

# Shadow Transition Committee

## MEETING OF TRANSITION COMMITTEE

Members present: Councillor Jones (Chairman);  
Councillors Austin, Carroll, Convery,  
Corr, Craig, Dudgeon, Garrett, Graham,  
Groves, Hanna, Hussey, Magennis,  
McKee, McNamee, O' Hara and Sandford.

In attendance: Mrs. S. Wylie, Chief Executive;  
Mr. C. McCarthy, Interim Director of Health and  
Environmental Services;  
Mr. S. Skimin, Head of Cleansing Services; and  
Mr. B. Flynn, Democratic Services Officer.

### Apologies

Apologies for inability to attend were reported from Councillors Browne, Clarke and McDonough-Brown.

### Minutes

The minutes of the meeting of 25th June were taken as read and signed as correct. It was reported that those minutes had been adopted by the Shadow Council at its meeting on 2nd July.

### Mr. Chris McCarthy

The Chief Executive introduced Mr. C. McCarthy to the Committee and reported that he had been appointed as the Interim Strategic Director for the Health and Environmental Services Department. She indicated that he would act also as the Senior Officer Responsible for the work of the Transition Committee.

### Declarations of Interest

No declarations of interest were reported.

### Local Government Reform - Service Convergence Update

The Committee considered the undernoted report:

#### **"1 Background Information**

**1.2 The Committee is reminded that the boundary extension means a 19% increase in residents to 334,000, a 17% increase in households to 141,595, an approximate 10% increase in**

businesses to 9,260, and the transfer of relevant assets, liabilities and staff from the other councils.

- 1.3 The aim is to ensure that on day one of the new council we can ensure a smooth transition by delivering services and providing facilities and programmes to meet constituents' expectations while also identifying opportunities for service improvements and efficiency.
- 1.4 The preparation for boundary extension is an organisation-wide exercise and significant work has been taking place involving all parts of the organisation. Members had previously agreed a two-phase approach which is being taken forward by different Local Government Reform (LGR) work streams:
- Phase 1: Assets and liabilities transfer; Staff transfer and Capital expenditure programme/estates strategy;  
Phase 2: Statutory Transition Committee; Rates convergence  
Service convergence; Engagement between officers of BCC, LCC and CBC; Social Investment Fund
- 1.5 For service convergence and engagement, a three-phase approach has been developed which is supported by detailed project plans in each department:
1. Information-gathering and engagement with LCC, CBC and NDBC;
  2. Service impact to enable submission of draft Revenue Estimates;
  3. Transition planning and implementation – getting ready for the delivery of services in the new council area.
- 1.6 This work is being led by a Project Board which is chaired and attended by Directors and co-ordinated at an operational level by an inter-departmental Steering Panel. Issues are resolved and escalated to the Board as necessary. Regular reporting and monitoring is in place as is ongoing liaison and co-ordination with other internal LGR working groups.
- 1.8 Information gathering and engagement with LCC and CBC  
At Director-level, a Joint Chief Executive meeting took place on 12th August to discuss issues relating to assets, staff, cemetery charges and communication and engagement. A Joint Directors' meeting is planned for early September.

At operation-level, unit managers within each department have been engaging with their LCC and CBC and NDBC counterparts

to determine how to extend their current services into the new areas. There are differences in service provision between the three council areas and the impacts of these are currently being worked on through the Revenue Estimates process.

**1.9 Service Impact and draft Revenue Estimates**

Departments are in the process of preparing revenue estimates on a converged service basis and this will form part of the rate setting process agreed by the Shadow Strategic Policy and Resources Committee in June 2014. Some service convergence issues will require consideration by the Transition Committee and these will be brought to a future meeting of the Transition Committee.

**1.10 Transition planning and implementation**

There are a number of other discreet areas of work currently under way, in conjunction with LCC and CBC and NDBC, to ensure a process of controlled transfer of assets and service delivery in the new areas. These include:

- Preparation of detailed Transition Plans for each service area
- Transfer of both physical and electronic data
- Transfer of staff, assets and liabilities
- Communication and engagement planning
- Completion of other preparatory work required before April 2015
- Agreeing the process for managing post-2015 bookings in the transferring sites

1.11 The project is on track. However there are a number of issues that will require Member consideration in due course (for example pricing policies, service standards etc).

**2 Key Issues**

2.1 A detailed process of due diligence is ongoing at a service level with officers in CBC, LCC and NDBC and there have already been some differences identified for example:

- scope of service provision (eg BCC provides a night-time noise service whereas there is no similar provision in CBC or LCC; BCC provides a free bulky waste collection)
- charging and pricing (eg community centres across the new area)
- service standards (eg there are some differences in the frequency of street cleaning between the areas)

- management arrangements (eg opening/operating hours for facilities)
- building maintenance standards (building surveys are being carried out to determine the condition of buildings, what maintenance is required and the potential financial impact)

2.2 Detailed work is now being undertaken to develop the associated financial impact of converging these differences and decisions will be required by Members on service provision, service standards and pricing and charging. A more detailed report will be brought to a future meeting of the Committee.

### 3 Resource Implications

#### 3.1 Financial

The work being undertaken is to enable Shadow Council to determine the cost implications of providing services within the new boundary. Support costs for this work were agreed as part of the overall local government reform programme budget in November 2013.

#### 3.2 Human Resources

The work being undertaken is to enable Shadow Council to determine the HR implications of providing services in the new boundary extension.

#### 3.3 Asset and Other Implications

The work being undertaken is to enable Shadow Council to determine the asset implications of providing services in the new boundary extension.”

The Head of Cleansing Services outlined the principal aspects of the report and answered a number of Members’ questions in relation thereto. He clarified issues relating to the age and condition of corporate buildings and works vehicles which would transfer to the Council from both the Lisburn and Castlereagh councils in April, 2014.

The Committee noted the information which had been provided.

### Urban Regeneration, Community Development and Local Economic Development

The Committee considered the undernoted report:

#### “1.0 Background Information

1.1 Members will be aware that as part of Local Government Reform a range of functions will transfer from central government to council on 1st April 2015. This report covers

three of those functions, Urban Regeneration & Community Development (URCD), Planning and Local Economic Development.

**1.2 The current Urban Regeneration and Community Development programmes consist of three broad areas:**

- 1. Community Development - Community Support Programme; and Community Investment Fund**
- 2. Area-Based Regeneration - Neighbourhood Renewal (both revenue and capital); Areas at Risk; Belfast Area Partnerships (BAPs); and development of non-statutory masterplans and frameworks.**
- 3. Physical Development - strategic regeneration projects (e.g. Girdwood, Royal Exchange); city centre regeneration; comprehensive development; public realm and environmental improvement schemes; and Urban Development Grants**

**1.3 In respect of planning the key transferring planning functions include:**

- 1. Development management - responsibility for decisions on residential and commercial planning applications; and tree preservation orders**
- 2. Enforcement - of breaches of planning permission**
- 3. Local development plans- the development of a strategy and policy framework outlining our ambitions for the use and development of land in Belfast**
- 4. Heritage powers - an increased role in protecting and preserving built heritage within the city**

**1.4 In relation to Local Economic Development the main programme being transferred is the Regional Start Initiative (RSI). This programme is currently delivered by Enterprise NI – the network of local enterprise agencies across Northern Ireland – with Invest NI acting as contract manager.**

**1.5 John McGrillen is the Senior Responsible Officer for all three functions. John provides strategic co-ordination for the transfer of UR & CD via a monthly panel of relevant officers from across the Council. Planning has a separate working group structure**

which oversees the transfer at a regional level and reports into a Partnership Panel.

- 1.6 The work of all three functions is closely aligned with other LGR functions, with inter-dependencies identified and managed via sequencing plans.

**2.10 Transfer of Urban Regeneration and Community Development**

2.11 A two stage transfer process has been agreed:

- Transition (2015-2017) - Putting in place the practical arrangements/decisions necessary for council to maintain and deliver transferred services from 1st April 2015. Thus ensuring service continuity as well as managing expectations and risks.
- Transformation (2017 -) - Developing the future vision, outcomes and delivery models for urban regeneration and community development aligned with Community Planning

2.12 A detailed project methodology has been employed to manage the transfer of UR & CD, and the paragraphs below highlight the most relevant issues.

