Council to impact on the drafting of any related regulations.
- 2.5 Therefore, it is necessary for the Council to reinforce, in its response to the Committee for the Environment on the Miscellaneous Provisions Bill and the relevant Clauses contained therein, those pertinent issues and policy positions previously agreed by the SP&R Committee. The key issues, which have been addressed in detail within the draft response attached at Appendix 2, are listed below for reference:
- that local government should be further engaged in the drafting of any subsequent regulations and, in particular, those pertaining to Clause 14 (i.e. constitution of statutory transition committees; Clause 15 (i.e. functions to be undertaken by statutory transition committees; Clause 17 (i.e. severance payments for councillors).
  - that arc 21 has already provided a response on behalf of member councils in respect of Part 1 of the Bill (Contracts of Councils) and Part 3 (compulsory acquisition of land for waste management purposes)

- whilst recognising the potential need to introduce interim controls on specified financial activities undertaken by those existing councils which are to merge in the period leading up to their dissolution and the establishment of the new 11 councils, such controls should not apply to Belfast City Council given its unique position.
- In relation to the Department's powers to give direction and make regulations in Chapters 2 and 3, that it is clear that the Department has the power to do so with specific reference to any particular Council or transition committee. This will be necessary for the Department to make particular provision in relation to the case of Belfast and/or the Lisburn/Castlereagh Transition Committee
- In respect of disposals and contracts of existing councils, that the specified transition committee referred to is the transitional committee that would otherwise hold or have responsibility for the subject land/capital contract post RPA.

**2.6** An initial draft response to the consultation document is set out at Appendix 2 for Members' consideration and comment. It would be the intention that a revised draft response, taking account of comments raised by Members, would be submitted to the Committee for the Environment by 14th August 2009 (on the basis that it would be subject to ratification by Council on 1st September).

### **3.0 Resource Implications**

There are no financial or Human Resource implications contained within this report

### **4.0 Recommendations**

Members are asked to:

- (i) note the contents of this report and the draft response attached at Appendix 2; and
- (ii) approve the submission of the draft response to the NI Assembly Committee for the Environment, subject to the incorporation of any comments received by Members;

## **5.0 Decision Tracking**

Following approval by the Council's Strategic Policy and resources Committee, at its meeting on 7th August, Kevin Heaney, RPA Programme Coordinator will submit the Council's response to NI Assembly's Committee for the Environment, subject to ratification to ratification by Council on 1st September 2009.

### **Draft Response**

#### **1.0 Introduction**

1.1 Belfast City Council welcomes the opportunity to respond to the Local Government (Miscellaneous Provisions) Bill issued for consultation by the Committee for the Environment and would hope that the comments outlined within this response are constructive in nature and add value to the future drafting of necessary subordinate legislation.

1.2 The Council have a number of general comments to make in regard to the content of the draft legislation as well as specific feedback on individual clauses where appropriate.

#### **2.0 General Comments**

2.1 Whilst the Council would have no major issues, in principle, with the Bill, it is conscious that much of the detail around the out workings of this legislation will be set out within the subsequent subordinate legislation (regulations). Whilst the explanatory memorandum suggests that such regulations will take account of previous consultation exercises undertaken by the Department of the Environment (DoE) on the establishment of statutory transition committees and the introduction of a severance scheme for elected Members (both of which Belfast City Council has formally submitted consultation responses to the severance and statutory transition committees (on which Belfast City Council has formally responded to the DoE), it is unclear what level of further engagement will take place between the Department, the Committee for the Environment and local councils during the Committee stage and the subsequent drafting of any subordinate legislation (regulations).

2.2 Belfast City Council feel that in accordance with good practice, the Department should ensure that local councils are consulted in the drafting of the relevant detailed subordinate regulations and, in particular, with respect to Clause 14 (constitution of statutory transition committees; Clause 15 (functions to be undertaken by Statutory Transition Committees; Clause 17 (severance payments for councillors).

- 2.3 Furthermore, the Council supports the intention that Clauses 14, 15 and 16 (and parts of Clause 3) be subject to affirmative resolution (i.e. to be debated) by the NI Assembly and would reiterate the need for the Minister, the Department and the Committee for the Environment to consult with all interested parties including local government in the drafting phase of any subordinate legislation related to these clauses.
- 3.0 Specific Comments on Clauses - It should be noted that Belfast City Council have not commented on all Clauses set out within the Bill.

