

Ballymoney Borough Council

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Ballymoney Borough Council

Minutes of Council Meeting No 889 held in the Council Chamber, Riada House, Ballymoney on Monday 3rd November 2008 at 7.00 pm.

IN THE CHAIR: Councillor J Finlay, Mayor

PRESENT:

Aldermen
F Campbell
H Connolly
C Cousley, Deputy Mayor
J Simpson

Councillors
A Cavlan
M McCamphill
P McGuigan
T McKeown
A Patterson
E Robinson
I Stevenson

APOLOGIES:

Councillors
B Kennedy
D McKay, MLA
M Storey, MLA

IN ATTENDANCE:

Chief Executive
Director of Borough Services
Director of Central & Leisure Services
Head of Corporate & Development Services
Committee Clerk

Press

889.1 CONDOLENCES

The Mayor conveyed Council's condolences to the family of Stephen Moorcroft, from Bendooragh who was tragically killed, as the result of an accident, on the Bann Road on

21 October 2008. Councillor Stevenson associated himself with the Mayor's remarks, as a friend of the family.

Council's sympathy was also extended to Liam Becket, wife Gillian and the family circle on the death of his mother, Mrs Maud O'Brien.

Letters of condolence have been sent to both families by the Mayor.

Councillor Patterson thanked members for the messages of sympathy extended to her on the recent sad loss of her brother in law.

889.2 MAYOR'S CHRISTMAS APPEAL

The Mayor advised members that, having regard to the current credit crunch and spiralling cost of heat, fuel etc, in place of the usual Christmas Dinner for councillors, a 'soup kitchen event' will be held to raise money for the Family Appeal managed by The Salvation Army and the Society of St. Vincent de Paul, with support from BBC NI.

This appeal provides practical assistance to children whose families are facing financial hardship. The appeal is province wide and last year provided gifts to over 12,000 children (132 children in the Ballymoney Council area).

The Mayor said, sadly, this year, it is anticipated that there will be an even higher demand for assistance with families already struggling with the 'credit crunch' and paying higher proportions of their income towards energy, food and daily living expenses.

The Mayor expressed the hope that members and their wives and partners will lend their support for the event to be held over lunch on 15th December.

Councillor Cavlan welcomed the forthcoming event and congratulated the Mayor on his initiative.

889.3 MINUTES - MEETING NO 888 – 6TH OCTOBER 2008

It was proposed by Alderman Connolly, seconded by Councillor Cavlan and **AGREED:**

that the minutes of Meeting No 888 on 6th October 2008, as circulated, be adopted.

889.34 SEAL DOCUMENTS

It was proposed by Alderman Cousley, seconded by Councillor Robinson and **AGREED:**

that the Seal of the Council be affixed to Grave Registration Certificate numbers 1120 and 1121.

889.5 DELEGATIONS

Community Communication Network has requested the opportunity to present to Council on the benefits of Community Television. CCN specializes in disseminating local and national information into the heart of communities through fully managed Community Television Networks.

It was proposed by Councillor Stevenson, seconded by Alderman Campbell and

AGREED:

that an invitation be extended to Community Communication Network to give a presentation to the Leisure & Amenities Committee on the benefits of Community Television, on a date to be agreed.

889.6 CONSULTATION COMMITTEE NO 31 – 20TH OCTOBER 2008

The Mayor presented the report.

It was proposed by Councillor Stevenson, seconded by Alderman Connolly and

AGREED:

that the minutes of Consultation Committee Meeting No 31 – 20th October 2008, as circulated, be adopted.

889.7 DEVELOPMENT COMMITTEE NO 197 – 20TH OCTOBER 2008

Councillor Stevenson presented the report.

It was proposed by Councillor Stevenson, seconded by Alderman Campbell and

AGREED:

that the minutes of Development Committee Meeting No 197 – 20th October 2008, as circulated, be adopted.

889.8 LEISURE & AMENITIES COMMITTEE NO 349 – 21ST OCTOBER 2008 LEISURE & AMENITIES COMMITTEE NO 350 – 24TH OCTOBER 2008 LEISURE & AMENITIES COMMITTEE NO 351 – 3RD NOVEMBER 2008

Alderman Campbell presented the reports and indicated that the Committee would hold two meetings in November and December due to the volume of business to be conducted. The Mayor congratulated those who had decided to hold additional meetings noting that the volume of business was such in October that it could not have been concluded at a reasonable hour in one meeting.

Matters Arising

8.1 Leisure & Amenities Committee Meeting – Timing of Meetings (350.25)

The Chair pointed out that the Committee would meet on two occasions in November due to the volume of business to be conducted. The Amenities business will take place on 18th November at 7.00 pm in the Council Chamber. As a date for the second meeting could not be settled it was AGREED:

that the Chair and the Director of Central & Leisure Services agree a date and advise members accordingly.

