

PLANNING AND GOVERNANCE REFORM: IMPLICATIONS FOR INTER-JURISDICTIONAL PLANNING ON THE ISLAND OF IRELAND



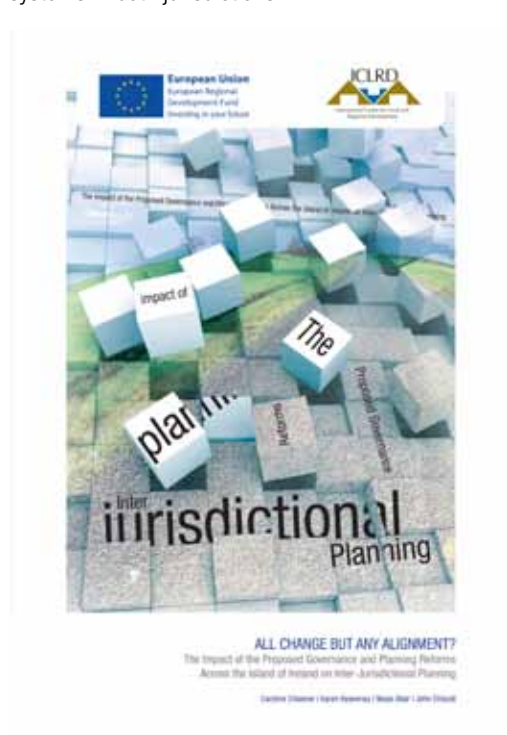
Caroline Creamer, Karen Keaveney and Neale Blair, with an epilogue by Daniel McSorley

In mid 2010 the International Centre for Local and Regional Development published the report of a research study into governance and planning reform across both jurisdictions in Ireland: *All Change But Any Alignment? The Impact of the Proposed Governance and Planning Reforms Across the Island of Ireland on Inter-Jurisdictional Planning* (available on www.iclrd.org). This paper draws on the findings of that report.

As a result of delays in progressing proposed governance and planning reforms in both the Republic of Ireland and Northern Ireland, this paper is more a 'what could be' than what has actually come to pass. In recognition that much has changed even since the publication of that mid-2010 report, particularly in Northern Ireland, this paper concludes with an Epilogue by Mr. Daniel McSorley, Chief Executive of Omagh District Council. This outlines what has happened at local government level in the North since the suspension of the local government reform and Review of Public Administration (RPA) process was announced in July 2010. And interestingly, what is evident is that in response to the changing economic landscape, and building on the various phases of the original reform process, change is very much still on the agenda.

The emergence of what has become known as spatial planning emphasises the need for improved

integration between policy and practice in the achievement of the goal of balanced regional development (Nadin, 2007). This more holistic approach towards development and growth replaces a system that was once solely focused on land-use planning; a transition that has been influenced by concepts emerging from the European Union (Harris et al, 2002). The issues and processes that this refocus entails, however, are becoming increasingly intricate. In the context of the island of Ireland, these complexities are intensified by the fact of two separate political jurisdictions, the relatively confined territorial scale, the shape of its space, the cross-border dimension, varying interpretations of EU policy and directives and, more recently, because of proposed changes to the governance and planning systems in both jurisdictions.





Within Northern Ireland, proposed changes were to largely come into effect through the planned reform of local government as part of its Review of Public Administration (RPA); a process that, after almost ten years in the planning, stalled in July 2010. In the Republic of Ireland, planning and governance change was to result from the recently adopted Planning and Development (Amendment) Act 2010, and both the existing Green Paper and a much awaited White Paper on Local Government Reform. Until this summer these proposed reforms were largely being welcomed in terms of the perceived positive changes they were to bring to the existing planning and governance systems. At the same time, however, questions lingered as to what extent they would – or would not – result in the further alignment of policy and practice in both jurisdictions, and whether they would enhance the opportunities for collaborative working on a cross-border and inter-jurisdictional basis in the areas of spatial planning and multi-level governance.

Planning and Governance Reform in Northern Ireland

Local government in Northern Ireland has for the past 35 years had very limited governance powers. The 1972 reform of local government, instigated as a result of growing civil unrest and identified failings and biases in the system (Birrell, 2007), was characterised by a movement away from councils centred on county boundaries to the establishment of a single tier – or unitary system – of 26 district councils which varied in size, population and resources. The resulting system of local government had few powers and, in terms of the principle of subsidiarity, was anything but ideal. The key services in which local government played a direct provision role included community services, refuse collection, regulatory services in environmental health and building control, and local arts and culture. In addition, the number of ‘quangos’ in existence and involved in the delivery of services in Northern Ireland further led to what Pemberton & Lloyd (2008) referred to as “institutional congestion”.