**2.13 Legislation STATUS: Progressing**

The council will receive powers under the Regeneration and Housing Bill in relation to social need. Members are asked to note that the Bill has not yet passed through the Assembly, but DSD anticipate that this should take place during September. Officers will update Members on legislative progress.

The Bill includes powers to provide financial assistance that will benefit areas of social need; power to carry out public realm schemes; and power to support community development. It also contains powers to acquire land, either by agreement or through vestings; power to develop and dispose of land; power to prepare development schemes; and power to extinguish public rights of way. These powers will replace those currently incorporated in the Social Needs Order 1986 and Part VII of the Planning Order 1991.

In addition, Councils will have a General Power of Competence giving them vires to operate in areas such as health and education.

To embed these powers the council's legal services will develop policy and legal frameworks to support masterplan activity and vesting, and will review all contracts coming into force in April 2015 to ensure compliance with council conditions. DSD will retain responsibility for the overarching policy on urban regeneration and community development, and will be responsible for regionally significant interventions.

**2.14 Communication & Engagement STATUS: On track**

Council have already taken forward a number of initiatives including:

- Identification of all key stakeholders and the most appropriate communication channels to engage with them.
- Quarterly seminars with Belfast Area Partnerships and Neighbourhood Renewal Partnerships.
- General information and advice via a dedicated web page.
- Staff engagement through a range of internal channels.

By the end of September council will extend these initiatives:

- Make contact with approximately 250 of the most relevant stakeholders in the sector, including grant recipients, regeneration co-ordinators, and elected members, to offer a monthly newsletter that will provide ongoing updates on how the transfer is progressing.
- To contribute to a series of City Matter articles focused on local government reform.
- To arrange a presentation by the Director for council staff and follow this up with smaller team briefings to the most relevant units.
- To arrange presentations, newsletters and site visits for DSD staff that may join us under the Voluntary Transfer Scheme.

**2.15 Legal & Policy STATUS: On track**

DSD have a number of policy and framework documents that are currently being assessed by council e.g. the Code of Practice which provides a voluntary governance framework for Neighbourhood Renewal Partnerships. In each case we need to determine if we should migrate these to council, or if our existing policies and procedures are sufficient. Officers will be taking advice from corporate planning and legal services, and any policies we wish to migrate will be brought before Committee for approval.

Officers are also working through a number of other issues with legal services, such as ensuring the procedures for the adoption of DSD grants are robust, and give council meaningful involvement in the process.

**2.16 Information Communication (ICT) STATUS: On track**

An ICT sub-group has been set up to help co-ordinate technology issues in relation to the transfer of URCD. This includes:

- Working alongside the Central Grants Team to procure and implement a new grants administration system. Delivery of the new system, which has cloud based capabilities and will provide a step change in process efficiencies, is anticipated in November.
- Working alongside Digital Services to manage the transfer of data from DSD. This is a significant undertaking, which in some cases will involve detailed masterplans and strategic plans going back many years. In addition a large number of contracts will be transferred, all of which will need to be assessed. The technological capacity to transfer files has been confirmed, and a selection process will be taken forward before transfer begins.

**2.20 Key issues – Transfer of Planning**

**2.21** A programme of work and project plan with five key areas has been developed. Progress against these five areas are detailed in 2.22-2.25 and 3.4 below.

**2.22 Governance STATUS: On track**

The transfer of planning is underpinned by the Planning Act (Northern Ireland) 2011. The Minister recently launched the first of two phases of consultation (closing on 20th August 2014) to further implement the provisions of the Act.

The legislation also outlines a number of requirements one of which is the requirement for Councils to establish a Scheme of Delegation in relation to planning. Work is therefore underway, led by Legal Services, to explore potential model schemes and to identify the advantages and disadvantages of each. Crucially, it will be important that the final scheme provides members with sufficient opportunity to comment and assurance that decisions are made appropriately, but also does not delay decision making due to a lack of delegation.

It is proposed that a draft scheme of delegation will be brought to members before Christmas for their consideration.

**2.23 Planning Processes**

**STATUS: On track**

**Applications for Planning Permission (i.e. Development Management)**

- From 1st April 2015 planning applications will fall into three categories - local, major and regional. The latter of which will remain the responsibility of DoE.
- It is intended that the DoE will maintain the NI Planning Portal (a web based programme that allows the public and consultees to access details of planning applications) on behalf of local councils; who will have an SLA with DoE for this service.
- From 1st April 2015 the portal will direct online applications to the relevant Council (determined by postcode) who will then process the application through their decision making process.
- Work is also underway to facilitate online submissions and payment of fees from 1st April 2015 onwards on the portal.
- In the long-term the council may wish to review these arrangements to determine whether they wish to use the Portal in the long term.

**Enforcement**

- From 1st April 2015 the council will assume responsibility for enforcing breaches of planning permission.
- The current approach to enforcement by DoE has been largely reactive due to the level of resources and underpinned by the priorities of central government policy.
- Moving forward it will be important to gauge members' expectations with regard to enforcement and to ensure there is sufficient policy backing to support decisions on enforcement.
- We are currently working with officers from Council and Belfast Planning Office to identify their approach to enforcement and the supporting back-office systems required.
- It is hoped that the transfer of planning to council will create opportunities for joint working with other council services such as Building Control and Housing teams.

#### **Forward Planning**

- Under the 2011 Act the Council will be obliged to develop a Belfast (aka 'local') Development Plan. The predecessors to this are the Belfast Urban Plan 2001 and the Belfast Metropolitan Area Plan 2015. The former of which was adopted in 1989 while the latter is due to expire in 2015 prior to having been fully adopted.
- Implicit within this work is the requirement for council to consult and work with partners to establish our ambitions for how land is used and developed.
- Due to the strong links, both in terms of potential process and outcomes, with the Belfast Masterplan and community planning staff teams are currently in discussions about how these pieces of work might be coordinated.
- A draft process outline and timetable for key decisions will then be brought to committee for consideration in due course.

#### **2.24 Supporting Systems**

**STATUS: Progressing**

##### **Finance & Resources**

- DoE have recently provided an initial proposed transfer figure in relation to planning.
- Further discussions are required however as to how this figure was arrived at in order to allow due diligence to be completed. As such the Head of Finance and Performance is working with DoE to discuss this in greater detail.
- Details of existing contracts and SLAs have been requested and initial feedback indicates that there is sufficient scope within existing Council contracts to maintain continuity of service.

##### **ICT**

- As noted it is intended that the regional portal will be retained for the immediate future. Digital Services are therefore undertaking preparatory work to ensure connectivity from our office bases.
- Our Corporate Communications team are also working with digital services to ensure the council website offers sufficient information and directs customers to the portal.
- Discussions are also underway with DoE to determine whether NI Direct will be retained for call handling. DoE intend to provide a demonstration of the system in the near future subsequent to which a proposal will be

brought forward for consideration by the SRO and TMT.

**Legal Support**

- Members will be aware that an OD review is currently ongoing within Legal Services in order that sufficient resource and structure is in place to support the new roles of the council.
- Further to discussions with the Town Solicitor Legal Services have provided a commitment that they will be present at all shadow planning and future planning committee meetings in order to advise and support members.
- Legal Services are also working closely with the programme team to put in place the necessary governance arrangements; as well as to undertake due diligence on any transferring contracts.

**2.25 Capacity Building**

**STATUS: On track**

The DoE has allocated £200,000 towards capacity building for LGR in Belfast and so a draft programme of training in Planning for Members (particularly Shadow Planning Committee members), staff, the public and the development industry has been developed.

The draft programme covers a range of topics and will provide members with both the skills and experience to assume their new role from 1st April 2015. The programme also focuses on the need to offer transferring staff the opportunity to learn more about the Council's policies and culture in order to assist their integration.

**2.30 Key Issues – Future of Regional Start Initiative (RSI)**

2.31 The current RSI programme operates as 5 contracts across Northern managed by Enterprise NI. The current programme has an option for a one year extension from October 2014 to October 2015 (see 2.35 below).