8.2 Firework Display at Riada Stadium – 31st October 2008 (350.18)

Arising from an inquiry from Councillor Cavlan about the need for police attendance at the event, the Director of Borough Services advised that it is normal practice to advise PSNI of proposed public events, which PSNI attend at their discretion. Further clarification on their decision to attend the firework display at Riada Stadium should be sought from PSNI.

8.3 Adoption of Minutes

It was proposed by Alderman Campbell, seconded by Councillor Stevenson and AGREED:

that the minutes of Leisure & Amenities Committee Meetings No's 349 – 21st October 2008, 350 – 24th October 2008 and 351 – 3rd November 2008, as circulated, be adopted.

- * Councillor McKeown arrived at 7.10 pm
- * Councillor McCamphill arrived at 7.12 pm.

889.9 HEALTH & ENVIRONMENTAL SERVICES COMMITTEE NO 343 – 28TH OCTOBER 2008

Councillor Robinson presented the report.

Matters Arising**9.1 NILAS Working Group (343.21)**

Councillor Robinson drew members' attention to the minutes and the ongoing work of the groups in dealing with waste issues.

9.2 Adoption of Minutes

It was proposed by Councillor Robinson, seconded by Councillor Stevenson and **AGREED:**

that the minutes of Health & Environmental Services Committee Meeting No 343 – 28th October 2008, as circulated, be adopted.

889.10 CORPORATE & CENTRAL SERVICES COMMITTEE NO 369 – 27TH OCTOBER 2008

Alderman Simpson presented the report.

Matters Arising:**10.1 Rates Estimates 2009/10 – Dates for Meetings (369.4)**

The Director of Central & Leisure Services advised that the rates meeting scheduled to take place on Wednesday 17th December would now be held on Wednesday 10th December.

Councillor McGuigan recorded his objection to three of the rates meetings taking place during the day, which meant it was not possible for those members in employment to attend. He proposed

that the times be changed to evenings to provide an opportunity for members with daytime commitments to attend these important meetings.

This was seconded by Councillor Cavlan.

A discussion ensued with several members concurring with Councillor McGuigan's view.

The Chief Executive advised that the meetings had been scheduled to provide for Corporate Management Team meetings prior to Council meetings to allow preparation work to be done. As a compromise, Councillor McCamphill suggested that the first meeting be held on the date and time as indicated (20th November 2008 at 10.30 am) and that at that meeting, the time of meetings on

10th December 2008 and 14th January 2009 or alternative dates be set for evening start time.

Councillor McGuigan concurred with the compromise and withdrew his motion with the agreement of his seconder.

It was proposed by Alderman Campbell, seconded by Councillor McGuigan and **AGREED:**

that the first meeting be held on the date and time as indicated (20th November 2008 at 10.30 am) and at that meeting dates with evening start times be arranged for the following meetings.

10.2 Adoption of Minutes

It was proposed by Alderman Simpson, seconded by Alderman Campbell and **AGREED:**

that the minutes of Corporate & Central Services Committee Meeting No 369 – 27th October 2008, as circulated, be adopted

889.11 AUDIT COMMITTEE MEETING NO 7 – 14TH OCTOBER 2008 & NO 8 – 28TH OCTOBER 2008

Alderman Cousley presented the reports.

It was proposed by Alderman Cousley, seconded by Alderman Campbell and **AGREED:**

that the minutes of Audit Committee Meetings No 7 – 14th October 2008 and No 8 – 28th October 2008, as circulated, be adopted.

- * **The Director of Borough Services and the Director of Central & Leisure Services left the meeting at 7.50 pm.**

889.12 REVIEW OF PUBLIC ADMINISTRATION - RPA

12.1 RPA Update Presentation

The Chief Executive explained that he had intended to present a brief overview of SLB meeting on 3rd October, as deferred from Corporate & Central Services Committee on 27th October. If this proves a useful communication tool it is intended to follow each of the meetings with appropriate materials. A copy of the

NILGA RPA update paper and the presentation slides were already circulated with the agenda papers for the aforementioned Corporate & Central Services Committee Meeting. However, in view of a forthcoming meeting of Chief Executives of all 26 Councils with DoE, to discuss the operation of the Transition Committees and Management Groups, he would defer his RPA update presentation and Guidance on the establishment of committees and management teams, circulated (item B below refers), to Consultation Committee on 17th November 2008, when he would bring forward a proposal on the Transition Committee for the Causeway Cluster.

12.2 Guidance on the establishment of transition committees and transition management teams

The Department of Environment has written to advise that it has reached a key milestone in the delivery of the Local Government Reform Programme.

On 31 March 2008, the then Minister of the Environment Arlene Foster announced the Executive's decisions on the Local Government Reform Programme to the Assembly. In doing so, she noted that her aim was to implement the agreed structural reform package by 2011, with elections to local councils being held on the same day as elections to the Assembly.