The Review of Public Administration (RPA) was an attempted shift towards good governance in the areas of health, education and local government, with all three sectors earmarked for a radical structural overhaul. Almost immediately, however, it was the reform of local government that came to dominate the review process and in many respects ‘capture the public’s imagination’ (ICLRD, 2010). Local government, it was argued, needed to be ‘fit for purpose’, to function more effectively, and to be in a better position to shape the development of local communities and functional areas in terms of land use, infrastructure and regeneration. To enable this to happen, it was envisaged that a new operational framework – involving a reduction in the number of councils – would be required and that a range of new functions would need to be added to the current remit of local government. This proposed reform of local government provided Northern Ireland with a unique opportunity to unearth good practice from elsewhere in terms of local government organisation and management which were suitable for transference; and thus, to design and implement a system of governance which best met the needs of the region. However, progress on its implementation has been anything but smooth.

The idea for RPA originated in the Belfast/Good Friday Agreement of 1998 and the subsequent Programme for Government of the new Northern Ireland Executive. It was recognised at this time that there existed a ‘need for different structures under devolution taking account of the relationships between local and regional government as well as the range of other public sector bodies’ (Birrell, 2007: 657). A key objective for the newly formed Executive was, therefore, to improve the quality and cost-effectiveness of public services in building a peaceful, fair and prosperous society in the region. Reducing the number of councils and transferring functions from central government to local government was considered by the Executive as a vehicle not only for enhanced (and improved) governance structures but also for efficiency gains within the public sector.



From 2002, when the terms of reference for governance reform were first published, to July of this year, the reform of local government went through a number of iterations. It was hampered, especially in its early days, by regular and lengthy suspensions of the Northern Ireland Assembly and the return to direct rule. While the then Secretary of State, John Reid was clear from the outset that the Review would continue under the control of the Office for the First Minister and Deputy First Minister (OFMDFM), despite the suspension of the Executive (Birrell, 2007), it was already becoming clear that this was not going to be a straightforward process.

In 2002 the British government, under direct rule, adopted four principles to guide the RPA process in Northern Ireland (Knox, 2009; Birrell, 2007); namely *Subsidiarity*: delegating powers to the most local level possible; including determining which services are best developed, overseen and delivered at local level;

Strong local government: creating a structure with a key role in the delivery of major services and in local governance / leadership, and at the heart of which lies creating sustainable communities;

Co-terminosity: organising public services around common boundaries, so as to ensure community planning and joined-up / partnership working; and *Good relations*: emphasising equality and the development of a shared and inclusive society which embraces diversity.

Following this, two consultation processes were undertaken which resulted in the publication of reports outlining the direction of the RPA and provided recommendations on the model of local government that could be adopted (Northern Ireland Office, 2003; 2005).

This was to lead to the first iteration of local government reform. It was announced in November 2005 that a seven 'super-council' model of local government would be adopted with an increased range of functions; and with the reduction in the number of councils, there would be an associated

reduction in the number of councillors. It was proposed that new operational structures would be up and running by mid-2009, following elections to the new councils in 2008 (Knox, 2009). At the same time, there would be reforms in other key areas, notably:

Education Reform: a new Education and Skills Authority would be established to replace the existing education and library boards;

Health Reform: a single Health and Social Services Authority would be created to subsume the existing four health and social services boards, while the 18 health trusts would be reduced to five; and

Quangos: the total number of these agencies would be reduced from 81 to 53.

A 'Review of the Review'

The return of devolved government to Northern Ireland in May 2007 resulted in local government reform being placed firmly at the top of the Assembly's policy agenda, and almost immediately a review of the former Secretary of State Peter Hain's decisions was initiated (Knox, 2009). This was a process that would subsequently result in the original decisions on the reform of local government (including those decisions relating to the number and functions of councils) being revised. This review did not apply to health and education reform and, as a result, their reorganisation has moved ahead more rapidly than that of local government. This decision to progress reform of particular sectors before others – rather than adopting a holistic approach which would see each sector reviewed in parallel – has put the achievement of the principles of subsidiarity and co-terminosity in serious doubt (ICLRD, 2010).

This 'review of the review' was driven by the Department of Environment (DoE), and following a year-long reappraisal process, it was announced in March 2008 that the number of councils would be reduced from 26 to 11 (instead of the originally planned seven). This did not come as a complete surprise, since there were strong arguments that the seven-council model would pose many practical problems. For example, it was contended that the

Figure 1: The outcome of the ‘Review of the Review’ – the 11-council model adopted in 2008.