#### Clauses 1-8: Contracts of Councils

##### Explanatory Memorandum Overview:

*These provisions replicate existing legislation in Great Britain in the form of the Local Government (Contracts) Act 1997 and essentially clarify the powers of district councils to enter into PFI/PPP contracts with the private sector. In Northern Ireland, these provisions started life in the shape of the Local Government (Contracts and Compulsory Purchase) Bill, the title of which has now been changed to the Local Government (Miscellaneous Provisions) Bill to reflect the additional provisions which have been introduced in relation to certain RPA Transition issues.*

##### Belfast City Council comments:

- In relation to the provisions set out in Part 1 'Contracts of Councils', arc21 has already responded to these on behalf of its member councils and Belfast City Council do not see the need to make any further response. arc21 had a number of concerns in relation to the provisions but these are not concerns in relation to any RPA issue and have, in any event, now been picked up by the Executive in the shape of the draft Waste Bill which is now also out for consultation and to which arc21 has again made a response on behalf of its member councils.

#### Clause 9: Introductory section to Part 2 – Local Government Reorganisation

##### Explanatory Memorandum Overview:

*This clause outlines the meaning of the phrases 'existing council'; 'new council'; 'successor council' and 'predecessor council' in respect of Part 2 of the Bill.*

**Belfast City Council comments:**

- The Council has concerns that in relation to both the power to give directions and the power to make regulations, it is not sufficiently clear that the Department has the power to do so with specific reference to any particular council or transition committee. It may therefore be necessary for the Department to make particular provision in relation to the case of Belfast and/or the Lisburn/Castlereagh Transition Committee.
- It is recommended that the legislation should therefore be clear that the Department has such a power to make specific regulations and this could be achieved by including a new sub-paragraph under Clause 9 (2)(c) to the effect that the power of the Department to give directions in Chapter 2 and to make regulations in Chapter 3 will include the power to do so in relation to the circumstances of one or more specified Councils.

**Clause 10: Control of disposals and contracts of existing councils**

**Explanatory Memorandum Overview:**

*This clause sets out a system of controls on disposals of land, and capital and non-capital contracts being entered into, by the current 26 district councils in the period leading up to their dissolution and the establishment of the 11 new district councils. The Department will have powers to direct that councils must obtain consent from their statutory transition committees before engaging in the specified activities, subject to minimum thresholds.*

**Belfast City Council comments:**

- The specified statutory transition committee referred to should be the transitional committee(s) that would otherwise hold or have responsibility for the subject land/capital contract post RPA.
- However, as Belfast City Council has assets outside their current boundary the legislation should provide for the Belfast Transition Committee being the specified transition committee responsible for consenting to any disposals/contracts in respect of these assets.



- References to specified sums, specified date and specified description will all require more detail as to amounts, thresholds etc, and district councils should be consulted on this whilst the detail is being developed in subordinate legislation.
- Clause 10 (4) (c) provides that a direction may be varied or revoked by a subsequent direction. However, clarity will be required around the proposed mechanism for varying or revoking the direction. Belfast City Council would recommend that Councils be consulted in any such instances and any variation or revoking of the direction will need to be agreed by Councils.

#### **Clause 13: Contravention of direction**

##### **Explanatory Memorandum Overview:**

*This clause defines when a disposal of land made in contravention of a direction is to be declared void.*

##### **Belfast City Council comments:**

- Clause 13 (1) Disposals made in contravention of directions being void – clarification will be required around the enforcement of this clause. In particular, when a disposal has taken place and a 3<sup>rd</sup> party is in occupation as the new legal owner, clarification will be required as to the legal effect of this clause.

#### **Clause 14: Statutory transition committees: constitution**

##### **Explanatory Memorandum Overview:**

*This clause makes provision about the establishment of statutory transition committees to manage, at a local level, the transition from the current configuration of 26 local government districts to the new 11 districts as set out in the Local Government (Boundaries) Act (Northern Ireland) 2008. The clause also provides the Department with the power to specify in regulations\* the level of membership of the statutory transition committees, the process to be adopted by the current councils to determine their representation on the relevant transition committee, and the governance arrangements for the committees. It also provides for the regulations to make provision in relation to making payments to and facilities available to statutory transition committees.*

**Belfast City Council comments:**

- It is important to highlight that Belfast City Council stands in somewhat of a different position to that of the other 25 Councils in regard to the RPA transition process, since all the other Councils are to be abolished and replaced by 10 new Councils. As a result, the 25 Councils are to merge together in clusters and have formed voluntary Transition Committees, made up of elected Members from constituent Councils, for the purposes of managing the transition and convergence process.
- Whilst Belfast City Council will clearly become a new legal entity post RPA, it is not merging with any other council but rather assimilating, within its boundary, geographical areas from the current Castlereagh Borough and Lisburn City Council areas as set out within the Local Government Boundaries Commissioner's Final Recommendations report published on 26th June 2009.
- Accordingly, the previous Environment Minister Sammy Wilson supported the proposition that Belfast City Council manages its own transition process and that the Council's Strategic Policy and Resources Committee be designated as the Belfast's Transition Committee. The Committee would comprise of twenty Members appointed on the basis of proportionality applying the D'hondt procedure, with an additional monthly meeting of the Committee to be designated for the purpose of RPA transition and associated change management business.
- The Minister's approval to this proposal was conveyed to the Council by letter of 2 February and accordingly the Strategic Policy and Resources Committee had met as a Transition Committee from March onwards. The Belfast Transition Committee recognises the need to put in place formal engagement mechanisms between the Lisburn/Castlereagh Transition Committee and the Belfast Transition Committee to identify and resolve transitional related matters and to ensure service continuity for the citizen.
- Belfast City Council would recommend that the current governance arrangements for Belfast's Transition Committee be retained with further consideration given, in drafting any subordinate legislation, to the introduction of a formal engagement mechanism between the Lisburn/Castlereagh Transition Committee and the Belfast Transition Committee to discuss transitional related matters.

