

Northern Ireland Partnership Panel - Local Government Side Meeting, 20th August 2020

Key Outcomes Report

1. ATTENDANCE & INTRODUCTIONS

Local Government Partnership Panel: Cllr Matt Garrett; NILGA President (Appointed Chair); Belfast City Council; Ald Mark Cosgrove, Antrim and Newtownabbey Borough Council; Cllr Robert Adair, Ards and North Down Borough Council; Cllr Geraldine McAteer, Belfast City Council; Ald Tom McKeown, Causeway Coast and Glens Borough Council; Cllr Tommy Maguire, Fermanagh and Omagh District Council; Cllr John Palmer, Lisburn and Castlereagh City Council; Ald Billy Ashe MBE, Mid and East Antrim Borough Council; Cllr Kerri Hughes, Mid Ulster District Council; Ald Danny Kinahan, NILGA Office Bearer; Antrim and Newtownabbey Borough Council; Cllr Robert Burgess, Newry Mourne and Down District Council; Cllr Martin Kearney, NILGA Office Bearer; Mid Ulster District Council; Ald Alan McDowell, NILGA Office Bearer; Ards and North Down Borough Council.

Apologies received from Cllr Ruairi McHugh, Derry City and Strabane District Council and Cllr Frances Burton, NILGA Office Bearer, Mid Ulster District Council.

LG / DfC Officers: Stephen Reid, Ards and North Down Borough Council and SOLACE Vice Chair; Alison McCullagh, Fermanagh and Omagh Borough Council; Roger Wilson, Armagh Banbridge and Craigavon Borough Council; Anthony Carleton, Department for Communities; John Tully, Belfast City Council; Louise Kennedy, Mid and East Antrim Borough Council; Mark Mulholland, Belfast City Council, Karen Smyth, NILGA, Antoinette Kennedy, NILGA, Derek McCallan, NILGA & Joint Secretariat;

Apologies received from Jacqui Dixon, Antrim and Newtownabbey Borough Council and SOLACE Chair.

2. Overview – Northern Ireland Partnership Panel

The Northern Ireland Partnership Panel was established under the Local Government Act NI 2014. It brings together Local Government Members and Executive Ministers to work together on strategic policy matters; and is chaired by the Minister for Communities. Local Government representatives will be supported by the Chair and Vice Chair of SOLACE and the NILGA Chief Executive.

As outlined by Cllr Matt Garrett, in his opening comments, the key aim of this preparatory session is *to discuss and agree upon as a sector the critical issues to be brought to Ministers at the Partnership Panel on 16th September*. It will be the first time the Partnership Panel will have met in four years, amidst a medical and fiscal crisis never before witnessed.

3. Revised NI Partnership Panel Terms of Reference and Standing Orders.

The proposed revisions offer greater input potential by support officers, reinforce the primacy of the Chair and ensure there is a clear process for communication, co-ordinated by the Joint Secretariat, before and after meetings.

AGREED: Revised Terms of Reference and Standing Orders (as proposed in Papers B2 + B3) will be brought to the first meeting of the Partnership Panel on 16th September 2020.

AGREED: It was further agreed that subject to Ministerial approval, a proposal is made for inclusion in the Terms of Reference and Standing Orders for *the Panel* be scheduled to have a minimum number of meetings per year.

4. NI Partnership Panel Draft Communications Protocol

The Chair, Cllr Matt Garrett asked Members to consider Paper B4. As the NI Partnership Panel prepares to reconvene, it is proposed that a “Principles of Partnership and Engagement” Paper (based on the New Zealand model) be brought to the first meeting of the Partnership Panel as a foundation piece for effective partnership and engagement between the two tiers of government as we move forward.

AGREED: Members agreed to “Principles of Partnership and Engagement” Paper being considered as a foundation piece at the Partnership Panel Meeting on 16th September 2020, subject to Ministerial approval.

To ensure an “all Council”, coordinated and strategic approach, the recommendation that councils raise issues with the NILGA Joint Secretariat initially via the template form (Paper B4, Appendix 1) was discussed. Issues raised by councils are then considered at the Local Government Side Partnership Panel Meeting/s and communicated if appropriate to the DfC via NILGA Secretariat.

AGREED: Draft Local Government Side Meeting Communication Protocol agreed subject to the following addition, “Partnership Panel Local Government Side Meeting – facilitated by NILGA; *supported by SOLACE*”.

5. Discussion on the critical sustainability and regional issues to be raised with Ministers on 16th September 2020.

Members considered the core proposed items detailed in Paper C for inclusion in the Agenda of the Partnership Panel on 16th September:

AGREED TO PUT FORWARD (for Ministerial approval):

- 1. Critical sustainability and regional issues**
 - **Local Government Finances – Resources, Recovery, Remodelling**
- 2. Empowered Local Government – implementation of outstanding legislation from RPA Stage 1 (2015)**
 - **new finance legislation and policy**
 - **new planning legislation and policy – (to be raised with Minister for Infrastructure)**
 - **RPA review – unfinished legislation incl. standing orders guidance, Code of conduct Review finalisation – (to be raised with Minister for Communities)**
- 3. Community Plans Review 2021**

It was FURTHER AGREED that the first item was the immediate and primary priority of the sector for this first meeting, notwithstanding the other strategic important pieces added.