2.32 Delivery of the programme in Belfast is organised through five local enterprise agencies across the city, and in the last year around 640 people took part. While the focus is on business plans generated as opposed to businesses started, Invest NI estimates that around 60% of these started a business. If this is the case, it would equate to around 380 business starts in Belfast each year. The annual contract budget across the region is £2million.

- 2.33 The format of the current programme has been significantly stripped back from previous versions. It now involves the production of a business plan but there is no provision for any additional 1-2-1 support and the grant element has also been removed (but is available for start-ups in neighbourhood renewal areas or for those young people not in education, training or employment).
- 2.34 Members will be aware that a number of recent research reports have pointed to the need to address the current low levels of entrepreneurship in Belfast. Start-up levels are generally taken as a key measure of a city's competitiveness. Rates in Belfast are below the regional average and are among the lowest across the UK.
- 2.35 Invest NI is currently engaging with Council Chief Executives to make them aware of the contractual position with the RSI programme and to understand whether councils – collectively or individually – are interested in extending the contract for one year from October 2014. At a recent meeting of the Chief Executives from the new council areas, it was proposed that, subject to the necessary political approvals, the councils should invoke the option for a one year extension on the current contract, from October 2014.
- 2.36 Once the statutory responsibility for business start passes to councils, consideration will need to be given to whether a regional approach should be continued (possibly using the “Go for It” branding and providing a generic support programme, as is currently the case) or whether an alternative, locally-focused approach is more appropriate; or indeed whether the two approaches could work in tandem. Officers are currently exploring a range of options and this information will be used to inform a future approach, which will need to be endorsed by elected members.

### 3.0 Resource Implications

- 3.01 The Executive has agreed that the transfer of functions to local Councils should be cost neutral. However, there are financial pressures within the transfer of Urban Regeneration and Community Development that are set out at 3.11 below. The due diligence for planning finance is only just beginning, whilst there are no significant issues for council in connection with Local Economic Development.

In addition, there are significant human resource implications for both UR & CD and Planning, which are set out at 3.12 and 3.22 below.

Departments are about to embark upon the first cut of estimates for the transfer of functions in advance of the rate being struck for 15/16, and further financial updates will be presented to Committee in due course.

### **3.11 Urban Regeneration Community Development**

**STATUS: Progressing**

DSD have allocated Belfast almost £20.5m per annum, to cover revenue grants, physical development, staffing, and the Lagan Weir. However, over the longer term historic DSD spend in Belfast averages £27m per year.

Members have agreed a policy decision that sustains revenue grants at their current level, whilst appropriate funding for the Weir is also key. This leaves limited funding for capital projects post April 2015. To alleviate this the Council is making the case for Transitional Funding and Regionally Significant Projects. Party group leaders are meeting the DSD Minister on 20 August, and further reports will be brought to Committee following this meeting.

Members will also be aware that a number of community based physical and regeneration projects are due to be completed by DSD. Officers are in close liaison with the Department following the CSR monitoring round, so that the final list of capital projects, and how these should be progressed, should be agreed.

It is also taking a number of other steps to manage resources, which are set out in the accompanying paper on DSD Funding.

### **3.12 Human Resources & Organisational Design**

**STATUS: On track**

The incoming functions will significantly increase the quantum of work conducted by council. To manage the HR implications in the most cost effective way, the project team has identified a four stage process to develop a transitional staff structure. This involves:

- Focus groups with up to 50 DSD staff to map all current DSD activity, including the quantum of staff time dedicated to each element.
- Removing activities that are not being taken forward after transition (e.g. Urban Development Grants) or other activities that we will take forward in a different way (e.g. our grant administration will utilise new IT based solutions).

- Identifying synergy by integrating activities into existing functions from across council.
- Collating remaining activities into proposals for a new transitional structure, with appropriate skill sets and number of posts identified.

Officers are working to a detailed project plan with a completion date of 26 September. This meets the end of September timeframe suggested by the DSD Minister on 2 July. The proposed structure will then be populated in the first instance by DSD staff under the Voluntary Transfer Scheme, and in the second instance through internal and/or open recruitment.

**3.21 Financial Issues /Planning STATUS: Progressing**

Council will shortly commence its due diligence on the amount to be transferred, and the Head of Finance and Performance is liaising with DoE to take this forward. Details of existing contracts and SLAs have also been requested and initial feedback indicates that there is sufficient scope within existing Council contracts to maintain continuity of service.

**3.22 Human Resources & Organisational Design – Planning STATUS: Progressing**

The DoE have proposed that 39.5 FTEs, a reduction of 2.5FTEs since the previous proposal, will transfer to the Council under TUPE; this figure is currently being reviewed by Corporate HR in the context of proposals for other councils and further discussions are due to take place later this month.

The lease on the 1st floor of Bedford House is due to be extended until August 2016 and as such it is intended that planning staff will remain in Bedford House in the interim. Work is underway to allow connectivity to BCC systems, and consideration is also to be given as to whether BCC wishes to co-locate any BCC staff in Bedford House alongside the new planning team on an interim basis.

The DoE has indicated that it would like Belfast to be one of three early transfer pilots. This would give the Council an opportunity to test decision making processes and associated administrative systems; as well as support staff integration in advance of formal transfer. Subject to greater clarity on staff location discussions are underway to facilitate this happening by the New Year.

**3.31 Financial & Human Resource issues – Local Economic Development**

**STATUS: On track**

Invest NI have recently offered to retain the administration of the Regional Start Initiative until the end of the extended programme (October 2015), with staff costs being met from within programme budget. Thereafter a proportion of the £2m regional budget will be transferred to council, at which point a range of future management options can be considered.

A paper outlining these options will be brought to Committee at a later date.

**4 Equality and Good Relations Considerations**

- 4.1 There are no equality or good relations implications identified at present. However, the overall LGR programme and any associated processes will continue to be screened to ensure we meet our legislative obligations and corporate commitments.

**5 Call In**

- 5.1 This decision is subject to Call In.

**6 Recommendations**

- 6.1 Members are asked to:

- Agree to receive ongoing progress reports on the transfer of functions.
- Agree to extend the current contract for the Regional Start Initiative, in conjunction with the other council areas and under the administration of Invest NI, for one year from October 2014.”

The Committee adopted the recommendations.

**Regeneration and Community Development**

The Committee considered the undernoted report:

**“1.0 Relevant Background Information**

- 1.1 The purpose of this paper is to provide a progress report on the transfer of Urban Regeneration and Community Development Revenue Grant Programmes from DSD to Belfast City Council for the Transition period of Local Government Reform (1 April 2015 – 31 March 2017)
- 1.2 As previously agreed by STC, Feb 2014, it is our intention that new revenue contracts are put in place between the new

Council and groups currently funded by DSD (subject to application and assessment) in order to maintain existing arrangements for the Transition Period of 1 April 2015 to 31 March 2017. It is expected that this process will be completed within the current calendar year to enable groups and organisations to plan for the delivery of programmes from 1st April 2015.

**2.0 Current status**

**2.1** The transfer incorporates 7 legacy revenue grant programmes, including:

- Community Support Programme (CSP)
- Neighbourhood Renewal (NR)
- Areas at Risk
- Community Investment Fund (CIF)
- Belfast City Centre Promotions
- Belfast City Centre Community Activity Grant
- Belfast City Centre Events Grant

**2.2** As part of the Council's due diligence it was identified that these programmes constitute a spend of £15.8m at 2014-15 levels. This is some £5.4m more than the revenue grant component within the DSD regional allocation model. This significant financial gap was considered at a series of pre summer joint BCC-DSD Director's workshops. During the discussions, DSD agreed to retain responsibility for 2 projects with a total contract value of £1,048,000. Issues were identified with a small number of contracts which would require further discussion with contract parties to inform any committee consideration.

Groups responsible for all other contracts have been invited to resubmit applications for funding and assessments are underway.

**3.0 BCC Community Development Grant Programme (previously Community Support Programme)**

**3.1** Members should note that the Council has opened its own Community Development Grants Programmes to all groups, including those in the new areas that will form part of the extended Belfast council area, for transitional funding from April 2015 to March 2017. This programme has historically been part financed through a substantial grant from the DSD's Regional Community Support Programme.