The programme is being led by a Strategic Leadership Board, chaired by the Minister. That Board represents a strategic partnership between central government, local government and the five main political parties. It is supported in its work by three Policy Development Panels that are considering the key policy issues associated with the structural reform package, including: service delivery; governance; community planning, and the relationship between central and local government. All three Panels have already made good progress in addressing the critical policy issues associated with the reform programme, and their work will inform our legislative programme.

The next key structures in the programme are now ready to be put in place: a Regional Transition Co-ordinating Group, comprised of senior local government officers and civil servants, and eleven Transition Committees, one for each new Council area, and each supported by a Transition Management Team. The Regional Transition Co-ordinating Group will provide the essential interface between the strategic policy direction set by the Strategic Leadership Board and its Policy Development Panels, and the local policy set by the Transition Committees and their local operational delivery teams (the Transition Management Teams). The Regional Transition Co-ordinating Group will be responsible to the Strategic Leadership Board for co-ordinating and supporting the consistent implementation of the regional reform policies across the 11 council areas.

The establishment of the Regional Transition Co-ordinating Group, the Transition Committees and the Transition Management Teams will provide the basic programme infrastructure to allow work to begin in the new council groups, and

will allow those Departments transferring functions to engage in discussions with the local government sector at an operational level.

Detailed guidance on the establishment of the Transition Committees and Transition Management Teams is attached (Appendix 1). This guidance will enable the Transition Committees and Transition Management Teams to be implemented in a consistent manner, to a common understanding. The Department is developing a funding package, which will be provided to each of the council groups to support the establishment of the Transition Committees and Transition Management Teams. Details will follow in the next few weeks.

One of the critical issues addressed in framing terms of reference and guidance for the Transition Committees is whether the new councils should operate in shadow form for a period after the May 2011 elections before assuming full power and responsibility. Minister Wilson has considered this issue carefully and has sought the views of NILGA and the political parties through the Strategic Leadership Board.

The Minister has concluded that he will not seek to provide for a shadow period. Power and responsibility will transfer to the new councils on the fourth day after polling day, in accordance with Part III of the Electoral Law (Northern Ireland) Act 1962. The Minister's overriding consideration in reaching this decision is that the public expect to see modern, efficient services, including those transferred from central to local government, in place as soon as possible and he believes it is his responsibility to deliver on this without delay. This means that the Transition Committees will be responsible for a very significant programme of work to ensure that the new Councils will be in a position to take full executive responsibility for services from the outset. This in turn means that the Transition Committees will need to be given statutory powers, subject to the direction of the Department. In bringing detailed proposals for the creation of statutory Transition Committees to the Executive and Assembly, the Minister will ensure that the concerns raised by the political parties are addressed, and he will engage fully with all political parties, through the Strategic Leadership Board, in framing those legislative proposals. In particular, the Minister will invite the Policy Development Panel with responsibility for developing proposals for council governance arrangements to urgently consider the issue of the governance arrangements for the statutory Transition Committees and to develop specific proposals for inclusion in the legislative proposals to provide for fair, transparent and efficient decision-making. In addition, the Minister will seek to ensure that the arrangements put in place do not unduly fetter the democratic right of the new councils to develop and deliver their own vision for the area which they serve.

Providing for a smooth transition from the existing structures to the new councils will require very careful thought and planning. The Minister is confident, however, that the implementation structures the Department is putting in place, coupled with the energy and enthusiasm of all those involved in the implementation process, will provide for a smooth transition to the new council structures and, most importantly, ensure that citizens do not see a reduction in the quality or level of service during the transition period.

889.13 SUPPORT FOR EOGHAN QUIGG – X FACTOR FINALIST

The Mayor of the Borough of Limavady has written informing members that Eoghan Quigg, from the Borough of Limavady is one of 12 finalists in the popular television programme, the X Factor. The Mayor requests members to urge their constituents to endorse Eoghan in the live show pointing out that not only has he been a great ambassador for the Borough but for the entire region.

The Mayor, Councillor Stevenson and Councillor Robinson wished Eoghan every success in the competition.

* **Alderman Connolly left the meeting at 7.40 pm**

889.14 RPA – IMPLEMENTATION COSTS

The Minister, Sammy Wilson, MP, MLA, has responded to Council's letter relating to the costs of implementation of the local government aspects of the Review of Public Administration and in particular the imposition of costs on the rate base of small councils.

He advised that in relation to the resourcing of the restructuring process, departmental officials are currently working with the Strategic Leadership Board to address the issues of implementation, including the formation of Transition Committees and Transition Management Teams within the new Council groupings. As this process is taken forward it will also consider the issues in relation to the funding and resources necessary to deliver the objective of 11 new councils in May 2011. The Department has also committed to the delivery of a Strategic Outline Case for the restructuring programme, which will examine how the restructuring programme is implemented.

Councillor Robinson expressed the view that NILGA may have an interest in relation to the provision of funding and resources necessary for delivery of the objective.

