



Consultation: Devolution within Northern Ireland

31st July 2018 – 28th September 2018

RESPONSE TEMPLATE

NILGA is inviting councils to corporately respond to the questions outlined in this consultation and to provide any other comments and appendices that they wish to add by 28th September 2018, to Karen Smyth at the NILGA Offices (k.smyth@nilga.org).

Derek McCallan
Chief Executive

Date 31st July 2018

Q1: IN GENERAL, LOOKING AT PRINCIPLES AND CONTENT, WHAT IS YOUR COUNCIL'S OVERALL VIEW ON THE NPI REPORT "DEVOLUTION WITHIN NORTHERN IRELAND"?

Mid Ulster District Council would agree that local government has the potential to provide for more informed decision-making based on specialised local knowledge councils, its elected representatives and officials can bring to the delivery of local services. There is a local context to many of the issues councils face – issues which can primarily be resolved and addressed based on the knowledge and experience at the local level.

As such, of those services currently shared between local and central government, the Council would be supportive of these being delivered at a more local level. If the responsibility for these services are passed to local government and it is furnished with the appropriate expertise, autonomy on how they are delivered and financial resource to implement the service then benefits and outcomes for ratepayers could be clearly realised, demonstrated particularly through the current general duty on councils around improvement.

Q2: WHAT ARE YOUR COUNCIL'S COMMENTS REGARDING THE "POTENTIAL FOR LOCAL GOVERNMENT IN NORTHERN IRELAND", AS PER PAGES 6 AND 7 OF THE NPI REPORT?

The Council agrees that there aspects of local government that could be enhanced, currently undertaken by other bodies and government departments, These specifically include the areas of general Regeneration of our public realm and further responsibility for local economic development matters and affairs. Potential also exists within housing and community amenities for local government to play an enhanced role.

These changes could lead to:

- Better service design at a local level with the end user
- Increased joined up working leading to targeted service deliver
- Improved decision making as a result of local input
- Additional scope for innovation and diversity in local areas on how things are done

An enhancement of Council services could also lead to improved consistency between rural and urban areas within district, borough and city council areas. However, Mid Ulster District Council would also expect that Councils be provided with the financial resource and means to fully exploit these areas of potential, at least equal to what is currently available for delivery of such services. Adequate financial provision would also have to be in place prior to any agreements in relation to enhanced areas for local government, together with how they would be transitioned and delivered.

Q3: WHAT ARE YOUR COUNCIL'S COMMENTS REGARDING THE PREMISE OF DEVOLVING NEIGHBOURHOOD SERVICES TO COUNCILS IN NORTHERN IRELAND, AS PER PAGES 13 AND 14 OF THE REPORT?

Neighbourhood Services play an integral role in the delivery of local government's current functions. It is the opinion of Council that the existing delivery arrangements are stunted due in part to split responsibilities between the Department for Communities and local government. In the experience of this Council and its legacy/predecessor councils, split service provision has led to public confusion between the role of central government departments and local councils – particularly in relation to housing, roads, waste and community/recreational amenities. If clear and defined roles, responsibilities and definitions were in place this would provide a basis for increased public awareness and understanding of local services delivered by a local authority.

To date Councils have also carried out successful regeneration works in town centres across their Districts, however there is still clearly practical roles for the Government Departments to play in the overall regeneration of the towns, cities and villages in NI. Therefore, Council would

support the focus on goals and outcomes in relation to devolution of neighbourhood services. This approach would also compliment the five themes of the Community Plan for Mid Ulster.

Initial attention should be given to the 'neighbourhood services' which were previously identified for transfer to local government as part of the most recent period of local government reform but not transferred from the then Department for Social Development (DSD) i.e. Regeneration and greater scope under the delivery and management of public realm.

Q4: THE APPENDICES TO THE REPORT EXPAND ON WHAT ARE CONSIDERED TO BE 'NEIGHBOURHOOD SERVICES'. IF YOUR COUNCIL HAS ANY PARTICULARLY STRONG VIEWS ABOUT INDIVIDUAL SERVICES THAT YOU BELIEVE SHOULD OR SHOULDN'T BE INCLUDED IN THIS PROCESS, PLEASE COMMENT BELOW:

Mid Ulster District Council would initially call for and support an agreed definition of 'Neighbourhood Services' within and across the sector that takes into account the geographical make up of local councils. Only at the point of there being an agreed definition should local government move forward on what services to include. An agreed Northern Ireland definition should reflect the variation in the geographical make up, populations and access to services - particularly in relation to variances between rural and urban dwellers. In general terms, council would support the following being included as part of the of the definition of Neighbourhood Services:

- Culture
- Environment
- Planning & Development

The inclusion of Highways and Transport would require greater consideration.