**3.2** These existing grant programmes (for capacity building, revenue support for community buildings, advice and

information and small grants programmes) will not change in any substantial way during this transitional period. The Revenue Grants application call for Community Buildings and Capacity Building Grants closed in July 2014, whilst the Generalist Advice Grant application call closed on 4 August 2014. Assessment is underway and recommendations will be presented to committee in November 2014 pending confirmation of total available budget.

**4.0 Neighbourhood Renewal Revenue Projects (inc Areas at Risk), Community Investment Fund.**

- 4.1** As noted, in April 2014 the former STC agreed to extend the majority of the current DSD revenue contracts (subject to application and assessment), to enable groups and organisations to plan for the commencement of the transition period on 1st April 2015. This includes the Neighbourhood Renewal and Areas at Risk programme in the city and the Belfast commitments under the regional Community Investment Fund. Within these programmes, DSD currently provide revenue funding to over 130 projects in the Belfast council area, and it is expected that the majority of these projects will seek funding to continue their activities at similar levels from April 2015 onwards.

Council officers have been working with DSD colleagues to formulate arrangements to administer funding post 1 April 2015. DSD officials will evaluate and assess existing revenue projects and then pass the evaluations, applications and economic appraisals to the Council in October 2014, which should allow the Shadow Council to review and take decisions by December 2014. This will allow notification of funding decisions to be given at least 3 months before existing contracts terminate.

Previous legal advice indicated that BCC would require “meaningful involvement” with the assessment of transferring grants, before these could be approved. In light of this advice, Council officers have agreed a process with DSD which covers the following steps:

- Joint agreement on grant applications to be assessed
- Initial assessment of applications by DSD against economic appraisal, with list of grants that meet the required standards being forwarded to BCC.
- BCC verification process
- Recommendations for grant awards taken to Committee for approval

- Information gathering and issuing of contacts managed by the Central Grants Unit
- Contracts verified by legal services before issue.

4.2 There are a number of existing projects within Neighbourhood Renewal Programme that have not yet been asked to submit applications for funding during the transitional period. For example, some groups are delivering projects which will be fully completed in advance of the transfer (such as a stand-alone Feasibility Study) and will not therefore require transitional funding.

In addition, there are a small number of funding agreements under the current NR programme where some technical issues need to be resolved before an application can be considered. This includes, for example, projects where payments are made by DSD to other Government Departments/Agencies to help co-ordinate the work, or where the services could be delivered as part of other existing mainstream programmes.

Officers have been working with DSD officials and project promoters to resolve these technical issues as quickly as possible and have ensured that groups are kept informed of progress in this regard. Those issues yet to be resolved can be summarised as follows:

4.3 Statutory Bodies: Under the NRP there are 6 contracts between DSD and a variety of statutory body projects with a value of £295,000. While some of these contracts are simply a mechanism to channel funds to community organisations, there is a case that some might be better funded from other funding streams such as Urban Villages or the Delivering Social Change 'Nuture Units' Programme. At the joint workshops it was proposed that DSD/BCC should explore whether the statutory bodies might consider a case to mainstream the funding for their current grant aided projects. This work is ongoing.

4.3 There are a small number of self-contained studies which should reach their natural conclusion before the point of transfer with a limited saving of £58,000.

4.4 Neighbourhood Renewal Co-ordinator Posts

As part of the NR Programme, DSD currently have five contracts which specifically fund 10 NR Co-ordinator posts at an annual cost of £240,000. These posts were initially funded

to assist NRPs review their Action Plans and DSD had envisaged this work to be temporary in nature.

During our on-going engagement process some stakeholders have expressed concern that the work and capacity of the NRPs would be greatly reduced without the support provided by the NR co-ordinators. Members are therefore asked to consider whether they wish to invite applications to continue to resource the NR Co-ordinator posts.

Although NRPs are not set up on statutory basis, they are governed by a Code of Practice, which sets out their governance and accountability, as well as the roles and responsibilities of all parties. It is recommended that BCC refine and adopt the Code of Practice for the period 2015-2017 in line with Council policies. After this point it is envisaged that the Community Planning strategy will set out refreshed governance arrangements to co-ordinate and deliver activity at local level. Officers will initiate this approach and table a paper for committee approval by October 2014.

#### **4.5 ESF Match Funded Projects (due to end March 2015)**

DSD currently provides around £700k to match-fund 11 employability related projects which are part financed by the European Social Fund (ESF) administered by DEL. These current ESF projects are due to end in March 2015. As the 2014 -2020 ESF programme has not yet opened there are, at this point in time, no projects which will require match funding from the monies transferring from DSD.

Members will wish to note however that the Development Department is currently exploring how the Council can best use its own resources to support employability and skills development across the city in advance of the launch of the next ESF funding programme in November 2014.

Whilst elements of the future ESF programme will be 100% funded, those groups which were previously recipients of match funding from the DSD's NRP for ESF projects will undoubtedly make applications to the Council for future projects which require match funding.

In order to be able to resource future applications and to ensure that the Council has resources to match fund its own ESF applications to DEL it recommended that £700k of the

NRP funds transferring from DSD is retained by the Council to fund future employability activities.

**5.0 Belfast City Centre Revenue Grant Programmes**

- 5.1 The BCCRD unit in DSD manages a further 3 grant support programmes which aim to promote and manage the use of the Belfast City Centre area and secure the participation of local communities in its regeneration. The current annual commitment across the 3 programmes is in the region of £750,000. The programmes are:-

City Centre Promotions in support of city centre promotion, marketing and regeneration. Belfast City Centre Events Grants to support and encourage local involvement and community participation which will help to develop the city as a destination. Events should aim to contribute to the attraction of visitors to the City Centre area and encourage people to visit and enjoy what the city of Belfast has to offer.

Belfast City Centre Community Activity Grants offer small grants of up to £1,000 to voluntary, charitable and community groups based in the Belfast electoral wards to support activities (arts, sports, educational, cultural and environmental) in the city centre area.

- 5.2 While these are stand alone grant schemes within DSD, the grants connect with funding programmes across council, for example, promotion of arts and cultural activities/attractions, economic development and good relations. Further work needs to be completed to inform members on the most appropriate options for future management of these funds and a further report will be brought to the Committee in due course.
- 5.3 Members are asked to agree in principle to the retention of the resource budget and to consider a further paper outlining the specifics of the various programmes in the Autumn.

**6.0 Equality Implications**

- 6.1 Equality and good relations in relation to this policy are still under consideration. Equality screening has been completed for NR/ Areas at Risk, CIF and Belfast City Centre Programmes. Further work will be carried out with the Equality and Diversity Officer.

**7.0 Resources**

7.1 The STC previously agreed that there would be no diminution of the current levels of revenue support. On that basis it is estimated that circa £15.8m will be spent in supporting neighbourhood renewal, community development and employability related activity within the new Belfast City Council boundaries during the 2015/16 and 2016/17 financial years.

7.2 Further consideration and a decision on the allocation of any Regeneration Revenue budget will be required in advance of any consideration of grant applications for revenue projects.

#### 8.0 Call in

This report is subject to Call In.

#### 9.0 Recommendations

**Community Development Grant Programme:**

- note the progress to date and the time-line for recommendations to committee for CDGP large grants 2015-17.

**Neighbourhood Renewal, Areas at Risk, Community Investment Fund**

- note the progress to date and the time-line for recommendation to committee for grants under the NR programme, Areas at Risk and the Belfast grants under the CIF;
- note that in order to maintain the 'steady state' policy at transition, BCC should tailor and adopt the Code of Practice to cover 2015-2017;
- agree to continue to fund NR Co-ordinator posts at an annual cost of £240,000 up to March 2017;
- agree to retain the current DSD allocation of £700,000 for employability and skills activity.

**Belfast City Centre Revenue Grant Programmes**

- agree in principle to retain the resource budget pending a further paper outlining the specifics of any aligned programme."

The Committee adopted the recommendations.

**Transfer of Housing/Future Building Control and  
Environmental Health Functions**

The Committee considered the undernoted report:

**“1 Relevant Background Information**

**Housing Functions**

- 1.1 As part of Local Government Reform, responsibility for the regulation of houses of multiple occupancy (HMOs) and unfitness is transferring from NIHE to Councils.
- 1.2 The regional Housing sub-group to the Transfer of Functions Working Group (ToFWG) has been tasked with facilitating the smooth transfer of these functions from NIHE to the new councils.
- 1.3 An agreed regional approach is required on a sustainable delivery model for these transferring functions to ensure service continuity for the public and service users.
- 1.4 The purpose of this report is to set out the range of options explored in relation to the transfer of HMOs and unfitness to local government and put forward a recommended preferred option for the consideration of Members.