- Belfast City Council feel that in accordance with good practice, the Department should ensure that local councils are consulted in the drafting of the relevant detailed subordinate legislation which emerges from this Clause.

**Clause 15: Statutory transition committees: functions**

**Explanatory Memorandum Overview:**

*This clause provides the Department with the power to specify in regulations the functions and powers of a statutory transition committee in relation to delivering the transition process. It is intended that the functions of a statutory transition committee will include the development and management of the convergence of the plans and programmes of the current local government districts that will form the new districts; the development of strategies for estates and accommodation; the management of the transfer of assets and liabilities; the development of a preliminary staff structure for the new council; the appointment of a Chief Executive designate and key senior managers designate, and the preparation of a budget and the fixing of the rate for the new council district.*

**Belfast City Council comments:**

- Belfast City Council would recommend that consideration is given to the inclusion of the following additional provisions either within this Clause or within the regulations developed by the Department in relation to this Clause:-
  - enabling Statutory Transition Committees to establish Sub-Committees to consider specific issues as they feel appropriate. It would be better to have this enabling provision in place from the outset rather than a Transition Committee finding that it would be necessary to establish a Sub-Committee and had no statutory powers to do so.
- Belfast City Council would recommend that in accordance with good practice, the Department should ensure that local council's are consulted during the development phase of any subordinate legislation relating to this clause

**Clause 16: Power to modify existing legislation**

**Explanatory Memorandum Overview:**

*While clauses 14 and 15 set out specific provisions in relation to the making of regulations\* for the establishment and operation of statutory transition committees, this clause provides a power for the regulations to apply (with or without modification) or dis-apply the provisions of relevant local government or rating legislation.*

**Belfast City Council comments:**

Belfast City Council would recommend that in accordance with good practice, the Department should ensure that local councils are consulted during the development phase of any subordinate legislation relating to this clause.

**Clause 17: Severance payments to councillors**

**Explanatory Memorandum Overview:**

*The clause confers a power on the Department to make regulations providing for the making of severance payments to councillors who resign as councillors before the end of a specified period and who meet such other criteria as the Department may specify. The clause also amends section 4 of the Local Government Act (Northern Ireland) 1972 to provide that a person who has received a severance payment is disqualified from being elected, or being, a councillor.*

**Belfast City Council comments:**

Belfast City Council are supportive of the provisions outlined in Clause 17 in respect to Severance payments but would reiterate that requirement for local councils to be consulted during the development phase of any secondary legislation relating to this clause.

The Council have already formally responded in April 2009 to the Department of the Environments consultation exercise in regard to proposals for the introduction of a Severance Arrangements and in accordance with that response would recommend that the following issues be taken into consideration in the drafting of any subordinate legislation.

1. A set amount of £1,000 per year being payable up to a maximum of 38 years;
2. eligibility for severance being restricted to Members who have served a minimum of two Council terms;
3. the inclusion of Members of the House of Lords in the severance scheme and also the inclusion of MLAs, MPs, and MEPs but on the basis that their entitlement to an award would be calculated only on those years of Local Government service which they have acquired prior to their election to another tier of Government;
4. the next of kin of a Member being entitled to severance in the event that a Councillor dies after applying for severance but before the payment has been made;
5. a recipient of severance having to repay it in full in the event that they return subsequently to serve in Local Government before a period of two Council terms has elapsed;
6. Central Government being responsible for meeting the costs associated with the introduction of a severance scheme;
7. the scheme should apply during the period from January, 2010 until the date of the Local Government elections in May, 2011, providing that the necessary legislation on co-option is implemented so as to avoid the potential risk of multiple bi-elections.

Belfast City Council would recommend that in accordance with good practice, the Department should ensure that local council's are consulted during the development phase of any subordinate legislation relating to this clause.