889.15 ROADS SERVICE PRIVATE STREETS (NORTHERN IRELAND) ORDER 1980

Roads Service has written to inform Council that the roads at the McArthur Avenue, Dervock (NIHE development) have been adopted.

889.16 REPORTS

A list of reports was circulated for members' information.

889.17 NILGA REPORTS & UPDATES

Schedule of NILGA reports issued, circulated.

Councillor Robinson updated members on the outcome of a meeting at Stormont recently, informing MLAs of responsibilities, the costs involved and the additional work necessary by councils on waste matters. MLAs were given a presentation by four different Waste Management Groups outlining current progress, technologies available and the expertise needed and supplied by central government who will work closely with local government on waste management issues. She said it had proved to be a very successful meeting.

The meeting concluded at 7.55 pm.

Appendices attached:

Appendix 1 – Guidance on the Establishment of Transition Committees & Transition Management Teams.

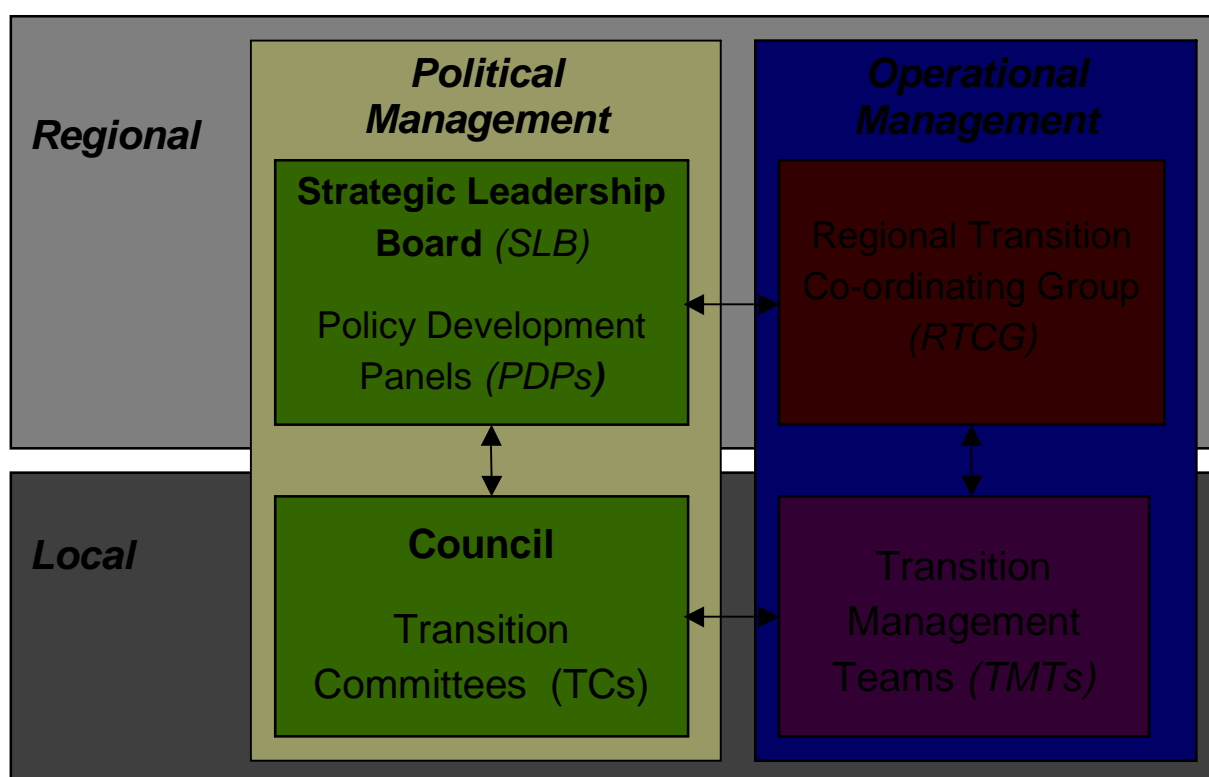
GUIDANCE ON THE ESTABLISHMENT OF TRANSITION COMMITTEES AND TRANSITION MANAGEMENT TEAMS

Background

1. This Circular sets out initial guidance on the formation of Transition Committees and Transition Management Teams.

Detail

2. In response to guidance from the Minister in July 2008, a number of amalgamating councils have either begun, or are about to begin, the process of establishing voluntary Transition Committees.



3. The diagram above illustrates the linkages and flows of information and control between the implementation structures.
4. The Transition Committees are made up of elected members from the constituent councils which will form the new authorities. It is important to note that Belfast City Council will require its own transition committee arrangement due to the unique nature of the new council – i.e. it is not formed from the amalgamation of existing entities, but rather is based largely on the existing Belfast City Council, with its new boundaries as recommended by the Local Government Boundaries Commissioner. The detail of the Belfast approach can be developed in due course, but the principles which are set out in this paper should apply where appropriate.