**Property Certificates**

- 1.4 It is proposed to retain this function in its current location and make it part of the new Fermanagh and Omagh District Council.

**Group Structures**

- 1.5 Members are also advised that the Chief Executives Forum has developed a principles paper that is currently being presented to the other 10 Councils to agree a direction in terms of how the functions provided by the existing Group structures for Environmental Health and Building Control, and transferring functions, will be delivered post 1st April 2015. The recommendations set out below regarding the future delivery of HMOs and unfitness functions and Property Certificates have been incorporated within the principles paper.

**Consequences**

- 1.6 Should the Councils fail to agree an approach the issue will be referred to the Minister for the Environment for direction.

To date the principles paper has been considered and agreed by 5 of the shadow Councils.

**2.0 Key Issues**

**Houses of multiple occupancy**

**2.1 NIHE currently have two regional HMO offices in Northern Ireland, located in Belfast and Coleraine. The Belfast office is charged with the administration of HMOs within the current Belfast City Council boundary, whilst the Coleraine office is responsible for the administration of HMOs regionally in all areas outside of Belfast. The Belfast HMO Office operates currently with 23.9 FTE and the Coleraine HMO office with 13.20 FTE. Based on the current operating model and the projection of registrations to 2015/16, the NIHE has proposed to transfer the following FTE staff numbers:**

- **Belfast HMO Office: 14.96 FTE (currently 23.9 FTE);**
- **Regional HMO Office: 11.37 FTE (currently 13.20 FTE).**

**2.2 The current regional operating budget for the regulation of HMOs is £1.54 million. The proposed budget transferring to the 11 new Councils is £751,000. NIHE have indicated that this reduction is based on a forecasted reduction of HMO registrations and associated costs based on a reduced resource for delivery. The Deloitte Due Diligence exercise has raised concerns with these figures. They are subject to challenge and the Council and chief executives group are continuing dialogue with the NIHE on validation and due diligence challenge around the transfer of resources.**

**2.3 Discussions are ongoing with the DSD and NIHE regarding the workforce planning model used to calculate the number of staff transferring and it has been agreed with the NIHE that the model will be rerun in the Autumn, in discussion with Councils.**

**2.4 Figures provided by NIHE indicate that there are approximately 4151 HMOs within the Belfast City Council area and a total of 2719 HMOs in the rest of NI, with the highest proportion of these, a total of 789, located within the new Causeway Coast and Glens Council area. Further breakdown of the HMO concentrations in the new 11 Council areas can be found in Appendix 2.**

**Unfitness**

- 2.5 Housing Unfitness is currently the responsibility of the NIHE, however, it should be noted that fitness inspections are already carried out by an Environmental Health Officer within the relevant local Council. There are very few staff dedicated to unfitness within the NIHE and a budget allocation is still to be proposed to transfer to Local Government as a whole. A regional decision is required as to how this transferring budget will be allocated.
- 2.6 DSD are currently reviewing the statutory fitness standard with a view to updating and modernising the current minimum standard applied and have approached Councils to seek views via a pre-consultation process on how the standard may be amended most effectively.
- 2.7 Agreement on future delivery models is required in order to progress the issue of the transfer of the Housing and Planning property certificate functions and to ensure the implementation of practical arrangements necessary to maintain and deliver agreed services and resources on 1st April 2015.

**Proposed Approach (HMOs)**

- 2.8 After considering a range of options available and the associated pros and cons of each (refer to Appendix 3), the Chief Executives Forum commend that the current two location regional delivery model would be the most sustainable option and should be retained for an interim period. It is recommended that two Councils be designated to oversee the administration of HMOs on behalf of local government for a specified period. This proposed model would see Council administer the function for HMOs within the Belfast City Council boundary and the Causeway Coast and Glens Council administer the function for HMOs in the rest of Northern Ireland, on behalf of the remaining nine Councils.
- 2.9 Given that there may not be sufficient budget transferring or a sufficient number of HMOs in many of the new District Council areas to support a dedicated resource, a shared service will allow Councils to discharge their functions to enable a smooth point of transfer on 1st April 2015, with the view that future regional delivery models can be reconsidered as part of the Council transformation post 2015.

**Proposed Approach Unfitness**

- 2.10 As all Councils already have a significant role and operational commitment to administering fitness inspections, it is

recommended that an 11 Council delivery model would be the most sustainable delivery model available for the transfer and future administration of unfitness related functions. This would result in Councils gaining additional new powers including the ability to issue repair, closing and demolition notices.

**Property Certificates**

- 2.11 It is proposed to retain this function in its current location and make it part of the new Fermanagh and Omagh District Council.

**Transition/Transformation**

- 2.12 Given the potential risk to service delivery if these functions were dispersed it is considered that these arrangements provide for a smoother transfer on 1 April 2015. However, within 12 months Councils would reconsider these functions with regard to the revised Council organisational design, and better alignment of all functions in Councils.

**Proposals for the future of the Group Building Control & Environmental Health Functions**

- 2.13 If agreement is achieved in relation to the principles paper through all 10 Shadow Councils outside Belfast, the 10 councils will begin the process of transferring group staff and establishing shared informal arrangements for some of the group functions. Whilst Belfast City Council is not currently part of the group system opportunities for possible collaborative working may arise that are of benefit to the council. Officers will maintain a watching brief on this work.

**3 Resource Implications**

**Financial**

- 3.1 At this stage it is proposed that a budget of £751,000 will transfer to Local Government as a whole in relation to the regulation of HMOs. It is further proposed that a budget of £100,000 will be transferring to Local Government as a whole in relation to unfitness. Further consideration of the allocation of these budgets will be required, before final sign off by Departments in the Autumn.

**Human resources**

- 3.2 It is proposed that 15 staff will transfer to the Council from NIHE for the regulation of HMOs in Belfast and 11/12 staff to the Causeway Coats and Glens Council.

**Assets and other implications**

- 3.3 No assets will be transferring to the Council in relation to the transferring housing functions.

**4 Equality & Good Relations Considerations**

- 4.1 There are no known equality or good relations considerations associated with this report.

**5 Call In**

- 5.1 This decision is subject to Call In.

**6 Recommendations**

- 6.1 It is recommended that Members agree in principle to the following Regional models:

- The retention on the 1st April 2015 of a two Council regional delivery model for the administration of HMOs, with a review by all the Councils during transformation, and:-
- an 11 Council delivery model for the regulation of unfitness, and:-
- the retention of the property Certificates Unit in Planning Service in its current location in Enniskillen and make them part of the new Fermanagh & Omagh Council, with a review by all the Councils during transformation.

- 6.2 Members are requested to note that

- Officers will keep a watching brief on the developments of future collaborative working arrangements between Councils and in particular in connection with the group systems for Environmental Health and Building Control.”

The Committee adopted the recommendations.

**Civil Contingencies (Emergency Planning) - Memorandum of Understanding**

The Committee considered the undernoted report:

“1 **Background Information**

- 1.1 The Civil Contingencies Group for Northern Ireland (CCGNI) is the principal strategic emergency preparedness body for the public sector and is chaired by the Head of the Northern Ireland Civil Service. Further to work carried out on behalf of CCGNI in

February of this year the NI Executive agreed a number of measures to enhance civil contingencies arrangements at a local level.

**1.2 These agreed measures provide for:**

- Establishment of four additional ‘Sub-Regional Civil Emergency Preparedness Groups’ (SCEPGs). The new SCEPGs will between them provide cover for the rest of NI outside of Belfast with the Belfast Resilience Forum already providing this function for the Belfast area.
- Establishment of a CCGNI Sub-Group to oversee the work of the sub-regional groups.
- Establishment of a CCGNI work stream to identify the need to formalise the District Council civil contingencies role and how this could be done. This work will include consideration of the need for wider civil contingencies legislation.
- Presentation of a draft Memorandum of Understanding (MoU) to Local Government Emergency Management Group (LGEMG) and CCGNI for agreement which sets out how district councils should continue to discharge their civil contingencies role at sub-regional level, and how CCGNI member organisations should support councils in the execution of that role.