**Clause 18: Acquisition of land otherwise than by agreement**

**Explanatory Memorandum Overview:**

*This clause provides that councils may vest land for any of their purposes in Part 2 of the Waste and Contaminated Land (Northern Ireland) Order 1997 – a provision that had been inadvertently omitted from that Order.*

**Belfast City Council comments:**

**Belfast City Council would recommend that the power for a district council to acquire land otherwise than by agreement should not be limited only to waste management purposes but should provide for district councils having a more general power to acquire land otherwise than by agreement exercisable in connection with their functions.**

**Clause 20: Regulations and orders**

**Explanatory Memorandum Overview:**

***This clause essentially sets out the means by which the Department may make different regulations as provided for in the Bill.***

**Belfast City Council comments:**

- **Belfast City Council would recommend that in accordance with good practice, the Department should ensure that local council's are consulted during the development phase of any secondary legislation which has a direct impact upon them.**
- **The Council supports the intention that Clauses 14, 15 and 16 (and parts of Clause 3) be subject to affirmative resolution by the NI Assembly and would reiterate the need for the Minister and the Committee for the Environment to consult with all interested parties in the drafting phase of any secondary legislation related to these clauses."**

The Committee approved the aforementioned comments as the Council's response to the consultation exercise.

**Department of the Environment**  
**Consultation on Planning Reform**

The Committee was advised that, during July, the Department of the Environment had published a consultation document entitled "Reform of the Planning System in Northern Ireland", which set out the measures which the Department proposed to take in order to reform the planning system in Northern Ireland in the medium to longer term. The consultation set out also the proposals to make the changes required in order to implement the decisions taken under the Review of Public Administration which would result in the majority of planning functions returning to Local Government. To assist Councils in responding to the consultation document, the Department was holding a series of stakeholder events across Northern Ireland, with the Belfast event taking place on Friday, 11th September at 10.30 a.m. in Grosvenor House, Glengall Street.

The Director of Improvement reported that, following an initial review of the consultation document, the main strategic issues for the Committee to consider at this stage were as follows:

- there was the potential for the Northern Ireland Planning System to become more fragmented with the regional planning function remaining with two central departments, that is, the Department for Regional Development and the Department of the Environment, while local planning would be transferred to the new Councils;
- the Department was proposing a new local development plan system, together with a number of other reforms which would be determined by the new Councils. This would have significant resource and capacity implications for the new Councils which had not been addressed in the document;
- the Department proposed a high level scrutiny of local Council planning functions through a number of measures including:
  - the statement of community involvement must be agreed by central government;
  - local Councils' programme for the review of the local development plan must be agreed through a Programme Management Scheme by central government;
  - regionally significant developments would be determined by the Department and the Minister; and
  - the proposed thresholds set for regionally significant applications indicated a high level of call-in by the Department;
- the proposal for a tiered system to determine planning applications meant that they would be determined by either central government or local Councils, which could potentially cause confusion.

The reforms proposed in the consultation paper were intended to underpin the transfer of planning functions to Local Authorities and to set the framework under which the planning role would be undertaken by the eleven new Councils. The role of the Transition Committees was to ensure continuity of service delivery across the new Council areas from 2011 and to integrate transferred services and new functions into the new Councils' operations. Accordingly, it had been determined that the Council's Transition Committee would be the most appropriate vehicle to determine the Council's response to the consultation exercise.

Since the "Reform of the Planning System in Northern Ireland" consultation covered a wide range of areas, comments were being sought currently from all Council Departments in order to inform the response. In addition, any comments which the Party Groups or individual Members might wish to make would be welcomed and would inform the preparation of the draft response which would be submitted to the meeting of the Transition Committee scheduled to be held on 4th September.

In addition, since the responsibility for the areas which had been addressed in the consultation paper fell principally within the remits of the Development and Town Planning Committees, it was intended that both of those Committees would be informed of the aforementioned proposals and invited to attend the meeting of the Transition Committee in September at which the response was to be considered.

Accordingly, it was recommended that the Committee agree to:

- (i) to approve the arrangements outlined for the formulation of a corporate response to the consultation document;
- (ii) any Party Group or Member being authorised to provide initial input to the formulation of the draft response by contacting the Review of Public Administration Co-ordinator prior to 21st August;
- (iii) authorise the attendance of the Members of the Town Planning and Development Committees at the September meeting of the Transition Committee at which the draft response to the consultation would be considered; and
- (iv) approve the attendance of the Chairmen and the Deputy Chairmen of the Transition, Development and Town Planning Committees (or their nominees) and a representative from each of the Party Groupings not represented by the aforementioned Members, together with appropriate officers, at the Belfast consultation event scheduled to be held on 11th September.

The Committee adopted the recommendations.

#### **Planning Reform Proposals – Further Consultation Event**

The Committee was advised that, in order to facilitate the development of a comprehensive and agreed Local Government response to the consultation document outlined in the previous agenda item, the Department of the Environment, the Northern Ireland Local Government Association and the Society of Local Authority Chief Executives had arranged jointly a consultation event to be held in Craigavon Civic Centre on 26th August at 9.30 a.m.