5. Transition Management Teams are tasked with the operational delivery of the restructuring programme at the local level, working under the direction of their Transition Committees.

Context

6. The next key step in the programme of restructuring is to establish the Transition Committees and the Transition Management Teams. This will provide the basic programme infrastructure to allow the initial work to begin in the council groups.
7. The terms of reference for Transition Committees and Transition Management Teams are attached at Annex 1 and Annex 2 respectively. A Guidance Note on governance arrangements for Transition Committees is attached at Annex 3.
8. This should be considered to be initial guidance, to inform the creation and establishment of the bodies. As the implementation structures develop, it is anticipated that the Strategic Leadership Board, through the Regional Transition Co-ordinating Group, will issue further guidance as the programme proceeds.
9. The early dissemination of this guidance is intended to assist in the formation of such groups at the earliest opportunity, and to ensure that they are formed in a consistent manner and operate to a common understanding.
10. The Department will, as a matter of urgency, also provide Transition Committees and Transition Management Teams with a reporting framework, to ensure that programme reporting is consistent.

Annex 1**GUIDANCE ON THE FORMATION OF TRANSITION COMMITTEES****1 ROLE OF TRANSITION COMMITTEE**

The primary role of the Transition Committee is to take the key decisions necessary to ensure that there are eleven effective Councils in place on the fourth day after polling day in May 2011, in accordance with Part III of the Electoral Law (Northern Ireland) Act 1962. Transition Committees will be comprised of elected members from the existing Councils supported by Transition Management Teams of officers from those Councils together with representatives of the transferor public bodies. Transition Committees will operate to the following Terms of Reference: -

1.1 Terms of Reference**(1) General**

- To secure a coherent and co-ordinated approach to local decisions in line with the strategic direction and key policies developed by the Strategic Leadership Board and Policy Development Panels and the operational advice issued by the Regional Transition Co-ordinating Group.
- To action and develop the implementation template provided by the Regional Transition Co-ordinating Group through the development of a local prioritised work plan (including activity map and timeline).
- To liaise with local stakeholders to ensure that the implementation process takes account of their views.
- To direct the work of Transition Management Teams and establish working groups, as appropriate, to support the work of the Transition Committee.
- To ensure that agreed local programmes and timescales are met.

(2) Governance

- To develop a shared corporate vision for the new Council.
- To develop local governance arrangements to meet the requirements as set out by the Strategic Leadership Board, through the work of Policy Development Panel A.
- To prepare financial arrangements and draft standing orders for the operation of the new Council.
- To advance the convergence of key plans and programmes, including the

capital development programmes of existing councils.

- To develop a local communication strategy, in line with and informed by the overarching Programme Communications Strategy, to inform members, staff and the public regarding the implementation process.
- To develop a local capacity building programme as necessary, based on the recommendations on capacity building agreed by the Strategic Leadership Board, as developed by Policy Development Panel C, for members and officers.
- To ensure that local winding-up arrangements are put in place for the affected public bodies.

(2) Service Delivery

- To ensure continuity of service delivery across the new Council area from the operative date.
- To integrate transferred services and new functions into the new Council's operations.
- To develop an Integrated Service Delivery Strategy and Performance Plan
- To formulate a customer service strategy for the new Council.
- To examine the potential for service delivery efficiencies and economies through service rationalisation measures.
- To plan a cohesive IT strategy for the new Council building on the output of Policy Development Panel B.

(3) Structural Reform

- To appoint a Chief Executive designate for the new Council as soon as possible.
- To design an appropriate staff structure for the new Council.
- To make early appointments of senior staff designate, especially in the finance and human resources fields.
- To address the local implications of the outworking of the staff transfer scheme and compliance with Public Service Commission Guiding Principles.
- To formulate an estates strategy and address accommodation issues for the new Council.

- To establish a corporate financial management system and prepare a budget for the new Council.
- To manage the transfer of assets and liabilities to the new Council and the associated legal and administrative issues.

1.2 Membership

Nominating Body	Member
Amalgamating Councils	Councillors <i>(Number of Councillors will vary from area to area according to size)</i>

1.3 Policy and Administrative Support

A Change Management Officer should be appointed by the Transition Committee to assist the transition process for both the Transition Committee and Transition Management Teams. The Change Management Officer should attend meetings, undertake associated activities and provide administrative support. Transition Committees will be assisted by the Strategic Leadership Board, Regional Transition Co-ordinating Group and Transition Management Teams in their planned programme of key policy activities. The new Chief Executive designate and senior management team designate, when appointed, will undertake the key advisory and management role until transfer to the new Councils.

1.4 Term of Office and Vacancies

The amalgamating Councils will nominate members for an agreed period. The nominating body will fill any vacancies arising as soon as possible. Transition Committees will cease activities on the operative date of the new Council.