Courtesy of the Department of the Environment (DOE)

seven ‘super-councils’ would accentuate community divisions instead of reducing the impact of sectarian politics (Birrell, 2007). Furthermore, it was argued that it would lead to a ‘Balkanisation Scenario’ (Knox, 2009; Birrell, 2007) that would exacerbate an already existing divide on an East-West axis – the councils in the west being nationalist / republican controlled while councils in the east would continue to be unionist dominated (Knox, 2009). As part of the ‘review of the review’, it was also agreed that further additional functions should be awarded to the new councils, although they would be less than originally envisaged (ICLRD, 2010). In particular, the decision to situate planning, community planning, regeneration and public realm functions within the new councils was deemed to constitute a ‘good fit’.

A Stronger Local Government

At a local level, the preparation of development plans was to become a new function of the proposed eleven councils. And provided community engagement was central to the process, this would

have resulted in greater council, and therefore community, ownership of the resulting policies. In parallel to this function, a proposed innovative responsibility of the new councils was to be that of ‘community planning’. Right up until July 2010, when the process of reforming local government stalled, there remained a degree of uncertainty as to what exactly constituted community planning in the Northern Ireland context: the most definitive explanation up until that point being that it was a framework – rather than a mechanism – which would detail how councils would work in partnership with different agencies to deliver better outcomes.

Given these new core functions, it was essential that appropriate systems would have to be put in place to ensure a dovetailing between development and community planning processes. New development plans were to be prepared for each of the eleven councils, a process that was to be limited to 40 months and which would detail the zoning and policy landscape for physical development, environmental

conservation and sectoral activities such as tourism. It was envisaged that these would cover a period of 15 years – thus reflecting their strategic nature and focus. In parallel to this, the core function of the community plans, with an emphasis on socio-economic and cultural planning, was to create a vision, centred on the principles of sustainable communities, for each area falling within the administrative boundary of the new councils.

Workable In Theory: What About Practice?

That local government would have had a greater range of functions, and as a result, a greater democratic mandate, was a welcome development in the governance of Northern Ireland. However, concerns were expressed that the decisions made by central government departments on what activities were to devolve to the proposed councils, would be politically-driven rather than being part of a wider, strategic framework for better governance and socio-economic development (ICLRD, 2010). Equally, the appropriateness of the approach adopted to government reform, where the emphasis was placed on the 'ideal' number of councils (instead of form following function) was also questioned during the course of the research conducted by the ICLRDR research team. It should not have been a question, first and foremost, of how many councils would be the ideal model. Rather, 'based on the principles of enhanced strategic leadership and clear accountability, strengthened neighbourhood empowerment, and equity and value for money' (Chartered Institute of Housing, 2010; quoted in ICLRDR, 2010: 52), the reform process should have first determined what functions would be decentralised to the new councils (and the critical mass required to effectively deliver on these), and only then decided on the number of councils required.

The ICLRDR report further concluded that there was an inherent fear that old attitudes were too well embedded within local government to embrace the changes required, in both practice and culture, for the reform process to succeed. To address this, both local government officials and representative bodies,

such as the Northern Ireland Local Government Association (NILGA), quickly predicted that an enhancement of the skills set of both council officials and elected representatives was essential if there was to be an efficient and effective delivery of the new range of functions being decentralised. For example, it was recognised that the reform of local government would place more demands on elected members while, at the same time, giving them more discretion. With the objective that they gain a better understanding of their new functions and increased powers, increasing the capacity of elected officials was deemed necessary to ensure that effective relationships were established and that they would become key participants in the governance of their areas. However, the relevant resources to support this training and capacity-building never materialised.



The Custom House in Dublin, the home of the Department of the Environment, Heritage and Local Government



Planning and Governance Reform in the Republic of Ireland

Although not undergoing the same extensive structural changes as planned for Northern Ireland, there were nonetheless important transformations underway in policy and legislation in the Republic of Ireland in 2009 and early 2010. The proposed reforms for local government in the Republic were taking place as a response to ongoing changes in the state, including transformations in population growth, economic decline, and the need to address issues such as growing social exclusion and the need for more effective environmental protection (DoEHLG, 2008). In addition, the reform agenda was also been driven by the need to redress the corruption evident in the system (as identified by the Flood and Mahon Tribunals¹⁰), and consequent impacts on zoning and local decision-making.

Since the 1990s a number of local government and planning reforms have taken place in the Republic of Ireland. Central to these was a review and subsequent strengthening of the structures behind 'good governance', rather than the number and range of functions lying behind the remit of local government. The most important of these reforms were the structural changes implemented by Better Local Government (BLG) (Department of Environment, 1996) and new legislation introduced for planning and housing through the Planning and Development Act 2000. And while there are varying opinions on the impact and success of BLG (Keaveney, 2009; Callanan, 2008; TASC, 2007), this restructuring of local government in the 1990s reflected the fact that the role of local authorities had been repositioned, and their technical and professional expertise – once regarded as pre-eminent in decision-making – needed to be broadened so as to recognise that other bodies, such as NGOs and community groups, should have as much say in the future development of local council areas.