Accordingly, it was recommended that the Council be represented at the event by the Chairmen and the Deputy Chairmen of the Transition, Development and Town Planning Committees (or their nominees) and a representative from each of the Party Groupings not represented by the aforementioned Members, together with appropriate officers.

The Committee adopted the recommendation.



**Democratic Services and Governance**

**Review of the Criteria for the Use of the City Hall  
and the Provision of Hospitality**

The Committee was reminded that, at its meeting on 19th June, it had discussed the importance of increasing the number of events organised by community and voluntary groups which took place within the City Hall. The Committee had expressed its desire to increase that number so that all of the people of Belfast would have an opportunity to enjoy the City Hall.

The criteria which had been in use since October, 2003 had provided an effective framework which had allowed the Members to take informed decisions on the use of the City Hall and the granting of hospitality. The criteria used to determine which events should be granted the use of the City Hall and the provision of hospitality had been based on organisations demonstrating how their event contributed significantly to the achievement of one or more of the Corporate Strategic Objectives. The updated Corporate Plan, which the Committee had agreed on 19th May, had included the replacement of the Corporate Strategic Objectives with six “key themes”.

The “key themes” are listed below:

- City Leadership – strong, fair, together;
- Better care for Belfast’s environment;
- Better opportunities for success across the City;
- Better support for people and communities;
- Better Services – listening and delivering; and
- Better Value for Money, that is, a “can-do”, accountable and efficient Council.

The key themes which had been introduced represented the key priority areas for the Council and it was recommended that the criteria should reflect that by requesting organisations wishing to use the City Hall to demonstrate how their event would contribute substantially to the achievement of one or more of the Council’s “key themes”.

The Committee, at its meeting on 26th September, 2003, had agreed to approve the revised policy in respect of the criteria for the use of the City Hall and the provision of Civic Hospitality. The policy included a specific application process for community and voluntary groups wishing to use the City Hall and avail of “Community Hospitality”, with organisations encouraged to apply annually through advertisements in the local print media.

At its meeting on 18th August, 2006, the Committee had agreed that, because only five applications had been received over the previous two years and to avoid duplication in operating two procedures, a review of the criteria be undertaken to establish whether the current policy could be amended to make provision for Community Hospitality. That would mean that a separate process would not be required, saving the Council advertising expenses and administration costs, whilst improving the efficiency of the overall process. The Committee subsequently agreed to amend the criteria so as to facilitate applications from community and voluntary organisations through the procedure applied to all groups but with a specific section being added to the application form to cater for the Community and Voluntary Sector.

In the past it had become apparent that community and voluntary groups did not always have the capacity to organise large-scale events in the City Hall. However, it had been the practice in the past to offer encouragement to such groups to organise events which would be within their scope. In addition, since one of the “key themes” of the current Corporate Plan was “better support for people and communities”, organisations working in the community and voluntary field would be given the opportunity to use the City Hall by demonstrating how it would contribute substantially and specifically to the achievement of that theme.

The Committee was recommended to agree to the amendment of the criteria for the use of the City Hall and the provision of civic hospitality to reflect the achievement of the Council’s key themes and objectives to determine the events which should be held in the City Hall.

The Committee expressed itself satisfied with these arrangements, requested the Head of Committee and Members’ Services to make every effort to ensure that hire costs applied to the community and voluntary groups for the use of the City Hall were kept to a minimum and adopted the recommendation.

**Requests for the Use of the City Hall and the Provision of Hospitality**

(Councillors Attwood, Convery, Hartley, Hendron, Lavery, Rodgers and Rodway declared an interest in this item in that they were Members of the Belfast Education and Library Board and took no part in the Committee’s consideration of the matter.)

The Committee was informed that the undernoted requests for the use of the City Hall and the provision of hospitality had been received:

<u>Organisation /Body</u>	<u>Event / Date – Number of Delegates / Guests</u>	<u>Request</u>	<u>Comments</u>	<u>Recommendation</u>
Ulster Operatic Company	The Ulster Operatic Company Centenary Celebration 25 <sup>th</sup> June, 2010 Approximately 200 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 Ulster Operatic Company and to acknowledge its contribution to the general life and well-being of the city.  This event would contribute to the Council’s Key Theme of ‘City Leadership – Strong, Fair, Together’.	The use of the City Hall and the provision of a pre-dinner drinks reception in the form of wine and soft drinks.  Approximate cost £800