1.5 Legal Status

The DOE will provide a legislative framework for the Transition Committees as soon as possible. Until this happens, Transition Committees should be set up as joint committees constituted as bodies corporate and should commence work immediately on the basis of a joint committee because of the urgency required to meet implementation timescales.

1.6 Flexibility

Transition Committees will operate in a flexible manner to successfully manage the change process in preparation for the effective operation of the new Council. Accordingly, the Terms of Reference may evolve to accommodate unanticipated policy development at Strategic Leadership Board and Policy Development Panel levels and

any new issues that may emerge at the local level through existing Councils, Transition Management Teams and transferor bodies.

2 MANAGEMENT ARRANGEMENTS

(1) General

- Membership of the Transition Committees will consist only of elected members from the existing Councils and should proportionately reflect the political composition of those existing Councils.
- The size of a Transition Committee should take account of the need for efficient and effective management and numbers should be in the range of 10–16 members. (A guidance note will be issued on this matter.)

(2) Secretariat

- The secretariat will be provided by the Change Management Officer.

(3) Meetings

- Transition Committees will meet at times considered appropriate and venues for meetings should be rotated among the existing Councils.
- Transition Committees may invite any person or body to attend meetings and may invite such a person or body to make a presentation and/or submit evidence and produce documents.

(4) Agendae

- The Chair of the Transition Committee will determine the agenda for meetings, with the assistance of the Secretariat.
- Documents relating to the business will normally be made available to members at least three working days before the meeting to which they relate.

(5) Record of proceedings

- Minutes of meetings will be in action format listing key decisions and actions to be taken and will be prepared by the Secretariat. Copies of such minutes should be submitted to the Strategic Leadership Board.

Annex 2**Guidance on the Establishment of Transition Management Teams****1 ROLE OF TRANSITION MANAGEMENT TEAMS**

Transition Management Teams will have responsibility for the ongoing operational management of the transition at the local level. Each Transition Management Team will work under the direction of the Transition Committee, taking account of the guidance from the Regional Transition Co-ordinating Group, to ensure that there is an effective Council in place on the operative date of the changeover. Transition Management Teams will include Chief Executives from the amalgamating Councils and Senior Officers from transferor public bodies at the local level. A Change Management Officer should be appointed by the Transition Committee to assist the transition process for both the Transition Committee and Transition Management Teams. The Change Management Officer should attend meetings, undertake associated activities and provide administrative support. Transition Management Teams will operate to the following Terms of Reference: -

1.1 Terms of Reference**(1) General**

- To secure a coherent and co-ordinated approach to local operational management issues in line with the policies developed by the Strategic Leadership Board and Policy Development Panels, Transition Committees and the operational advice issued by Regional Transition Co-ordinating Group.
- To action and develop the implementation template provided by Regional Transition Co-ordinating Group through the development of a prioritised work plan (including activity map and timeline).
- To inform the Transition Committee of key issues needing policy direction.
- To inform the Regional Transition Co-ordinating Group of key issues needing regional operational guidance.
- To liaise with local officer stakeholders to ensure that their perspectives inform the implementation process.

(2) Governance

- To support the Transition Committee, where appropriate, to develop operational policies.

- To undertake, in the context of policy direction from the Transition Committee, the convergence of key plans and programmes, including the corporate plans and capital development programmes of existing councils.
- To ensure implementation of local capacity building and training programmes for affected staff, based on policy developed through Panel C, and operational guidance through the Regional Transition Co-ordinating Group, particularly those 'at risk'.
- To establish local winding-up arrangements for the affected public bodies at the local level.

(3) Service Delivery

- To assist the Transition Committee in developing key Service Delivery strategies, including: -
 1. *Integrated Service Delivery Strategy and Performance Plan;*
 2. *Identifying the potential for service delivery efficiencies and economies through service rationalisation measures;*
 3. *Formulating a customer service strategy for the new Council.*
- To prepare and execute operational plans to secure continuity of service delivery across the new Council area on the operative date.
- To help the Transition Committee ensure the smooth transfer of services and functions
- To help the Regional Transition Co-ordinating Group on associated regional transfer operational issues.
- To identify and implement improvements in key administrative and IT systems, procedures and processes through harmonisation and development of cohesive, efficient and effective management strategies for the new Council.

(4) Structural Reform

- To assist the Transition Committee with policy development, including:
 1. *The formulation of an estates strategy and accommodation issues;*
 2. *Establishment of a corporate financial management system and preparation of a draft budget;*
 3. *Development of an integrated IT strategy;*
 4. *The transfer of assets and liabilities to the new Council and the associated legal and administrative issues.*
- To implement the staff transfer scheme, as agreed by the Strategic Leadership Board and Transition Committee, taking account of the Public

Service Commission Guiding Principles.

- To work closely with the Chief Executive designate and senior managers designate.
- To engage with Regional Transition Co-ordinating Group on potential regional solutions and establish local officer working groups to support the work of the Transition Committee and Transition Management Teams.

