



Belfast District Council (Shadow)

Report to:	Shadow Strategic Policy and Resources Committee
Subject:	DoE consultation – draft statutory guidance for the operation of community planning
Date:	20 February 2015
Reporting Officer:	Suzanne Wylie, Chief Executive
Contact Officers:	Sharon McNicholl, Corporate Planning and Policy Manager (x6009)

1	Relevant Background Information
1.1	The Local Government Act (NI) 2014 requires councils to make arrangements for community planning in their areas with effect from 1st April 2015. The Act introduces the new duty of community planning and sets out a high level framework for its operation within Northern Ireland. It defines community planning as ‘a process by which the council and its community planning partners identify long-term objectives [and agreed actions] for improving the social, economic and environmental well-being of the district’.
1.2	The Act makes provision for the Department to publish guidance for community planning following a formal consultation process and requires Councils and their community partners to have regard for any guidance issued by the Department. DoE is now consulting on this draft guidance. This report presents an outline of the DoE consultation and seeks endorsement of a draft Council response.
1.3	Members will recall that Council recently responded to a separate DoE consultation on the draft Community Planning Partners Order (specifies the bodies or persons which are to be community planning partners) with suggested additions to the list of organisations to be designated as community planning partners and comments as to how the Order could be improved. The final Order which will designate the Community Planning Partners is expected in March 2015.
1.4	Members should note that this paper has been prepared while taking into account the Council’s previous response to the consultation on the Community Planning partners legislation, and the fact that the final Community Planning Partners Order has not yet been published.
1.5	The draft guidance provides information on the following: <ul style="list-style-type: none">• Roles and responsibilities (Duties of Councils, Community planning

	<p>partners and Gov Departments, role of the community and support partners)</p> <ul style="list-style-type: none"> • Partnership structures and governance • The Partnership Panel • The Community Planning process (including community involvement, identifying vision, outcomes and actions, evidence base) • Key issues to be addressed (including equality, good relations and social inclusion) • Sustainable Development • Links to Spatial Planning • Collaborative working across boundaries • Production and Publication; and • Monitoring Review and Reporting (including performance improvement) <p>1.6 Specifically, the DoE have asked the following questions about their draft guidance:</p> <ol style="list-style-type: none"> 1. <i>Is the Guidance clear, specific and proportionate?</i> 2. <i>Do you feel the guidance will help you implement community planning?</i> 3. <i>Do you feel one year is a sufficient time frame to develop a community plan and if not what alternative format would you suggest?</i> 4. <i>What would you define as a reasonable degree of consensus reached to enable decision making?</i> 5. <i>Is the guidance clear in respect of equality and good relations duties?</i> 6. <i>Does the guidance sufficiently define partner roles and responsibilities?</i> <p>1.7 DoE is also hosting four public consultation events to discuss the draft guidance on the following dates: Monday 23rd February 2015, 9.30am Craigavon Civic and Conference Centre Monday 23rd February 2015, 4.00pm The Mill, Newtownabbey Council Offices Tuesday 24th February 2015, 10.00am, Strule Arts Centre, Omagh Tuesday 3rd March 2015, 10.00am, Roe Valley Arts and Cultural Centre, Limavady</p>
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2	Key Issues
2.1	<p>A draft Council response to the consultation has been prepared with input from across Council Departments (attached in Appendix I). Key issues addressed in the Councils response are summarised below.</p>
2.2	<p>Roles and responsibilities of Departments and community planning partners</p> <p>Whilst the guidance is reasonably clear and directive in relation to the roles of Councils, the language used in relation to other partners, particularly in relation to government departments, is much weaker. Concerns regarding how key departments (particular those that directly provide local services) can be compelled to participate effectively in the community planning process were highlighted in the Council's response to the draft legislation on statutory community planning partners. Comments in the attached draft response continue to reflect these concerns, highlighting the need for a stronger mechanism to ensure effective levels of participation in the process, in order to deliver the envisaged joined-up collaborative working approaches envisaged from community planning.</p>
2.3	<p>The Partnership panel</p> <p>The draft guidance describes a 'partnership panel', outlining its role to provide a link between central and local government. The Council response highlights the opportunity such a Panel could bring to help ensure alignment between community planning outcomes and the plans and strategies of Government Departments. The Partnership Panel's role in facilitating effective community planning arrangements between Councils and Government Departments is key to ensuring that the NI</p>