<u>Organisation /Body</u>	<u>Event / Date – Number of Delegates / Guests</u>	<u>Request</u>	<u>Comments</u>	<u>Recommendation</u>
The Rotary Club of Belfast	The Rotary Club of Belfast Centenary Dinner 15 <sup>th</sup> August, 2011 Approximately 200 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 Rotary Club of Belfast and to acknowledge its contribution to the general life and well-being of the city.  This event would contribute to the Council's Key Theme of 'City Leadership – Strong, Fair, Together' and 'Better support for people and communities'.	The use of the City Hall and the provision of a drinks reception in the form of wine and soft drinks.  Approximate cost £800
Irish Football Association	Football for All Awards Night 21 <sup>st</sup> November, 2009 Approximately 350 attending	The use of the City Hall.	This event aims to acknowledge the volunteers who have broken down the barriers to inclusion and promoted 'Football for All'.  The event will also seek to recognise the work of those who have promoted positive community relations, women's football, boy's football, disability football and grass roots development of the game.  This event would contribute to the Council's Key Theme of 'City Leadership – Strong, Fair, Together' and 'Better support for people and communities'.	The use of the City Hall.

<u>Organisation /Body</u>	<u>Event / Date – Number of Delegates / Guests</u>	<u>Request</u>	<u>Comments</u>	<u>Recommendation</u>
The Belfast Education and Library Board	Event to mark the closure of the Belfast Education and Library Board  18 <sup>th</sup> December, 2009  Approximately 400 attending	The use of the City Hall and the provision of hospitality in the form of a civic dinner.	The Belfast Education and Library Board has, for 36 years, worked collaboratively with Belfast City Council in contributing to the civic leadership for the citizens of Belfast. Prior to 1973, Belfast City Council oversaw the provision for educational needs throughout the city.  The Board, which has 14 Councillors representing the people of Belfast, has delivered high quality, customer focused services including transport, catering, educational welfare and psychology and support for children and young people and those with special needs.  This event would contribute to the Council's Key Theme of 'City Leadership – Strong, Fair, Together'.	The use of the City Hall and the provision of a civic dinner.  Approximate cost £12,000
Institute of Maxillofacial Prosthetists and Technologists	The 24 <sup>th</sup> Biennial Scientific Conference  10 <sup>th</sup> September, 2009  Approximately 125 attending	The provision of hospitality in the form of a drinks reception.	It is estimated that 125 delegates will be staying in accommodation in Belfast and the conference will take place within the city.  This event would contribute to the Council's Key Theme of 'City Leadership – Strong, Fair, Together'.	The provision of a drinks reception in the form of wine and soft drinks.  Approximate cost £500

<u>Organisation / Body</u>	<u>Event / Date – Number of Delegates / Guests</u>	<u>Request</u>	<u>Comments</u>	<u>Recommendation</u>
The Royal College of Psychiatrists	2010 International Psychoanalytic Conference 7 <sup>th</sup> May, 2010 Approximately 200 attending	The use of the City Hall and the provision of hospitality in the form of a pre-dinner drinks reception.	It is estimated that 80 delegates will be staying in accommodation in Belfast and the conference will take place within the city.  This event would contribute to the Council's Key Theme of 'City Leadership – Strong, Fair, Together'.	The use of the City Hall and the provision of a drinks reception in the form of wine and soft drinks.  Approximate cost £800

The Committee adopted the recommendations.

**Applications Approve under Delegated Authority**

The Committee noted that the following applications had been approved under delegated authority by the Director of Corporate Services in accordance with Standing Order 41:

<u>Organisation / Body</u>	<u>Event / Date – Number of Delegates / Guests</u>	<u>Request</u>	<u>Comments</u>	<u>Recommendation</u>
Northern Ireland Chamber of Commerce	The Northern Ireland Chamber of Commerce President's Dinner 19 <sup>th</sup> November, 2009 Approximately 400 attending	The use of the City Hall.	The President's Dinner aims to provide a networking opportunity for businesses from Belfast and across Northern Ireland. The event, which will include representatives from both Local and Central Government, also aims to facilitate discussion on economic and social regeneration.  This event would contribute to the Council's Key Theme of 'City Leadership – Strong, Fair, Together'.	The use of the City Hall.

<u>Organisation /Body</u>	<u>Event / Date – Number of Delegates / Guests</u>	<u>Request</u>	<u>Comments</u>	<u>Recommendation</u>
Irish Technology Leadership Group	Irish Technology Leadership Group Conference Lunch  21 <sup>st</sup> October, 2009  Approximately 200 attending	The use of the City Hall.	The Lunch aims to provide a vital networking opportunity as well as showcasing what Belfast has to offer to potential investors. The event, which will include high profile business leaders and entrepreneurs from Silicon Valley in Northern California, also aims to encourage the development of technological enterprise across the Ireland-US corridor.  This event would contribute to the Council's Key Theme of 'City Leadership – Strong, Fair, Together'.	The use of the City Hall.