In spatial planning terms, the wide range of new legislation adopted through the 2000 Act enhanced the role of planning by filling a serious gap in

the potential for strategic planning following the withdrawal of government from regional planning with the disbandment of the Regional Development Authorities in 1987 (Cawley, 1996). In parallel, European Union objectives to examine and plan for the territory of Europe as a whole culminated in the publication of the European Spatial Development Perspective (ESDP) in 1999, and this in turn drove the attempt to plan more strategically at national and local level. In addition, it strengthened the legal requirements around development plan making, and setting in place mechanisms for tighter time limits for decision-making and adoption.

Proposals for Change

The current proposed changes for local government in the Republic of Ireland are largely based on the Green Paper on Local Government, *Stronger Local Democracy - Options for Change* (2008), which is shortly expected to be published as a White Paper, and the Planning and Development (Amendment) Act, 2010. As proposed, the totality of the changes will have significant implications for the current workings of local government, building on the Local Government Act 1991 under which local authorities were given a power of 'general competence' in place of the earlier doctrine of *ultra vires* (Creamer & O'Keeffe, 2009). This power of general competence, according to Callanan, paves the way for councils to engage in activities that 'promote the interests of the local community' (2003: 9), thus reiterating and taking forward the 'good governance' objectives of BLG as they relate to the role of local communities and NGOs in decision-making. This can include social inclusion measures and environmental, cultural or community development initiatives. And it is the enhancement of such interests that lies at the heart of the reforms being proposed and / or under way.

The Green Paper proposes a number of structural and systematic changes to local government throughout the state, including a new mayor for the Dublin region with defined strategic functions; directly elected mayors for all other cities and counties; the devolution of greater decision-making



powers to town councils in line with the principle of subsidiarity; the sharing of services between authorities; and a greater regional focus emphasising movement beyond the traditional model of county boundaries for administration. The Green Paper also highlights the need for greater financial autonomy within local government – thus increasing local discretion – but provides no consensus on how this could be best achieved.

It is now two and a half years since the Green Paper was published, and there is still no timeframe in place as to when this will be translated into a White Paper. In the meantime, the Local Government Efficiency Review Group, operational from December 2009 to July 2010, has recently submitted its report to the Irish government. It too ‘considers that a restructuring of the local government system provides an opportunity to introduce new and more efficient ways of providing local services’ (DoEHLG, 2010: 3). However while it puts more ‘flesh’ on the initial ideas of the Green Paper – such as shared services – it also contradicts other aspects such as greater powers to town councils, proposing instead the gradual merging of a number of neighbouring county councils.

In spatial planning terms, the Planning and Development (Amendment) Act 2010 extends and amends the 2000 Act (and further amendments that occurred up to and including 2007). The need for evidence-based planning is a key driver for this Act, the principal aim of which is to support economic renewal and promote sustainable development by ensuring that the planning system supports targeted infrastructure investment. More specifically, the Act requires that all city and county plans include a ‘Core Strategy’ which fits with national and regional policy: including the National Spatial Strategy (NSS) adopted in 2002 and the Regional Planning Guidelines (RPGs) adopted in 2004 and revised in 2010. The emphasis of the resulting plans is, therefore, on evidence-based development that meets the ‘common good’. In support of the broader sustainability and climate change goals, this includes mandatory objectives for the promotion of sustainable settlement and

transportation strategies, and appropriate measures to support climate change adaptation and reduce man-made greenhouse gas emissions.

The Act also introduces a stronger regional dimension to land-use planning, with regional authorities now having a formal role in the preparation of development plans and, in particular, the aforementioned Core Strategy. Under this new legislation, the envisaged hierarchical planning system under the Planning and Development Act 2000 can now be implemented.

In the context of the most recent debates on spatial planning, the housing oversupply and excessive land zonings (Kitchin et al, 2010; Williams et al, 2010), the Act also provides pathways for addressing this overzoning issue. This includes de-zoning given that over 40,000 hectares are currently zoned for development, while it is predicted that only 12,000 hectares will be required for the foreseeable future.

All Change But Any Alignment?

At first glance, it appeared that the proposed reforms in the two jurisdictions would result in central government policies and guidelines for the six Southern Irish border counties having a stronger influence than in the past, while the proposed eleven new councils in Northern Ireland would be gaining more latitude in terms of setting their own development priorities and agendas. Yet despite these differing institutional outcomes of proposed change, as well the drivers behind it, the goals for the effective operation of local government are comparable.

