



**Belfast City Council**

<b>Report to:</b>	Shadow Strategic Policy and Resources Committee
<b>Subject:</b>	Draft Response to DoE Consultation on Draft Local Government (Community Planning Partners) Order (Northern Ireland) 2015
<b>Date:</b>	28 November 2014
<b>Reporting Officer:</b>	Suzanne Wylie, Chief Executive
<b>Contact Officer:</b>	Sharon McNicholl, Strategic Policy & Planning Manager, extension 6009

<b>1.0</b>	<b><u>Purpose of Report</u></b>		
1.1	To present for approval a draft response to the draft Local Government (Community Planning Partners) Order (Northern Ireland) 2015 issued for consultation by the Department of the Environment (DoE).		
<b>2.0</b>	<b><u>Relevant Background Information</u></b>		
2.1	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 the high level framework for its operation within Northern Ireland. It defines community planning as “a process by which the council and its <b>community planning partners</b> identify long-term objectives [and agreed actions] for improving the social, economic and environmental well-being of the district”.		
2.2	The Act does not specify who the community planning partners must or should be but instead enables the DoE, following a formal consultation process, to specify by Order in the Assembly, the bodies or persons which are to be community planning partners. Similar to the approaches in Scotland and Wales, the DoE has decided to specify the community planning partners, and as required, is now seeking views on its proposals. The closing date for responses is 4.00pm on 12 <sup>th</sup> December 2014.		
<b>3.0</b>	<b><u>Summary of the Consultation</u></b>		
3.1	The DoE has now issued for consultation a list of organisations that it proposes to name by Order as statutory community planning partners. Specifically, the DoE is asking: <ol style="list-style-type: none"> <li>1. Do you agree with the list of bodies to be named as community planning partners?</li> <li>2. Do you think that other organisations should be named as community planning partners, and if so, why?</li> </ol>		
3.2	The organisations that are proposed as statutory partners are: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> <li>• The Education and Library Boards*</li> <li>• The Health and Social Care Trusts</li> <li>• Public Health Agency</li> <li>• Health and Social Care Board</li> <li>• Police Service of Northern Ireland</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> <li>• Northern Ireland Housing Executive</li> <li>• Northern Ireland Fire and Rescue Service</li> <li>• Invest Northern Ireland</li> <li>• Northern Ireland Tourist Board</li> </ul> </td> </tr> </table>	<ul style="list-style-type: none"> <li>• The Education and Library Boards*</li> <li>• The Health and Social Care Trusts</li> <li>• Public Health Agency</li> <li>• Health and Social Care Board</li> <li>• Police Service of Northern Ireland</li> </ul>	<ul style="list-style-type: none"> <li>• Northern Ireland Housing Executive</li> <li>• Northern Ireland Fire and Rescue Service</li> <li>• Invest Northern Ireland</li> <li>• Northern Ireland Tourist Board</li> </ul>
<ul style="list-style-type: none"> <li>• The Education and Library Boards*</li> <li>• The Health and Social Care Trusts</li> <li>• Public Health Agency</li> <li>• Health and Social Care Board</li> <li>• Police Service of Northern Ireland</li> </ul>	<ul style="list-style-type: none"> <li>• Northern Ireland Housing Executive</li> <li>• Northern Ireland Fire and Rescue Service</li> <li>• Invest Northern Ireland</li> <li>• Northern Ireland Tourist Board</li> </ul>		
<p>*Note: The Department of Education has recently introduced legislation to establish a new education authority; should this obtain Royal Assent by January 2015 the Order will be amended to reflect any change that may occur.</p>			