**National Association of Councillors (Northern Ireland Region) Annual General Meeting and Conference**

The Committee was advised that the National Association of Councillors (Northern Ireland Region) was holding its Annual General Meeting and Conference in the La Mon Hotel and Country Club, Belfast on 25th and 26th September. The Minister with Responsibility for the Department of the Environment had been invited to attend the Conference to deliver the keynote address. It was expected also that a significant number of key politicians and decision-makers involved directly with the implementation of the Review of Public Administration would be in attendance. Given the pace at which the implementation of the Review of Public Administration was progressing, it was important that Members were afforded the opportunity to be represented by attendance at the Conference to meet with their fellow Councillors and learn of new developments and initiatives. The Council had been represented at the event in previous years and those Members who had attended had found it to be a valuable opportunity to increase their awareness of Members' issues and to discuss with other Councils issues of mutual interest and concern. The cost per delegate attending was £207, allowance for which had been included in the Revenue Budget.

The Committee authorised the attendance at the National Association of Councillors Annual Conference and Annual General Meeting of the Chairman, the Deputy Chairman, the Council's representatives on the National Association of Councillors (Northern Ireland Region), the Head of Committee and Members' Services (or their nominees) and a representative of each of the Party Groupings on the Council not represented by the aforementioned Members.

### **Cross-Cutting Issues**

#### **Patient and Client Council – Request to make a Presentation**

The Committee was advised that correspondence had been received from the Chief Executive of the Patient and Client Council requesting an opportunity to make a presentation. The Patient and Client Council, which had taken over from the former regional Health and Social Services Councils, had been established on 1st April, 2009 as a result of the reorganisation of the Health Service in Northern Ireland.

The main functions of the new Body were to:

- engage with the public to obtain their views on any aspect of health and social care;
- promote the involvement of patients, clients, carers and the public in the design, planning, commissioning and delivery of health and social care;
- provide assistance to people wishing to make a complaint relating to health and social care; and
- provide advice and information to the public about health and social care services.

The Committee agreed to accede to the request.

#### **Chartered Institute of Public Finance and Accountancy - On Board Training Programme**

The "On Board" training programme, delivered by the Chartered Institute of Public Finance and Accountancy, was the leading training programme in the United Kingdom for board members of public bodies. It provided new and existing board members with invaluable information on their roles and responsibilities and explored also any of the practical issues facing board members and their organisations. The programme was delivered by consultants who were widely recognised as experts on corporate governance in relation to public bodies. To date the Institute had delivered successfully almost 500 "On-Board" programmes in England, Scotland and Northern Ireland and would be holding the programme on a one-day basis at various venues in Belfast during 2009 and 2010.

The programme was designed in such a way that on completion delegates would:

- understand the roles and responsibilities of the Board as a corporate body and the common problems which could arise;
- gain an appreciation of the knowledge, skills and attributes of an effective board member and an effective Chairman;
- understand how to develop and maintain key internal and external relationships;
- be familiar with the Nolan Principles which boards and board members were expected to adhere to and understand the practical issues arising from their application; and
- be aware of the public service environment and in particular the requirements arising from the need to account for the use of public money and the safekeeping of public assets.

The Head of Committee and Members' Services advised the Members that, since the report had been issued, it had been ascertained that the Institute would be willing to organise training in-house for the Members of Belfast City Council and accordingly he recommended that he be authorised to make the necessary arrangements to organise such training.

The Committee granted the authority sought.

#### **Policy and Procedures for the Protection of Children and Vulnerable Adults**

The Committee was advised that the Council's Child Protection Policy and Procedures had been adopted by the Council on 3rd June, 2002. An internal review had been undertaken over the previous two years to assess how the policy had been implemented and used in practice within the Council. The review exercise had been completed and an amended draft Policy and Procedures had been produced, a copy of which was available on the Moden.gov internet site. The main amendments to the Council's Policy arising from the review included:

- (i) the incorporation of protection for vulnerable adults;
- (ii) the introduction of AccessNI and the Vetting and Barring Scheme;
- (iii) guidelines for reporting concerns regarding staff employed through an agency;
- (iv) changes to the training programme, including the introduction of refresher training; and
- (v) changes to the reporting structure.

The changes to the reporting structure had included the introduction of two Deputy Designated Officers, revised roles for key Workers and an outline of the level of commitment required. Increased awareness of the Child Protection Policy would be required through a publicity strategy which would be targeted at both staff and the general public.



The Committee approved:

- (i) the amended Child Protection Policy and Procedures; and
- (ii) the associated publicity strategy, training and support programme.