The purpose of this report is to bring the MoU to the attention of Members and to seek approval for it to be signed by the Chair of LGEMG on behalf of Belfast City Council.

**2 Key Issues**

**Memorandum of Understanding**

- 2.1** The purpose of the MoU is to set out and confirm cross-organisational commitment to how civil contingencies roles and responsibilities should be discharged at a Sub-Regional level. Belfast is considered as one of the five sub regional areas.
- 2.2** The parties to the MoU are the 26 district councils and CCGNI member organisations, which includes Government Departments and their relevant agencies. The MoU also takes account of local government reform and the need to revisit the agreement with the 11 new Councils in April 2015.
- 2.3** The MoU sets out the basic roles and responsibilities of the respective parties in relation to preparedness, response, cooperation and information sharing. In particular it agrees that:

- District councils shall in conjunction with PSNI co-ordinate the development and maintenance of multi-agency preparedness for their respective sub regions. Belfast City Council currently does this through the Belfast Resilience Forum.
- District councils shall coordinate the local/sub-regional level multi-agency response to and recovery from emergencies in accordance with the terms of the CCGNI protocol for the multiagency coordination of local level response and recovery, and the protocol for escalation of the multiagency response. Again the arrangements for implementing the CCGNI protocols are included within Belfast Resilience planning arrangements.
- CCGNI member organisations shall co-operate fully with district councils and PSNI in the execution of the district council responsibilities.
- CCGNI member organisations shall provide information on civil contingencies matters for their sector to assist sub-regional preparedness.

2.4 Belfast City Council has been undertaking the responsibilities detailed in the MoU for many years and has demonstrated its robust planning arrangements during numerous major emergencies and disruptions over those years.

### **3 Resource Implications**

3.1 Belfast City Council requires a high level of resource to enable it to respond effectively to major incidents. The Council's costs can normally be reclaimed from DOE Local Government Policy Division under its Scheme of Emergency Financial Assistance.

3.2 Belfast City Council employs the Programme Manager for Belfast Resilience; this is a post which is fully funded by DOE Local Government Policy Division and which supports the Council in undertaking its responsibilities as set out in the MoU.

### **4 Equality and Good Relations Implications**

None

### **5 Call In**

5.1 This decision is subject to Call In.

**6 Recommendations**

**It is recommended that Committee agrees the MoU and authorises the Chair of Local Government Emergency Management Group to sign it on behalf of Belfast City Council”**

The Committee adopted the recommendations and endorsed the contents of the Memorandum of Understanding, a copy of which was available on the Council’s website.

**Transfer of Functions - Future Delivery of Off-Street Car Parking**

The Committee considered the undernoted report:

**“1 Relevant Background Information**

- 1.1 The Department of Regional Development (DRD) currently provides both on-street and off-street car parking spaces across Northern Ireland. As part of Local Government Reform the Northern Ireland Executive in April 2013 agreed that the ownership of off-street car parks, (excluding Park & Ride and Park & Share) their management and enforcement should transfer from the DRD to Councils on 1st April 2015.**
- 1.2 Management of these off-street car parks will allow the Council to develop parking policies and set parking tariffs and enforcement policies that will help support the local economy, active transport and the accessibility of the City. It is estimated that the Council will be responsible for around 15% of non-residential car parking spaces in the City post transfer.**
- 1.3 The DRD are currently preparing a transfer scheme in accordance with the provisions of the Local Government Act (NI) 2014 for the assets including land, ‘pay and display’ machines, street lighting within car parks etc and discussions with Councils are ongoing. The negotiations and due diligence on the details are being raised with DRD.**
- 1.4 It is currently proposed that approximately 28 car parks, providing almost 1900 car parking spaces, will transfer to the new Belfast City Council. 15 of these car parks, providing almost 1300 spaces (mostly in the city centre), charge for parking. However the DRD have also indicated that a number of these fee paying car parks (approximately 6) could be retained by them for future road schemes. The remaining 13 car parks are currently free to use.**
- 1.5 The DRD have valued the 28 car parks transferring to the Council at £6.7 million. In 2013/14 the car parks generated approximately £1.6 million in ticket income and a further**

£100,000 estimated through the issuing of Parking Charge Notices (PCN's).

The DRD have now provided the necessary financial information on the running costs of the car parks and the function and it was anticipated that for Belfast it will operate at a profit at the point of transfer. However there is also a proposal that surplus income would be deducted from the overall LGR allocation.

- 1.6 Recently DRD have also indicated their intention not to transfer all of the original numbers/locations discussed- Members should see reference to this in the other report on the consultation Bill.
- 1.7 The DRD are currently consulting on the proposed legislation to give Councils the necessary powers to operate off street car parks and enforce parking contraventions therein.
- 1.8 A Regional Roads subgroup of the Transfer of Functions Working Group (ToFWG) has been established including a number of council Chief Executives, DRD officials and council officers to facilitate the smooth transfer of this function and consider the most effective deliver model at the point of transfer.

## **2 Key Issues**

- 2.1 It is anticipated that the new Belfast City Council will assume ownership of DRD off-street car parks (excluding Park & Ride and Park & Share) on the 1st April 2015. This would allow councils, from that date, to change tariffs and enforcement approaches and consider those which are owned by DSD within the Council's asset management strategy.
- 2.2 It is proposed that the majority of DRD's existing off street car parking assets will transfer to the new Councils. However, recent discussions with DRD indicate that they are proposing to exclude a number of car parks for outright transfer to the Council on the basis that they will be required for future major road schemes at City Centre Ring South and York Road Interchange. Members should note the other report on the off street Bill consultation in this regard.
- 2.3 Currently enforcement and servicing in off-street parks is provided for the DRD through a contract with NSL. It is estimated regionally that 75 FTE's are employed by NSL for off-street parking. Processing of Penalty Charge Notices (PCNs) is carried out by DRD staff, using an ICT contract with Spur

Information Solutions Ltd. It is estimated regionally DRD employ 15 FTE's for off-street parking. The Spur and NSL contracts break at the end in October 2016. To operate the car parking service, DRD also has agreements with many stakeholders including Client and Direct Service arms of DRD, hardware and payment software providers, DVA and its Irish counterpart DVCSD, and the Enforcement of Judgements Office.

- 2.4 Agreement on a future delivery model is required in order to progress the issue of the transfer of off-street car parking and to ensure the implementation of practical arrangements necessary to maintain and deliver agreed services and resources on 1st April 2015. A two stage approach is proposed and has been discussed and proposed by the regional transfer group:

1. Transition

- 2.5 It is considered that there would be insufficient time for Councils to establish new contractual arrangements for this service before 1st April 2015. Therefore through the Regional Roads Sub Group the DRD has agreed in principle to provide services to councils for the enforcement and servicing of car parks until the existing contracts break at the end of October 2016. The level of service and cost would be agreed in a service level agreement between individual Councils and DRD.

2. Transformation

- 2.6 In the interim period work with the other Councils and the DRD would continue to explore and develop longer term options for the future delivery of the enforcement service post October 2016.
- 2.7 Future proposals around parking and enforcement policies including tariffs will need to be considered and brought to members for discussion in subsequent reports. This will also need to be considered in light of the emerging city centre regeneration strategy and the vision and aspirations of Members following on from the Future City Conference in June.

3 Resource Implications

3.1 HR Implications

The DRD have proposed that no staff will transfer to Councils with the transfer of off-street car parking. If the Council decided to change the enforcement arrangements after October 2016

TUPE may apply to NSL staff employed in off-street enforcement at that time.

**3.2 Financial implications**

It was anticipated that off-street car parking will be profitable to Belfast City Council at the point of transfer; however this also is dependent on parking charges and pricing policies. DRD have not as yet provided full costs at Council and car park level.

**3.3** The recent budget allocation information provided by the Department of the Environment implies a direct impact on the net effect of the overall LGR budget transfer. They differ substantially from earlier figures provided in the Deloitte due diligence report. The Council would have concerns in relation to the principle whereby the net surplus is offset against other transferring budgets

**3.4 Equipment Implications**

'Pay and display' machines, street lighting within car parks, e-charging points etc. will transfer with the car parks.