Q5: WHAT ARE YOUR VIEWS ON HOW A DRIVE FOR DEVOLUTION OF NEIGHBOURHOOD SERVICES AND / OR OTHER POWERS & SERVICES COULD BE MATERIALLY LINKED TO THE PROGRAMME FOR GOVERNMENT, COUNCIL COMMUNITY PLANS AND THE ASPIRATIONS OF COUNCILS FOR THEIR RATEPAYERS AND THEIR DISTRICTS?

The drive for the devolution of neighbourhood services and/or other powers and services that may be linked to the draft programme for government, council-led community plans and the aspirations by councils for their ratepayers and the Districts as a whole should be continually reviewed and sought to make local authorities relevant to their localities. The Outcomes Based Accountability (OBA) approach taken within the draft Programme for Government similar to the approach taken within Community Planning demonstrates that material linkages can be formed through commonality of purpose and joint delivery of actions. It would be Council's view that this

approach could lead to a lack of duplication of work and a demonstrable system of partnership working, delivery and accountability.

Q6: WHAT ARE YOUR COMMENTS REGARDING THE SIX RECOMMENDATIONS AS PER THE CONCLUSION AND PRACTICAL NEXT STEPS SECTION OF THE REPORT (PAGES 17 AND 18)?

Comments are provided below in relation to each of the six practical steps:

1. ***A Secretary of State, NI Executive and NILGA Review of Local Governance would be supported by Mid Ulster District Council*** - this action would be useful in relation to examining alternative models of service delivery
2. ***NILGA and Councils identifying executive powers over the neighbourhood powers would also be supported*** - this action would ensure cohesion amongst all Councils and bring together agreed aims and objectives.
3. ***NILGA and Councils identifying shortlist of responsibilities that are currently associated with NI agencies*** - would also add to an outcomes based process, especially if agreement can be made with the NI agencies regarding what enhanced role local government could play within service delivery.
4. ***NI Assembly, NILGA and Councils developing a process to allow Councils to apply for Unitary style council status (similar to some English authorities)*** – council believe that the advantages of a unitary style status should be fully explored further and consideration given before any processes are considered. What would follow with a Unitary Status would not necessarily follow with achieving such a status in a Northern Ireland context, so caution should be exercised.
5. ***MLA’s, the NI Executive and NILGA*** – councils should seek strong clarity and agreement in relation to how resources are made available and distributed between Councils, in a sustainable over longer period cycles to ensure sustainability of any services devolved.
6. ***draft Programme for Government*** – the council would agree that the opportunity for greater executive and scrutiny roles for Councils should be explored for areas it is not wholly responsible for but have a direct impact on local citizens within districts/localities

Q7: WHAT ARE YOUR VIEWS REGARDING THE ‘ILLUSTRATIVE TIMELINE’ TEMPLATE, ALSO PROVIDED (ATTACHMENT 4) ?

The timeline appears to be largely determined by the 2019 and 2023 local government elections and on the face of it sufficient timescales seem to have been provided. The suggested timeframe appear to be as realistic and coordinated as it can be at this stage of the process. However, with any timeline that covers a long period, involving stakeholders outside local government, the timeframe will require some amount of flexibility without leading to a significant lengthening of the process.

Q8: WHAT DOES THE COUNCIL THINK WOULD BE NECESSARY TO HAVE IN PLACE TO UNDERPIN ANY FUTURE TRANSFER OF RESPONSIBILITIES (INCLUDING THE TYPES OF MECHANISMS NEEDED TO BRING SUCH RESPONSIBILITIES FROM CONCEPT TO REALITY)?

Mid Ulster District Council believes that the following elements would need to be in place to underpin any future transfer of powers and responsibility:

- Identify that a consensus exists between Councils, NI Executive and the Secretary of State to take the suggested plans forward and that there is a full willingness to collaborate
- Ensure that there is joined up approach in place with common aims and objectives, with oversight but a flexible governance structure which permits prompt decision making and matters being resolved.
- Clearly identify how ratepayers will be directly impacted upon (positively/negatively)
- Confirmation that any transfer of services, duties and powers would be cost neutral to local government and ratepayers (consequently and adequate resources are in place to ensure longer term service sustainability)
- Clear linkages with the community planning process.

Local government has potential for enhancement, however the circumstances for this to come to fruition need to be examined and be part of an agreed long-term process as suggested. There needs to be a meaningful conversation within the local government sector on the desired direction and political leadership from the centre for such a project to be brought from concept to reality. The overriding principles and commitments from central government should be around (1) expertise transfer; (2) resource transfer and guaranteed for a period of time sustainability purposes and; (3) councils given the scope to deliver/ tailor services in a way that meets local needs within districts.

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