### **Leisurewatch**

The Committee considered the undernoted report:

#### **“Relevant Background Information**

**Belfast City Council Child Protection Policy and Procedures were adopted by Council on 3rd June 2002. A training programme was implemented to raise awareness and to inform Belfast City Council employees regarding the policy and issues relating to working with or contact with children and young people. The training is delivered by three Community Services Officers who are accredited child protection trainers.**

**The Derwent Initiative (TDI) is an independent UK charity which works to improve public protection by finding creative and practical multi-agency solutions to the problems of sexual offending. They offer research, consultancy, training and trademarked public protection schemes, including Leisurewatch. The Leisurewatch scheme involves training staff to raise awareness of adults who may potentially use public facilities such as leisure centres to gain access to children and young people. The training involves helping front line staff to identify, assess and manage sex offender risk. Additional training is provided for managers to co-ordinate and manage the risk.**

**A site audit is undertaken that examines physical, design and security issues and materials including signage is provided to confirm that the premise is a member of Leisurewatch.**

**The programme involves the establishment of an Official Protocol with the Police whereby concerns reported by staff will be acted upon. In Northern Ireland, the PSNI support the project financially and have an officer seconded to the project on a part-time basis.**

**The main difference between Leisurewatch and Child Protection is that the former is about perpetrator awareness. It trains staff to be aware of potential sex offenders who may come onto the premises to gain access to children. Concerns are fed to the police at an early stage and where an alleged incident may not have occurred. This may include a person hanging around a centre or park specifically at times when children are about. Child protection deals specifically where a child or young person has been potentially harmed.**

### Key Issues

Benefits of membership for Belfast City Council in belonging to Leisurewatch would include:

1. Additional on site and detailed training
2. Branding – centres displaying posters will potentially put off sex offenders use of the buildings.
3. Ongoing audit of facilities and advice regarding how to deter potential sex offenders
4. Mystery shopper – where visits would be made to assess if the facility was adopting appropriate procedures
5. Formal links with PSNI

Leisurewatch would not only be of benefit for leisure centres but could be adapted for all BCC premises where potential sex offenders could have access to children and young people.

Leisurewatch has approached Belfast City Council regarding potential membership. Several meetings have taken place between Leisurewatch and Belfast City Council's Designated Officer and the Key Worker for Leisure. These involved discussion of the implications and the links to the Council's Child Protection Policy and training programme. Concerns were raised that there could be potential confusion between the two policies, so it was agreed that the Belfast City Council Child protection trainers would be able to input into the training in order to address these concerns. The training would initially cost Belfast City Council a minimum of £20,000 to implement with additional monies per year to retain membership and provide additional training.

A paper has been prepared that outlines the options for Belfast City Council regarding potential membership of Leisurewatch.

It is felt that within Belfast City Council, sound policy and procedures exist supported by a comprehensive training programme provided by accredited child protection trainers, and that the current review of these could incorporate all aspects of best practice. On this premise, it is considered that option 2 be recommended, supported by further consultation with Corporate Human Resources, and Legal Services, both of whom endorse the recommendation.

**It is considered that it is important that Belfast City Council comply with all aspects of best practice, and that the Leisurewatch brand would enhance this practice.**

**It should be noted that in order to be a member of the scheme, Belfast City Council would have to purchase the whole package.**

### **Resource Implications**

#### **Financial**

**The training would initially cost Belfast City Council a minimum of £20,000 to implement with additional monies per year to retain membership, and provide additional training.**

#### **Human Resources**

**No implication on the current allocation**

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

**There is no impact on any physical BCC asset.**

### **Recommendations**

**It is recommended that Members:**

- (a) Note the contents of the report.**
- (b) Make a decision as to Belfast City Council becoming a member of Leisurewatch.”**

The Committee agreed that the Council become a member of Leisurewatch.

### **Commemoration of Significant Historical Occasions**

In accordance with Notice on the Agenda, Councillor Rodgers advised the Committee that a number of significant historical events would be taking place in 2012, including the centenary of the launch of the Titanic and the centenary of the signing of the Ulster Covenant. He requested that a report be submitted to the Committee outlining how these occasions would be celebrated.

A Member requested that the Committee consider including in the report the 1400th Anniversary of the establishment of the Monastery at Bobbio.

The Committee agreed that a report in this regard be submitted to a future meeting.

**Council's Computer System**

(Mrs. R. Crozier, Head of information Systems Belfast, attended in connection with this item.)

In accordance with Notice on the Agenda, the Chairman, Councillor Hartley, referred to the problems which were being experienced by Members and officers regarding the Council's computer system. He expressed concern at the significant periods of downtime being experienced and pointed out that this translated into considerable costs for the organisation. He requested that an audit be undertaken of staff in all Departments to identify the full extent of the problem to enable a detailed report outlining the measures which it would be necessary to introduce in order to mitigate against and indeed eradicate the problems which had been experienced and identified to be submitted to an early meeting of the Committee.

The Committee agreed to this course of action being taken.

Chairman