	<p>Executive's vision for local government of '<i>a strong, dynamic local government creating communities that are vibrant, healthy, prosperous, safe, sustainable and have the needs of all citizens at their core</i>' is delivered.</p>
	<p>Support Partners</p>
2.4	<p>The draft guidance identifies the need for the community, voluntary and business sectors to be given opportunity to input their views to the community planning process. In ensuring effective engagement with the community and voluntary sectors, the guidance suggests that organisations representing their sectors should be accountable and have a mandate to do so. This is a key issue for the operation of community planning. The draft Council response highlights the need for consideration of how sectoral representation might be addressed to ensure the effective participation of sectors such as the CVS and businesses in development and delivery of the community plan.</p>
2.5	<p>The draft guidance suggests that such organisations, where they have a key role in delivering outcomes of the community plan, may be invited to participate as support partners, and that a criterion-based assessment should be applied when deciding which organisations should be invited. It would be useful for the guidance to clarify this approach. The overriding principle must be that partnerships need to be aligned to the delivery of outcomes identified in the plan and that partnership structures need to reflect local circumstances and be focused on effective delivery.</p>
	<p>Resources</p>
2.6	<p>While the community planning process is to be initiated and led by Councils, the draft guidance confirms that, development and delivery is a shared task between the partners. Given that the new duty is not accompanied by any additional resources, the guidance needs to reflect the resources partners will need to commit to the process, including practical arrangements for developing the plan and managing the process (eg data/evidence base, research, engagement, performance monitoring/reporting). However, the likelihood of this happening would be strengthened by the development of a shared accountability framework and strengthening the duty of Departments to whom many organisations are responsible for strategy delivery.</p>
2.7	<p>In relation to delivery of community planning outcomes, the draft guidance also makes clear that all partners should embed the community planning approach into their management cultures, corporate, business and budgetary planning processes. This will require significant work and capacity building, and time will be required for this to happen.</p>
	<p>Partnership Structures and Governance</p>
2.8	<p>Section 4 of the DoE draft guidance document recognises that it is for each Council to decide upon an appropriate governance structure for its area, and that there are a variety of possible models. The Council response welcomes this approach, and highlights the importance of ensuring partnership working arrangements are designed around achieving the outcomes identified in the plan. Therefore, it is important that the guidance does not impose a 'one-size-fits-all' approach.</p>
	<p>Reaching Consensus</p>
2.9	<p>The draft guidance makes clear that it will be a Council's responsibility to make a judgement as to when 'a degree of consensus has been reached' – Councils will need to agree how this is done with its partners and there should be flexibility to reflect local circumstances in governance arrangements and structures established in a particular Council area. It would be useful for the guidance to explore this further. Belfast City Council would welcome a pragmatic approach that ensures a focus on building momentum and progress on delivery of outcomes.</p>

2.10	<p>Monitoring and Performance Improvement</p> <p>To ensure that there is a focus on the outcomes identified in the plan, an effective performance management and shared accountability framework will be required for all partners. The draft guidance indicates that community planning should be firmly embedded in the corporate business and resource planning of all partners, and that effective performance management and scrutiny arrangements will be required. This is a key success factor for community planning and it will be important that departments and other partners can be held to account if they do not deliver on their commitments. The guidance should also reflect/align with the performance improvement duties of Councils in Part 12 of the Local Government Act (NI) 2014.</p>
2.11	<p>Timescale for Production of 1st community plan</p> <p>A timeframe of one year from implementation of the new duty is suggested for production of a first community plan (by 1st April 2016). Given the limited timeframe the draft guidance recognises that the first plan is likely to be an interim plan. This is in line with the proposed timeframes previously agreed by Members for development of the Belfast Agenda. Preparation of an initial plan within this timeframe will be important to seize the opportunity during 2015 to influence the next Programme for Government in line with emerging priorities of the Belfast Agenda, to benefit economic growth of the city.</p>
2.12	<p>Other issues:</p> <p>Sustainable development - The community planning duty includes a requirement to identify objectives that contribute to sustainable development in a community plan. The guidance advises that regard will need to be given to the NI Executive's sustainable development strategy when developing the community plan.</p>
2.13	<p>Spatial planning – the draft guidance outlines the legislative link between community planning and the Local Development Plan, highlighting synergies between the processes including community engagement and data/evidence gathering. Belfast City Council intends to work to consider where these two processes can be aligned as far as possible.</p>

3	Resource Implications
3.1	There are no resource implications associated with this report.

4	Equality and Good Relations Considerations
4.1	There are no equality implications for the Council.
4.2	Under the terms of section 75 of the Northern Ireland Act 1998, the DoE has carried out screening of the proposed guidance which has identified that the proposals will not lead to discriminatory or negative differential impact on any of the section 75 groups.
4.3	The Council's Equality and Diversity Officer, and Good Relations Officer have reviewed the draft guidance consultation document and have contributed comments which have been incorporated in the draft consultation response in Appendix I.

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

6	Recommendations
6.1	Members are asked to: 1. Approve the release of the draft Council response (appendix 1) to the DoE, subject to ratification by Shadow Council.

7	Decision Tracking

8	Key to Abbreviations
	DoE – Department of Environment

9	Documents Attached
	Appendix 1 – Draft Belfast City Council response to DoE consultation on draft guidance for the operation of community planning.