Recent examples of cross-government support and funding for large-scale, strategic infrastructure projects – such as the dualling of the (London)Derry-Aughnacloy-Monaghan-Dublin road (the A5-N2) – demonstrates the potential that exists for greater collaboration on an all-island scale, as well as between local governments. An increased ‘mirroring’ of local government functions between the two jurisdictions, based on the principle of subsidiarity,



would assist in:

- improving efficiency;
- speeding up the decision-making process; and
- making the ‘matching-up’ of environmental protection more cohesive and effective (ICLRD, 2010).

In terms of the ‘how’ this can be achieved, there are many mechanisms in place for cross-border cooperation, the majority being on an informal, ad-hoc or non-statutory basis. Given the extent of local government reform proposed, there is a strong case to be made for harnessing the expertise and knowledge that exists within cross-border structures such as the All-Island Local Authority Steering Forum, a forum of Irish county managers

and Northern Ireland local authority chief executives, which encourages strategic and sustainable approaches to cross-border co-operation by local authorities, and the cross-border networks such as East Border Region (EBR) and the Irish Central Border Area Network (ICBAN).

Getting Started

Spatial planning, by definition, transcends boundaries and human activity. It is therefore vital for the island’s economy that planning policy in Northern Ireland and the Republic of Ireland recognises, and indeed embraces, the movement of people, goods and services across the Irish border. Spatial planning in both jurisdictions will, in the context of the current

Administrative Hierarchies for Regulatory Planning on the Island of Ireland

Republic of Ireland		Northern Ireland
Department of the Environment, Heritage and Local Government <i>With finance coming from:</i> Department of Finance	National Level	Department of the Environment Department of Regional Development Department of Social Development <i>With finance coming from:</i> Department of Finance and Personnel
An Bord Pleanála	Regional Level	Planning Appeals Commission
Regional Assemblies		NO REGIONAL LEVEL
Regional Planning Authorities	Local Level	District Councils
Local Authorities		

Source: ICLR, 2010



economic decline, be driven by efficiency agendas and a growing awareness of the need for effective trans-boundary policies and practice. In this context, scope exists for greater engagement on spatial planning issues either side of the border. However, the misinterpretation and misunderstanding of some aspects of the planning processes in the Republic of Ireland has meant that planning reform proposals for Northern Ireland have been too swift to discount the experiences of local level decision-making in the South (Lloyd, 2009), particularly given the similarities in culture and the nature of 'parish pump politics' (Kitchin et al, 2010; Keaveney, 2009). Instead, proposed reforms for Northern Ireland planning and governance have drawn heavily of the practice of England, Scotland and Wales.

In spite of this, the ICLR D study noted many opportunities for 'aligning' planning and governance policy and practice, North and South. In Northern Ireland, were the proposed reforms to have been implemented as proposed, planning policy documents would have become more purposeful and strategic over the longer-term, particularly with the devolution of planning functions to the new councils. In addition, the operationalising of such policies, currently the remit of central government, would have most likely become a local government function. In practical terms, spatial planning was set to become a core function of local government, in terms of management (previously known as 'development control'), forward planning and enforcement. This would have matched the current situation in the Republic of Ireland. Local elected representatives would have become key decision-makers in the planning process, both in the adoption of the development plan and in determining planning applications; again replicating the situation in the Republic of Ireland. Where proposed developments were considered to be 'regionally significant' to the development of Northern Ireland, these would have been determined by the Department of the Environment and decided by the Minister. This is a process with many similar principles to those set out in the Irish Planning and Development (Strategic Infrastructure) Act, 2006, whereby proposed

strategic developments bypass the 'normal' planning application process and are instead considered by An Bord Pleanála (ABP).

In addition, the collecting and sharing of information that would assist in understanding the 'border dynamic' has been recognised by government on both sides of the border as essential for effective policies and operational decision-making (ICLR D, 2010). European Directives, such as the Habitats and Groundwater Directives will, in the future, compel councils to collaborate in order to address cross-border issues. As such, it is up to national and local government to ensure that the collection and communication of good information is allowed to take place between agencies – even where processes of reform are stalled or not moving as quickly as they should. It is possible that organisations such as the aforementioned EBR and ICBAN – existing and well-established border networks – could be drivers of this systematic collection of information and its dissemination (ICLR D, 2010).

Conclusions and Recommendations

Due to the current economic climate and the pressure to improve efficiencies and spending across the public sector, North and South, the potential for increased cross-border cooperation could be one of the greatest challenges as well as opportunities for local government in the Republic of Ireland and Northern Ireland. The need to avoid service duplication and save money may be a key driver for a more formalised cross-border collaboration structure, with necessity outweighing politics in the long-term. A key challenge for government and councils will, however, be getting the balance right between firm and flexible policies, and ensuring that the resulting action plans will develop and nurture the relationships and environment necessary for the effective roll-out of any Programme for Government.