1.2 Information and Resources

The Terms of Reference can only be successfully addressed if:

- full details are supplied to the Transition Committees and Transition Management Teams with regard to functions transferring to the new Councils; and
- an adequate level of central resources is made available to the Transition Committees and related Transition Management Teams to fund their activities.

1.3 Membership

Nominating Body	Representative
Councils	Chief Executive (Chair rotating until Chief Executive designate is appointed)
Councils	Senior Officers
Transition Committee	Chief Executive designate (when appointed)
DOE Planning Service	1 Officer
DRD Roads Service	1 Officer
DSD	1 Officer
DETI /INI	1 Officer
Other	Co-opted as required by task (time limited)

The Chief Executives and Senior Council officers will be from the amalgamating Councils. Officers from the transferor public bodies should preferably have a working knowledge and a functional relationship with the amalgamating Councils.

The new Council Chief Executive designate, when appointed, would assume the role of Chair. The Change Management Officer would attend and provide administrative support.

1.4 Term of Office and Vacancies

The Transition Management Teams will cease activities on the operative date of the new Council. The nominating body will fill any vacancies arising as soon as possible.

1.5 Flexibility

Transition Management Teams will operate in a flexible manner to successfully manage the operational change process. Accordingly, the Terms of Reference may evolve to accommodate unanticipated policy development at Strategic Leadership Board and Regional Transition Co-ordinating Group levels and the new issues that may emerge at the local level from Transition Committees, existing Councils and transferor bodies.

2 MANAGEMENT ARRANGEMENTS

(1) General

- Membership of the Transition Management Teams will consist of Chief Executives and Senior Officers of Councils and Senior Officers of the transferor bodies, as indicated above. The new Council Chief Executive designate, when appointed, would become Chair and selected members of the new officer management team designate would also attend.
- The Chair of a Transition Management Team will be a Chief Executive on a rotational basis until the Chief Executive designate is appointed and assumes the role.
- Each Transition Management Team will be assisted by a Change Management Officer and support staff.

(2) Secretariat

- The secretariat will be provided by the Change Management Officer.

(3) Meetings

- Transition Management Teams will meet at times considered appropriate and venues for meetings should be rotated among the existing Councils.
- Transition Management Teams may invite any person or body to attend meetings and may invite such a person or body to make a presentation and/or submit evidence and produce documents.

(4) Agenda

- The Chair of the Transition Management Team will determine the agenda for meetings, with the assistance of the Secretariat.
- Documents relating to the business will normally be made available to representatives at least three working days before the meeting to which they relate.

(4) Record of proceedings

- Minutes of meetings will be in action format, listing key decisions and actions to be taken, and will be prepared by the Secretariat and submitted to the Transition Committee. Copies of such minutes should also be submitted to Regional Transition Co-ordinating Group.

GUIDANCE NOTES ON GOVERNANCE FOR TRANSITION COMMITTEES

1 Background

The Terms of Reference for Transition Committees set out that they will play a lead role in taking the key decisions necessary to ensure that there are eleven effective Councils in place on the operative date of the reorganisation of Local Government in 2011.

Transition Committees will be comprised of elected members from the amalgamating Councils supported by Transition Management Teams of officers from those Councils together with representatives of the transferor public bodies. The Regional Transition Co-ordinating Group will also give advice and support on the important operational issues. These bodies will operate in the context of the Strategic Leadership Board high-level policy direction and advisory arrangements.

2 Framework

This Guidance Note provides a governance framework to Transition Committees for the effective, efficient and accountable management of their activities. Good governance is also considered to be an essential prerequisite for the allocation of funds by the Department of the Environment (DOE) to assist Transition Committees with their work. In creating the various governance components within the framework set out below, Transition Committees should utilise support services and best practice residing in the amalgamating Councils. To do so will accelerate formation and ensure that effective governance and administrative support systems are employed.

3 Legal Status

The 11 Transition Committees will be set up to reflect the groupings of councils specified in the Local Government (Boundaries) Act (NI) 2008. In the first instance, the Transition Committees will meet in a voluntary capacity and proceed as soon as possible to formation as a Joint Committee using the existing provisions of the Local Government legislation (*See Appendix 2 - Extract from the Local Government Act (Northern Ireland) 1972*). As a body corporate, the Transition Committees will have a statutory basis for accountable decisions within the framework set out in the terms of reference.

The Department of the Environment intends to make enabling provisions for statutory Transition Committees in the Local Government (Finance) Bill, with a planned operative date of no later than April 2010. These new provisions will enable the Department, by regulations, to provide the Transition Committees with powers to enable them to make essential decisions in preparation for the new Councils.

Figure 1 below sets out the legal status, role progression and indicative timetable for Transition Committees.