**4 Equality and Good Relations Considerations**

**4.1** No equality or good relations implications.

**5 Call In**

**5.1** This decision is subject to Call In.

**6 Recommendations**

**6.1** Members are asked to approve:

1. That Officers progress the development of a Service Level Agreement between the Council and the DRD to continue to provide the current systems for parking regulation within off-street car parks between 1st April 2015 and October 2016; and
2. The Council continues to work with other Councils and the DRD through the Transfer of Functions group to develop longer term options for the future delivery of parking regulation post October 2016, for consideration at future meetings."

The Committee adopted the recommendations.

## **Transfer of Off-Street Car Parks - Asset Transfer and Enforcement Process**

The Committee considered the undernoted report:

### **"1 Relevant Background Information**

- 1.1 As part of Local Government Reform the Northern Ireland Executive in April 2013 agreed that the ownership of off-street car parks, (excluding Park & Ride and Park & Share) their management and enforcement should transfer from the Department for Regional Development (DRD) to Councils on 1st April 2015.
- 1.2 Subsequently the DRD have published a consultation paper outlining their proposals for an Off-Street Parking (Functions of District Councils) Bill (Appendix 1). The draft Bill proposes to provide Councils with the necessary powers, currently available to the Department, for the operation, management and enforcement of off street car parking. The Council was asked to consider submitting a written response on the proposals by 8th August 2014.

### **2 Key Issues**

#### **2.1 Off-street Parking (Functions of District Councils) Bill:**

The main aim of the Bill is to provide district councils with the necessary powers to discharge the responsibilities transferring to them in relation to the future ownership, management and enforcement of off-street car park.

The Bill proposes that the Department should retain the power to make regulations relating to off-street car parking, including the amount of penalty charges and the conditions for immobilising (clamping) vehicles and the parking devices to be used.

#### **2.2 The Bill includes provisions enabling councils to:**

- Acquire by agreement or compulsorily any land required for the purposes of providing parking places,
- Set conditions and parking tariffs in relation to council owned off-street car parks,
- Appoint and authorise traffic attendants to enforce the civil provisions of the Traffic Management (NI) Order 2005 relating to off-street parking places, i.e. issue penalty charge notices, immobilisation (clamping) of vehicles etc.,

- Instigate criminal proceedings for certain offences such as interfering with any equipment or obstruction,
- Close a car park or part of any car park for certain special events.

2.3 Members are asked to endorse the attached response welcoming the introduction of the Bill (Appendix 2). In summary, the response indicated that the Council strongly supports the intentions of the legislation as laid out in the explanatory memorandum and in particular the statement that *'all assets relating to the ownership, management and operation of off-street car parks would need to transfer to councils'*.

The Council have no real issues with the Bill as drafted but will be seeking reassurance from DRD that:

- all car parks are transferred without any restrictions attached at the point of transfer (i.e. restrictions on the disposal of assets).
- the making of any new regulations or the revoking or amendment of existing regulations relating to off-street car parking should be subject to consultation with local authorities.

Any additional comments from Members will be submitted to the Department as an addendum to our original response.

2.4 Transfer of Assets:

It is proposed that the majority of DRD's existing off street car parking assets will transfer to the new Councils. However, recent discussions with DRD indicate that they are proposing to exclude a number of car parks for outright transfer to the Council on the basis that they will be required for future major road schemes at City Centre Ring South and York Road Interchange. The car parks they propose to exclude are situated at Bankmore Street, Charlotte Street, Corporation Street, Cromac Street, Hope Street and Little Victoria Street (although two of these car parks are leasehold interests only).

2.5 These are all well used car parks with a total of 493 spaces and a total income in 2013/14 of £979K. They represent approx 25% of the total number of spaces that DRD currently operates as off street car parking.

2.6 DRD is suggesting that it would not make sense for them to transfer these car parks now to the Council and then have to vest at a later date for the major road schemes. They have

suggested that an option might be to lease the sites to BCC at nominal consideration and allow BCC to operate and run the car parks and receive the revenue from the car parks until such time as they are required for the major road schemes.

- 2.7 This approach would appear to be moving away from the whole thrust of this function coming to Councils - now with a proviso that they will retain the freehold of those assets that they might need for a different DRD function in the future. However, if the Department do require these car parks in the future it could also mean that the Council (with responsibility for providing off street car parking) would potentially then have to re-provide alternative car parking elsewhere at their cost. It would also result in the loss of a significant funding stream at that time.
- 2.8 There is an Explanatory and Financial Memorandum which has been prepared by DRD, to be read in conjunction with the draft Bill. In this Memorandum it advises that in April 2013 the 'NI Executive concluded that the district councils should become responsible for the future ownership, management, operation and enforcement of parking....excluding park and ride and share car parks.' It further states that 'to achieve that vision all assets relating to the ownership, management and operation of off-street car parks would need to transfer to councils'. It is clear therefore that the intention of the Bill is that all car parks (apart from park and ride) are to transfer to councils. The ability to deliver functions previously exercised by the Department could potentially be hindered if a number of car parks are excluded from transfer and utilised for a different purpose in the near future without alternative provision being made. This could also result in a substantial additional cost to Belfast ratepayers should alternative parking be required.
- 2.9 It should be noted that a number of the car parks proposed for exclusion relate to the city centre ring road proposal. The Council submitted objections during the BMAP inquiry in relation to this ring road. The Council remains on record as an objector and did not endorse the longer term proposal for the completion of the southern section of the city centre ring (Bankmore Link). DRD has indicated that some amendments to the original proposals may be possible.
- 2.10 The transfer to Belfast of all assets in relation to off street car parking is also key to the realisation of the Council's vision for the city in terms of place shaping and the contribution that these assets will make when linked to the wider regeneration

and economic proposals that will be developed as part of the overall local government reform.

- 2.11 In terms of a formal Council position on this issue, Members may wish to consider the following potential options. It should be noted, however, that these options have not been discussed in any detail with DRD but it has been agreed to meet further with DRD to discuss in more detail.

#### Potential Options for discussion with DRD

- i. That all assets should transfer as originally envisaged and if the road schemes do go ahead at some later stage then the Department can acquire by agreement or via compulsory purchase powers. In both cases the Council would at least receive a capital premium based on value of the sites which could be used to provide alternative car parking.
- ii. That DRD transfer the car parks as intended but with a condition that DRD reserve a right to acquire in the future (within an agreed timeframe) at a value to be agreed at that time. The basis of valuation and the timeframe for this option for acquisition to be agreed prior.
- iii. If there is to be any consideration to DRD simply leasing us the car parks then this could be subject to strict conditions whereby DRD need to financially recompense us at the time for loss of the facility /re-provision etc – and the terms of any such conditions and basis of valuation to be agreed prior.

### **3 Resource Implications**

- 3.1 The exclusion of certain car parks for outright transfer to the Council could have significant financial implications once the income from these is no longer available.

The recent budget allocation information provided by the Department of the Environment implies that the estimated net revenue from car parks will result in an equivalent reduction in the overall budget transfer under LGR. The figures also differ substantially from earlier figures provided in the Deloitte due diligence report. The Council would have significant concerns in relation to the principle whereby the net surplus is offset against other transferring budgets

**4 Equality and Good Relations Considerations**

**4.1 None at this time**

**5 Call In**

**5.1 This decision is subject to Call In.**

**6 Recommendations**

**6.1 Members are asked to consider and endorse the officer response on the proposed Bill and agree a final Council response to DRD.**

**6.2 Members are requested to indicate the basis upon which future discussions should be progressed with DRD in terms of the proposals for exclusion of certain car parks from outright transfer to the Council.**

**6.3 Members may wish to consider taking the opportunity to invite senior officers from the Department for Regional Development to provide a briefing on the proposals to transfer to its next committee.**

**6.4 That the Committee writes to the Ministers for DRD and DFP highlighting the fundamental concerns with the financial transfer model proposed.**

**7 Decision Tracking**

**Members Services to submit a final written Council response on proposed Bill to DRD.”**

A number of Members expressed concern that the Department for Regional Development (DSD) had delayed in its confirmation of the number of car parks which would transfer to the Council. The view was expressed that, given there existed a significant income stream from those sites, the Council should insist that all of the assets were transferred in full.