It was envisaged from the outset of the various reform processes in both Irish jurisdictions that the reform of local government would lead to increased efficiencies, including the generation of economies



of scale through the pooling of resources and the integration of services and development priorities. However, actual savings (financial and otherwise) can only be confirmed retrospectively – and on this basis the achievement of economies of scale should not be used to ‘sell’ a reform process.

The proposed devolution of powers from central to local level in Northern Ireland, for example, was a response to the necessities of the peace process and the longer-term inefficiencies which characterise the public sector; a scenario resulting from years of inertia and an overly centralised system. As has been demonstrated in other EU cross-border contexts, cooperation is enhanced when similar competencies and decision-making processes occur at each level of government. In terms of spatial planning, this would allow for the strategic coordination of policies and projects at regional and / or local council level.

In the context of governance reform in Northern Ireland, a new spatial planning policy landscape was meant to emerge as a result of the RPA, involving the Department for Regional Development which would have had continuing responsibility for the Regional Development Strategy (RDS); the Department of the Environment for regional strategic planning policy; and local government, which would have been in charge of the preparation of area development plans. The proposed devolution of some central government powers in Northern Ireland to newly-established and more powerful councils would have set the foundation for a greater alignment of functions and decision-making powers at local level on an inter-jurisdictional basis – both North/South and East/West. It would have signalled an acknowledgement that decentralisation is a basic element of good governance.

At the time of finalising the ICLRD study in June 2010, the Planning and Development (Amendment) Bill 2009 was nearing adoption in the Republic, while growing concerns were being expressed that the RPA process in the North, and specifically the reform of local government, was losing its focus and falling

behind schedule (*Belfast Telegraph*, 2010; *Impartial Reporter*, 2010). A decade into the reform process, a number of key decisions – such as final adoption of the boundaries for the proposed new council areas – had yet to be agreed at Executive level. Within one month, the process of reform in Northern Ireland had indeed faltered, resulting in the existing 26 councils becoming the de facto model for the foreseeable future. In spite of this changed landscape, many of the recommendations put forward by the ICLRD still hold true, both in terms of policy and practice. Key to the context the island now finds itself in are the following recommendations, especially in terms of enhancing the capacity of local government to deliver more sustainable communities, served by efficient and effective services that constitute value for money:

Policy

1. That the evidence base for spatial planning decision-making be reviewed so as to identify and address data gaps, improve understanding of cross-border dynamics, and the implications arising from decisions made in either jurisdiction;
2. To assist in understanding the dynamics of demographics and service delivery at the local and regional level across Northern Ireland, including its North-South and East-West dimensions, the concept of ‘functional territories’ must be further explored and applied to strategic policy making;
3. That all levels of government examine the impact that European Directives such as SEAs and the Habitats Directive will have on public sector policy-making and the need for collaboration on a cross-border basis; and
4. That a comparative analysis of local government structures and functions on a North-South basis be carried out to inform the process of devolving powers to local government, and the creation of new statutory responsibilities at local level.

Practice

5. That in recognition of the cross-border impact of joint initiatives on the economy, society and environment, new structures with a remit and

make-up similar to Strategic Policy Committees (SPCs) – and preferably with a basis in legislation – be established with the intention of supporting meaningful collaboration between planning authorities;

6. That, in addition to formal structures of collaboration, networks – as communities of practice – be actively encouraged at senior officer level: these would be neutral spaces within which operational issues can be discussed and addressed;
7. Because the principle of co-terminosity is no longer achievable across the public sector in either jurisdiction, that proposed structures such as local area agreements or charters – a key characteristic of which are that they are generally spatially defined (and a potential tool for points 5 and 6 above) – be piloted;
8. That two-way exchanges between practitioners in the same field be organised on a North-South and / or East-West basis (depending on which scenario makes most sense for the council in question); such an approach would result in ‘on-the-job’ experience;
9. That the existing cross-border structures at regional and central government level, such as the Local Authority All-Island Steering Forum and the existing cross-border networks, be assessed in terms of the potential contribution they might bring through enhanced cooperation to meeting the purposes of governance and planning reform; and
10. That both current and previous processes of reform in Northern Ireland and the Republic of Ireland be examined in both jurisdictions to identify, analyse, and apply lessons from practice which will help to inform the public policy-making environment on the island.

With the faltering of the reform process in Northern Ireland in summer 2010, and the ongoing delays in translating the Green Paper into a White Paper in the Republic of Ireland – and the implications of this not only for good governance and planning at the regional level but also in the context of cross-

border collaboration – there is a growing shift in emphasis in terms of identifying from where reform may emerge. In Northern Ireland local government itself has taken the lead over the past number of months in identifying areas in which neighbouring councils can cooperate. And while this does not always tally with the original proposals under RPA, that the process of reform is kept alive until a final decision on the overall reform of local government can be made can only be viewed as a step in the right direction.