Figure 1 – Progression of Transition Committees

Date	Key Role	Legal Status
<i>Oct 2008 – Nov 2008</i>	<i>Preparing for Change – agree Governance arrangements and undertake key lead - in activities</i>	<i>Voluntary Transition Committees</i>
<i>Dec 2008 – April 2010 (or sooner, depending on the legislative timetable and vehicle)</i>	<i>Prepare Transition Plan and initiate transition programme to ensure effective Council on the operative date</i>	<i>Joint Committees under section 19 of the Local Government Act (NI) 1972. The Department will constitute the joint committees as bodies corporate</i>
<i>April 2010 – May 2011 local government elections</i>	<i>Continue detailed transition work to ensure an effective Council on the operative date</i>	<i>Statutory Transition Committees as per legislation in the Local Government (Finance) Bill</i>
<i>May 2011 Elections</i>	<i>Statutory Transition Committees will complete their required programme of work 4 days following polling day</i>	<i>Under section 19(7) of the Local Government Act (NI) 1972, members of a joint committee remain in office until the day after the first meeting of the succeeding council</i>
<i>Post Elections 2011</i>	<i>Transformation programme</i>	<i>New Councils legally operative</i>

4 Accountability and Decision Making

Transition Committees will be accountable for their decisions and, accordingly, they must ensure that they have good governance arrangements, including: -

- Operating in accordance with agreed standing orders (*such standing orders may be adopted from an amalgamating Council*)
- Efficient and effective approach to work planning and decision making
- Openness and inclusiveness
- Compliance with all the legal obligations pertaining to a public body

5 Reporting and Transparency

Transition Committees will be subject to the accepted norms of internal and external scrutiny. They will operate to best practice in management of meetings, reporting arrangements and general administration.

The terms of reference for Transition Committees provide advice on meetings, agendas, and reporting. In particular, the terms of reference state that *'minutes of meetings will be in action format listing key decisions and actions to be taken and will be prepared by the Secretariat. Copies of such minutes should be submitted to the Strategic Leadership Board.'* The Strategic Leadership Board and Department of the Environment will require regular reports on transition progress for the effective coordination and strategic management of the reform process.

To ensure transparency, Transition Committees will make arrangements for public access to the decision making process. A communication strategy should be developed to regularly inform the public and stakeholders.

6 Chair and Representation

In order to secure fairness and inclusiveness: -

- The Chair of the Transition Committee will rotate between amalgamating Councils;
- Each Council within the Transition Committee should have the same number of members and this membership should reflect the existing political strength of the Council (*subject to a maximum of 16 Councillors per Transition Committee*).

7 Conduct and Standards

Members and officers working within the Transition Committees and associated projects will be expected to abide by the existing local government codes of conduct and ethical standards.

8 Responsibilities and Allowances

The Terms of Reference set out the responsibilities of a Transition Committee. As these responsibilities will constitute an important role for the Councillors appointed to Transition Committees they will be paid from the DOE allocated block grant an agreed supplementary allowance for the additional responsibility involved. The amount proposed is £2700 pa, in parity with the Strategic Leadership Board and Policy Development Panels. Members appointed to Transition Committees should have the time, capacity and commitment to contribute effectively to the development of new Councils.

9 Finance

Each Transition Committee must ensure probity, accountability and efficiency in all its financial activities. This will include: -

- Operating within approved financial arrangements (*such arrangements may be adopted from an amalgamating Council*)
- Preparation of a working budget
- Preparation of annual accounts
- Being subject to the Local Government Audit arrangements

In this context, the Department of the Environment will allocate a block grant to each Transition Committee to help fund its work including staff costs, members' allowances, research, etc. Expenditure from the block grant must be in pursuit of the activities of a Transition Committee and in accordance with the Transition Committee Terms of Reference and the legislative provisions.

10 Staff and Support Services

Each Transition Committee will reach agreement with the amalgamating Councils to provide support services such as finance, audit, HR, legal, insurance, etc. The Transition Management Team will have a key supportive role.

Local Government Staff Commission advisory and oversight provisions will apply to Transition Committees with regard to staffing and relevant human resource matters. In accordance with Local Government Staff Commission advice, a Change Management Officer will be appointed to provide support to each Transition Committee. This post will be funded from the DOE-provided block grant. As stated in the Terms of Reference, *'Transition Committees will also be assisted by the Strategic Leadership Board, the Regional Transition Co-ordinating Group and Transition Management Teams in their planned programme of key policy activities. The new Chief Executive designate and senior management team designate, when appointed, will undertake the key advisory and management role until transfer to the new Councils.'*

Transition Committees will abide by the Public Service Commission (PSC) Guiding Principles and, in particular, ensure the fair treatment of staff in the change process for which they (the Transition Committees) are responsible.

11 Location

A Transition Committee will not be based in any one Council and thus the meetings of the Transition Committee will rotate between the amalgamating Councils.

The good governance arrangements adopted will be the modus operandi for each Transition Committee during its tenure. However, governance arrangements may be subject to amendment as the legislative process proceeds.