3.3	<p>This list was developed following preliminary engagement with the councils, via NILGA, discussions with other central government departments and agencies and research into community planning systems operating in the rest of the UK. The DoE’s rationale for selecting statutory partners was to name those organisations that:</p> <ul style="list-style-type: none"> <li>a) Deliver significant services that promote the economic, social and environmental well-being of a district; and</li> <li>b) Provide services across the whole region which are likely to be of equal importance across all 11 new council areas.</li> </ul> <p>3.4 To add or remove a body to the statutory partners list (other than as a result of a name change or because it no longer exists), the DoE must firstly consult and then amend by Order through the Assembly. The DoE will keep the list of statutory partners under annual review and will make changes as it is felt necessary to do so.</p> <p>3.5 The consultation recognises that there are a wide range of businesses, voluntary organisations, community and other groups which make vital contributions to community planning. Therefore, in addition to named statutory partners, the DoE suggests that individual councils can invite other support partners to join their community planning process according to the priorities and needs of their particular area. The DoE is also preparing guidance on the operation of community planning that it will issue for public consultation later in the year. It is assumed that this will include guidance on the role of non-statutory partners.</p>
4.0	<p><b><u>Key Issues</u></b></p>
4.1	<p><b><i>Importance of Community Planning Partners</i></b></p> <p>Organisations that are specified as community planning partners “must participate in community planning for the district...and must assist the council in the discharge of its [community planning] duties” – Local Govt Act (NI) 2014. Commonly referred to as a statutory community planning partner, this means they will have a legal duty to participate which brings with it greater accountability. It is hoped that over time community planning will demonstrate that collaboration and joined-up working is the best way to make a positive difference to the lives of local people; however, in the first instance it will also require legislative support to help establish the conditions for effective community planning and partnership working. Specifying partners at this early stage sends out a message about the requirement for full and active involvement.</p> <p><b>Whilst the rationale used by the DoE for naming partners is helpful, it is important that the underlying principle for identifying and involving community planning partners should be their contribution to achieving the agreed community planning outcomes.</b></p>
	<p><b><i>The Northern Ireland context</i></b></p>
4.2	<p>Partnership and participation within the current Northern Ireland context is not the same as other jurisdictions – the legislative framework therefore needs to reflect this. This is important given that even after local government reform, local councils in Northern Ireland will not have the same range of powers as their counterparts in other places. As a result, there are clear gaps between the range of functions covered by councils and the proposed statutory community planning partners outlined in the draft legislation; for example, roads and transport and skills and employment.</p>
4.3	<p>It is important that the statutory partner legislation and the statutory community planning guidance address this issue. This is particularly important in respect of accountability and performance management arrangements – in other areas a regional performance management framework which connects community planning outcomes across different tiers of government and which supports partners in working towards shared targets has been a cornerstone of progress. This will be particularly important in Northern Ireland where responsibility for key services is still relatively distributed and where accountability has the potential to be diffuse.</p>
	<p><b><i>Role of the Government Departments</i></b></p>
4.4	<p>Under the Act, Government Departments are required to promote and encourage community planning, and</p>

	<p>have regard to the implications of community plans. The DoE suggests that this role is distinct but complementary to that of statutory partners, and therefore, as a reflection of these separate roles has not included departments in the draft statutory partners list.</p>
4.5	<p>The council's draft response, which is attached at appendix 1, uses the examples of employment and skills, and transport to demonstrate the importance of the involvement of government departments in any future community planning structures. These are two issues that are emerging as important to competitiveness and quality of life in Belfast. However, without the active participation of for example, <b>the Dept for Employment and Learning (DEL)</b> and <b>Translink/Transport NI</b> it is difficult to see how community planning will address those key issues of concern.</p>
4.6	<p>There is also a clear link and synergy between the outcomes-based approach of community planning and some of the key programmes being implemented by <b>OFMDFM</b>, including Delivering Social Change and Together Building United Communities. There is also a clear opportunity to maximise the benefit of community planning by connecting it to the development of the next Programme for Government.</p>
4.7	<p>In the light of the delay in the transfer of regeneration functions and of the on-going need for a close relationship in terms of regeneration and community development policy and for the alignment of outcomes in these critical areas of work, it is also recommended that DSD is included as a partner.</p>
4.8	<p>As a result we are recommending that the following be included in the Order:</p> <ul style="list-style-type: none"> <li>• Department for Employment and Learning</li> <li>• Transport NI (formerly the Roads Service)</li> <li>• NI Transport Holding Company (parent company which oversees the activities of Translink)</li> <li>• OFMDFM</li> <li>• Department of Social Development</li> </ul> <p><b><i>Other Sectors</i></b></p>
4.9	<p>The draft Order can only specify statutory organisations as partners as it would not be feasible, legally or practically, for Government to direct the actions of non-public sector organisations. However, the recognition by the DoE that other sectors will have a role to play in community planning is welcomed. We await the issue of the draft guidance in due course, which we hope will provide further clarification on this and other issues.</p>
<b>5.0</b>	<b><u>Decision Required</u></b>
5.1	<p>Members are asked to approve the release of the draft Council response (attached at appendix 1) to the DoE, subject to ratification by Shadow Council.</p>
<b>6.0</b>	<b><u>Resource Implications</u></b>
6.1	<p>There are no anticipated additional resource implications for the Council.</p>
<b>7.0</b>	<b><u>Equality Implications</u></b>
7.1	<p>There are no equality implications for the Council.</p> <p>Under the terms of section 75 of the Northern Ireland Act 1998, the DoE carried out screening for equality impact and is satisfied that the proposed legislation will not lead to discriminatory or negative differential impact on any of the section 75 groups.</p>
<b>8.0</b>	<b><u>Documents attached</u></b>
8.1	<p><b>Appendix One</b> – Draft Belfast City Council Response – Statutory Community Planning Partners</p>