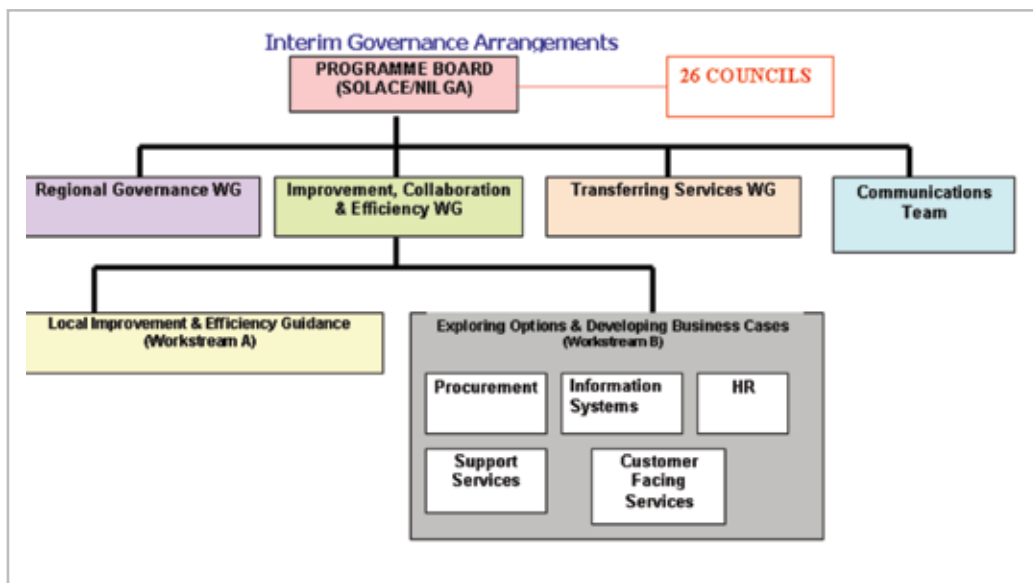
EPILOGUE



Daniel McSorley

In June 2010 the Northern Ireland Executive took a decision that the Review of Public Administration (RPA) would not proceed according to the planned May 2011 timetable – to coincide with scheduled Northern Ireland Assembly and new local council elections – and, instead, elections would proceed to the existing 26 councils.

In the months leading up to this decision, local government had presented its proposals, developed jointly by NILGA and the Society of Local Authority Chief Executives (SOLACE), for increased multi-sector collaborative working as an alternative to the Pricewaterhouse Coopers (PwC) proposal in October 2009 for the establishment of a regional Business Services Organisation. PwC had been commissioned by the Department of Environment (DoE) to assess the options for local government service delivery and, following an economic appraisal, identified the option of ‘Transformation with Regional Collaboration’ as the optimum solution, a key element of which was



The Northern Ireland local government sector's Information Collaboration and Efficiency (ICE) programme

the creation of a new regional Business Services Organisation (BSO).

The local government sector unanimously rejected the BSO proposal on the grounds that (a) it removed decision-making authority for key service areas from councils and, therefore, was not conducive to the vision of 'strong, dynamic local government'; (b) there were concerns around the high implementation and ongoing costs associated with the proposed BSO structure. Subsequently, it has proceeded to develop the ICE Programme (Improvement, Collaboration and Efficiency) which focuses on collaboration and the potential for shared service development between Northern Ireland councils at local, sub-regional and regional levels.

Since the suspension of RPA, the ICE Programme has taken on even greater relevance as a vehicle to deliver on citizen expectations of continually improving value for money services in an increasingly challenging economic climate. The realities of these current challenges are only just beginning to impact in a significant way on local government in Northern

Ireland, with, for example, a 5% cut to the resources element of the general grant imposed at the start of the 2010/11 year by DoE and an in-year cut of £1.5 million. Over the period of the next spending review, local government will be required to challenge traditional methods of service delivery, delivering more for less, or more for the same resources.

The ICE Programme draws on the successful experience of multi-sector partnership working in other jurisdictions: for example, the Regional Improvement and Efficiency Partnerships (RIEPs) in England. Councils in Northern Ireland have been involved, to varying degrees, in collaborative practices with neighbouring councils and local partners over many years, and they have also undertaken individual efficiency and improvement measures to ensure that services are delivered in the most cost-effective way possible. ICE builds upon these successes – though it is fundamentally different in two key ways. Firstly, ICE will enable councils to realise potential savings on a scale that has not previously been achieved within Northern Ireland local government. Secondly, ICE will provide an opportunity for participating councils to deliver



certain customer-facing and support services in new ways; largely focused on a regional and sub-regional delivery scale.