A. Local Government Finances (summary of key points made by Members and Officers)

- Local Government Finances have been devastated by COVID – 19. With continued income losses and non-payment of rates, councils' financial reserves are running dangerously low and cannot in any case be used to prop up income losing services.
- Immediate cash resources for councils are required this full financial year and in the medium to long term Central and Local Government need to work in partnership to transform the public sector including properly resourcing councils with financial guarantees for councils, if necessary working together to get the necessary concessions from Treasury, with similar reassurances and fiscal guarantees as received in all other areas such as Scotland / Wales.
- Financially for councils, "this year is a write-off". Councils aren't going to get the money back that has been lost collectively. From November 2020 we will not have furlough worth £300k - £400k indicatively, per council. We will also be coming to the end of the rates relief period and we will also then find out from LPS what our new penny product is. At that point we will be in a deep financial crisis across the economy. It is really about preparation / reassurances for 2021/22 and 2022/23, not just the rate setting process but basically the adapted roles, responsibilities, priorities and resources of local government as a business – linked to underwriting reassurances being sought across rest of UK, where councils are also facing fiscal cliff edges.

- How do we make our sector fit for purpose; have a sustainable overhead, plus deliver high-quality services for the public we serve? It is NOT about re-opening and using the finance model we had before. Such a move would be unsustainable.
- Is our business model still viable? If we are solely relying on the rates take; is it going to be enough as we go forward? Even before the COVID crisis hit, we were beginning to see right across the board, city and town centre decline and therein the rates take with it. During COVID many organisations were having a rethink about whether they need a lot of premises which they are paying rates on - is the working from home model a more sustainable option for the future? Taking into consideration the sizeable reduction in rates income – what support and remodelling proposals / reassurances will we get from central government to help us mitigate this?
- Although DAERA and DfC have supported us in the first quarter there has been no firm commitment for the remainder of the financial year. This commitment is desperately needed before rates are proposed let alone struck.
- At the same time, council income streams are not reverting to pre-Covid levels; car parks are not busy; leisure facilities can only allow restricted numbers. Unless financial support is forthcoming this financial year and there are guarantees around future rates income at least for a further 2 years; we will have to consider significantly reducing services such as waste collection; community events; economic development and capital programmes; investment in our communities; often match funded by the Departments; hence we need to find out from Central Government how much funding they can provide to keep Councils financially secure.
- We need a guarantee from Treasury, and / or ringfenced funding so that we know we are getting as councils from Stormont. We need guaranteed funding proportionate to that received as part of the Barnett consequentials, and in relation to losses forecast, local government wants the same reassurances as central government departments in terms of services and workforce.
- Council reserves are absolutely depleted. They are working diligently on service transformation for this current year and the next 2-3 years. Trying to agree a multi-year budget for councils may be a challenge for Stormont. *For councils it is not just about getting additional funds; it is about seeing how we can transform the services we are delivering; and create awareness that the look and feel of the services we will be delivering will be different.* Existing services will have to change; our citizens may feel they are paying more for diminished services. Communication with our communities is key and NILGA's Value of Local Government campaign must be supported between now and March 2021. Councils have done the transition through the RPA first stage; we now need to transform; hard decisions need to be taken since reimagining and reconfiguring; which will take both investment and time.
- Councils working together and working in partnership with the Assembly and Central Government departments has never been more crucial. Can a subcommittee of Communities Committee enable political scrutiny of this?
- We welcome investment from central government to date; however there has also been sizeable investment in other sectors. What priority is central government putting on the development of councils as conduits of future enterprise, social and community cohesion, and similar?

- In summarising the discussion above:
 - (i) there needs to be new investment for the non-domestic rates and the other income losses which are not going to come in; the investment has to be across April 2020 – March 2023. As part of that we would be seeking that our colleagues in the Executive, mindful that the DfC has been championing and working very diligently with local government on this matter; that we get the communicated reassurances Members have referred to in this discussion re the consequentials; the allocation given to the NI Executive for local authorities proportionate to the services that we have is a lot more than our current received allocation. Constructive engagement to get that reassurance for this year as Stage 1 would be welcome.
 - (ii) We need to work together and get the underpinning policy of Treasury to creatively underwrite as much as possible via Stormont and to inform both Stormont of creative but accountable new borrowing models to spread the costs over 5 years, even including Revenue, with councils able to make individual choices based upon individual circumstances.
 - (iii) A new business / income model is needed.

AGREED: Considering the points raised in the Local Government Finances discussion above, a position paper will be offered to the Partnership Panel meeting on 16th September 2020, subject to Ministerial validation.

B. Empowered Local Government – implementation of outstanding legislation from RPA

Sustainable, properly resourced and governed councils require the proper toolkit; our legal toolkit is incomplete, and the COVID 19 crisis has brought this issue to the fore. Now is the time to get the discussions re-commenced for implementation of outstanding legislation from RPA including new finance legislation and policy; new planning secondary legislation and policy; regeneration and local government secondary legislation, standing orders, code of conduct overhaul after the 2016 Review.