After discussion, the Committee adopted the recommendations and agreed specifically to the following:

- that an invite to attend the next meeting of the Committee be extended to officers from the Department for Regional Development and the Department of Finance and Personnel to discuss the Council's concerns regarding the issues which had been raised in respect of the transfer of off-street car parks to the Council; and

- that letters be forwarded to the Ministers with responsibility for the aforementioned Departments expressing the Committee's concerns in this regard.

### **Local Government Reform - External Communications Plan**

The Committee considered the undernoted report:

#### **"1 Relevant Background Information**

- 1.1 Following the election of the shadow council, the importance of communicating with the incoming and existing ratepayers and businesses of Belfast has been raised politically at various existing and shadow council committee meetings.**
- 1.2 There is some evidence that ratepayers in new areas are still unsure of which council area they will be part of and members have highlighted the need to communicate effectively with incoming citizens and businesses**
- 1.3 Our priority will be to ensure that any change in service provision is as seamless as possible.**
- 1.4 While it is vital to communicate the vision and objectives of local government reform on one level, the main focus needs to be on making the information relevant to audiences, in relation to how the recipient will be affected, and ensuring effective engagement with stakeholders.**
- 1.5 In this sense, communications requirements around reform cut across all aspects of the process – incorporating the extended boundary, the increase in members and staff, the transfer of functions to the council and any forthcoming changes to governance – but it also infers responsibility on all levels of the organisation to consider communication at each stage of their preparations.**
- 1.6 There has been some interaction to date with the new areas but as Belfast is not yet responsible for them we have worked in conjunction with the DOE and Lisburn and Castlereagh councils. The former issued a leaflet to every home in Northern Ireland outlining the geographical areas of the 11 new councils and new powers and responsibilities that would come to local government. We worked with DOE to distribute the leaflet and accompanying poster to all BCC public facing facilitates and to place the accompanying video on the intranet and external website, and on the Big Screen. Lisburn and Castlereagh councils also issued a publication to all homes in their current**

council areas and they provided Belfast City Council with some space to provide some general information to householders who would be moving.

- 1.7 With local government reform less than a year away – approaching 200 days - plans are being developed to communicate with the new areas while also keeping existing ratepayers informed. There have been a number articles in City Matters (which is currently only distributed in the current council area) and on our website which is open to all. We also produced an animated video in relation to LGR which is available through our website and has also been publicised on social media played on the big screen outside City Hall, as well as internally to staff. A LGR factsheet was also produced for Members to use in the run up to the recent elections.
- 1.8 All our activity needs to support the Regional Communications Plan which has been developed by a communications group across all councils in which Belfast City Council has played a leading role, particularly in relation to advice on branding, website and, social media. We have also learned lessons from the UK review of local government during which it was established that the time to start communicating with the public is around the ‘100 days to go’ mark as any information that goes out before that tends to be forgotten. That’s not to say there should be no communications before that, just that crucial and specific information needs to be targeted and distributed in a timely way.
- 1.9 There are a number of decisions that are required in relation to developing communications activity and these are outlined below.

## 2 Key Issues

### 2.1 Corporate identity:

The other 10 new councils will have new branding as they are two or three councils merging and becoming one new authority; and there may be a view that the new Belfast council will also require a new corporate identity. To change the name and corporate identity of Belfast council would however be extremely costly. While the design could be undertaken in-house there would be considerable expenditure required for the implementation of branding on vehicle livery, signage, stationery etc.

**2.1.2** While this matter will have to be examined in more detail with our legal advisors and the DOE, elected members are asked to indicate whether or not they would support the retention of the name Belfast City Council and the current corporate identity, in which case plans for signage for new assets can go ahead on the basis of the existing colours and logo (resulting in no additional cost for the change to liveries, stationery and uniforms etc). Should however members decide they would wish to consider a change of name and or identity this would have to be costed in relation to design and a roll out plan.

**2.3 Signage:**

With around 300 assets transferring from central government and other local government authorities, an audit of what is required in terms of signage to identify these as BCC locations from 1 April 2015 is required. Clearly, this is also dependent on the decision on corporate identity. This will require a dedicated resource for a limited period for this piece of work.

**2.4 Publications:**

A number of special publications, City Matters supplements and an A-Z of council services need to be compiled and distributed to new and existing residents and businesses. We will also need to seek permission from the current Lisburn, Castlereagh and North Down councils to distribute material in what will still be their area. It is proposed that the following would be the most effective.

	Who	What	When	Distribution
1.	New	4-8pp leaflet	Oct/Nov 14	23k
2.	New and current	City Matters	Jan 15	153k
3.	New and current	City Matters	April 15	153k
4.	New and current	A-Z	Post April 15	153k

**2.5 Website**

The transferring functions, as well as the additional 300+ assets that the council will take on as a result of LGR, will necessitate significant work to reconfigure the council website. This work is dependent on agreed information provided by those leading on individual workstreams (service

convergence, planning, parking etc) and also development work, led by Digital Services around integrating third party applications such as the planning portal and any online forms. There is also an opportunity to utilise electronic marketing by issuing regular ezines to provide information on local engagement activity and to signpost new information held on the website.

**2.5.1** There will also be a legal requirement to produce various planning statements and documents on our website and this will have to be considered in conjunction with the role of the existing Planning portal through which planning applications will continue to be submitted and monitored.

**2.6** Communications and engagement

The biggest challenge of Local Government Reform is gathering the relevant information that needs to be distributed as many decisions still need to be taken across a range of issues. There also needs to be a clear distinction made between information that needs to be communicated to the public through established communications channels and what is engagement activity, ie direct contact with people affected by changes in grant applications etc.

**2.6.1** The council will also need to undertake direct engagement and outreach with existing and new ratepayers through a corporate approach to activity such as local information days in shopping centres, libraries, community centres and develop mechanisms through which the public can respond to queries in a timely way through dedicated telephone lines, email and social media etc and door knocking activity as per waste and recycling messages.

**2.7** Members

Members can play a crucial role in getting out information to the public, particularly those who are representatives of incoming areas. Many politicians are now on social media and this is an extremely effective way of getting out information quickly and at no cost.

**2.7.1** It is vital that members are provided with information and briefing material once legislation is finalised and political agreements reached to respond to issues and queries that are being raised by constituents, with bins, waste, rates and local services being the main areas of concern.

**2.7.2** Members of the shadow council have already received copies of the current issues bulletin as well as the LGR factsheet and these will be updated and new information provided on a regular basis to elected members. Councillors are asked to

feed back issues and queries that are being raised by constituents not included in the bulletin so that the necessary briefing materials can be developed.

2.7.3 Elected members will be kept informed on key LGR related matters through the LGR members' e-shot issued on a monthly basis.

2.7.4 Video is becoming an increasingly valuable communications tool and with an in-house resource now available we are considering how this can be utilised, for example elected representatives of news areas could be used in interviews to push out key messages in short films that would be posted on our website.

### 3 Resource Implications

#### 3.1 Financial

These will depend on decisions taken in relation to corporate identity, signage and publications options and timings and will be from the existing LGR budget.

#### 3.2 Human Resources

Increased resources may be required to deliver communications throughout both the transition and transformation stages of LGR.

#### 3.3 Asset and Other Implications

None

### 4 Equality and Good Relations Considerations

4.1 We will ensure that all external publications follow the City Matters' approach regarding availability in alternative formats and in line with our Equality Scheme. This work should be viewed within the wider context of the Equality Screening for the Implementation of Local Government Reform in Council – Boundary Extension

### 5 Call In

5.1 This decision is subject to Call In.

### 6 Recommendations

6.1 Agree to the proposed approach to retain the current corporate identity colours and logo and to seek to revert to the name of Belfast City Council.

**6.2 Note the proposed distribution of publications in new council areas and the associated sequencing and timescales for this process.”**

The Committee adopted the recommendations.

**Schedule of Meetings**

The Committee noted a schedule of meetings for the period up until the end of October 2014. It was agreed that the Transition Committee would meet on the undernoted dates during September and October:

- Monday, 15th September at 4:30 p.m.,
- Monday, 13th October at 4:30 p.m.

Chairman