AGREED: Implementation of outstanding legislation from RPA will be raised for consideration as a Local Government Agenda Item for the meeting on 16th September 2020.

C. Expanded: Councillors Code of Conduct

The importance of getting the Councillors Code of Conduct legislation changed was highlighted by Members as a matter of urgency to be raised for consideration by the Minister for Communities on the 16th September, at least to enable further engagement on same beyond this date.

Code items 8i, 8j and 8k in particular means that councillors are jeopardised every day.

“The lives and careers of councillors are being destroyed through this unworkable Code and new members are put off”.

The Review of the Councillors Code of Conduct has been completed and a departmental response awaiting the Minister for Communities for clearance.

NILGA will continue to cross-reference with the NAC on this matter.

AGREED: call for finalisation of the Code of Conduct Review will be sought for consideration on 16th September 2020.

D. Community Plans Review 2021

As set out in the Local Government Act 2014, Community Planning Partnerships must review their Community Plans within four years of the preceding community plan. The Act also states that a statement of progress has to be submitted every two years, which means that the second statement of progress will coincide with the first review.

The Covid pandemic has disrupted normal business and there is concern that due to COVID restrictions, Councils will be unable to substantively consult / engage with communities as they should for the Community Plan refresh, hence a request to the Minister for Communities to consider an extension - if required - to the current timeframes for Community Plan reviews and statements of progress.

It was noted in the discussions which followed that councils are at different stages and have varying views on the Community Planning review process. The item will be brought to the Partnership Panel on the 16th September initially; it will instigate a process whereby an evidence gathering exercise potentially Ministerial led, by the Department for Communities and council officials will take place; hence giving credence to Officers who are working on the detail. It also gives credence to the ultimate decision taking powers of each sovereign council.

Anthony Carleton from the DfC added that the timescales for the Community Plan reviews are set in statute but he added that he would raise the issue with the Minister for Communities.

AGREED: Community Planning Review will subject to DfC processes be added to Local Government Items for the Partnership Panel Meeting on 16th September.

E. Minister for Communities Items for the Agenda

Anthony Carleton from the DfC provided an update to Members and Officers on the Minister for Communities proposed items for the Agenda on 16th September. **Recovery Post Covid and Local Development Plans** are the subjects she wishes to raise at the Partnership Panel Meeting. In terms of the Local Development Plans, it will be more of a general conversation on how the LDPs have been linking in with the Community Planning process; and how LDPs can be integrated in better with the Community Plans. She may also wish to raise **Housing**.

NILGA's CEO asked for more detail on the items in order that local government address them professionally, Mr. Carleton agreed to look into same. Mr Carleton added that he expects to hear back from the other Ministers in the coming week on the items they wish to raise on the Agenda on 16th September and will advise the NILGA Secretariat accordingly. An update on the revised draft Programme for Government will also be provided at the meeting on 16th September.

6. Future Local Government Items for the Partnership Panel

Members raised issues they want to see on the Agenda for **future** Partnership Panel Meeting. These issues will be communicated to the NILGA Secretariat via the Local Government Communications protocol as reported earlier in the meeting.

- The **climate change emergency** and **climate action**
- **Brexit**
- **Economic recovery of our areas.** It was suggested that the economic recovery of our areas be raised under the Minister's item, "post covid recovery" on 16th September. It was also noted that NILGA and SOLACE have been taking forward key work around this with the Departments and the Economy Committee.

Members also raised the importance of the Minister for Finance, the Minister for the Economy and Minister for Communities in terms of the Partnership Panel Meeting scheduled for 16th September.

7. Central – Local Government Political Partnership Forum Outcomes

During the three years when the Assembly was down NILGA convened the above-mentioned Forum approximately twice yearly, to raise with Party Appointed MLAs strategic, critical issues affecting the local government sector. The Chair referred Members to Paper D which provides a summary of the key issues raised. Members thanked the Association for keeping momentum and connection during the Assembly's suspension.

AGREED: The previous issues raised at the Central – Local Government Political Partnership Forum will be channelled / refreshed according to urgency for specific Departmental, wider NI Executive, or potential discussion at future Partnership Panel Meetings and in conjunction with SOLACE, government departments and each council.

8. Discussion on Covid recovery – Work Programme for Northern Ireland Partnership Panel, 2020 – 2022

The Chair referred Members and Officers to the Draft Workplan for Partnership Panel, presented in Paper E. At this stage, the Paper is a work in progress and NILGA Head of Policy and others in local government are working on items for inclusion.

The revised Programme for Government will also inform this workplan moving forward.

AGREED: Members and Officers agreed the Draft as a first step and are to consider the "work-in-progress" piece and report invitee / corporate feedback to the NILGA Secretariat.

9. Next Steps

A further meeting of the Local Government side is proposed for **Monday 14th September via Zoom from 10am to 11am** to finalise the Local Government brief.

A Zoom invitation with associated papers will follow in due course.

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