The programme itself is in the early stages of development. An outline of work in progress is set out below:

1. **The ICE Framework.** Building upon existing corporate planning processes, a comprehensive ICE framework has been agreed to support the ICE process at all levels within councils. It will help councils to identify, design and implement internal improvements, recognising that councils may be at different starting points and may have different aims; it will identify opportunities for savings through regional and sub-regional collaboration; and it will promote a cultural change within local government.
2. **ICE Governance.** It is expected that the ICE programme will be governed by participating councils (proposals are under development and subject to consultation). Governance arrangements will support the implementation of ICE opportunities through a range of delivery mechanisms at local, sub-regional and regional levels. A regional structure will be in place to coordinate the programme and ensure appropriate input from professional officers and oversight by elected members; this body will encourage and facilitate collaboration between participating councils and will provide opportunities to share best practice and to co-ordinate the exploration of service delivery options on this larger scale.
3. **The 'Case for Change'.** A high-level programme appraisal report is being developed for consultation with councils. It will establish a strategic overview of the extent of the potential for change within the sector, seeking to prompt further thinking and encourage engagement across the sector by highlighting the potential opportunities that exist. Opportunities are being examined in a number of areas including

procurement, information technology, human resources, support services and customer facing services. These opportunities themselves will be subject to more robust assessments in the future.

4. **Transferring Functions.** There is a need for continued dialogue and engagement between central and local government in respect of any future prospect of transferring functions and new powers to local government. The ICE programme presents an opportunity to explore potential opportunities for greater service integration at the local level and to support integrated service delivery at sub-regional and regional levels. It is recommended that a process is established to initiate a number of local area based pilots involving transferring functions. This is referred to as a 'Preparing for Success' model which would be an essential building block to create strong local government and enhance service provision to our citizens.

In conclusion, it is my view that local government is committed to leading change that will deliver on the sector's vision of strong, dynamic local government with accountability for driving efficiency and service improvement firmly in the hands of locally elected members. The opportunity to progress, over time, towards a multi-sector collaborative approach will provide greater opportunities for new and innovative service delivery options which will allow the sector to make the step change towards a 'place' based approach and will, once again, place renewed emphasis on the original reform principles of subsidiarity, strong local government, coterminosity and good relations.

Caroline Creamer is a Research Fellow with the National Institute for Regional and Spatial Analysis (NIRSA) at the National University of Ireland, Maynooth. She is also Assistant Director of the International Centre for Local and Regional Development. Her research interests include regional and local development and regeneration, spatial planning practice and



policy, individual and community identity, and inter-territorial and cross-border development.

Dr. Karen Keaveney is a Lecturer in the School of Planning, Architecture and Civil Engineering in Queen's University Belfast. Karen was an affiliate of the Joint Centre for Housing Studies at Harvard University in 2008 and is an affiliate of the International Centre for Local and Regional Development. Her research interests include the spatial literacy needs of planners, cross-jurisdictional planning, rural restructuring and individual and community perceptions of space and place.

Dr. Neale Blair is a Lecturer with the School of the Built Environment, University of Ulster and Assistant Director of the International Centre for Local and Regional Development. Neale is also a member of the Built Environment Research

Institute (BERI) at Ulster. He is a chartered town planner. His research interests include cross-border spatial planning, strategic planning policy including indicators and decision support tools, planning education and practice in sub-Saharan Africa, and neighbourhood regeneration.

Daniel McSorley is Chief Executive of Omagh District Council. He is a chartered civil engineer by profession. Since his appointment in 2001, he has been heavily involved in developing and taking forward an extensive programme of regeneration in Omagh town and the wider district. More recently he has played a leading role in developing a local government-led approach to local government reform through the ICE programme. He has also played an active role in cross-border development issues with particular focus on the provision of infrastructure including roads to support the development of the North West region.

Endnote

¹ See <http://www.planningtribunal.ie/asp/index.asp?ObjectID=310&Mode=0&RecordID=480> for further details.

References

Belfast Telegraph (2010). 'Plans to cut Northern Ireland councils may be delayed until 2015', 7 May 2010.

Birrell, D. (2007). 'The Role of Local Government in the Review of Public Administration in Northern Ireland: The Challenges of Enhancement, Devolution and Modernisation' in *Local Government Studies*, Vol. 33(5), pp.657-675.

Callanan, M. (2008). 'Green Paper to Open a New Front in Local Government Reform?' in *Local Authority Times*, vol. 12(1-2), Spring-summer 2008. Pp.1-9.

Callanan, M. (2003). 'The Role of Local Government' in Callanan, M. & Keogan, J. (eds). *Local Government in Ireland Inside-Out*. Dublin: Institute for Public Administration.

Cawley, M. (1996). 'Town Population Change in the Republic of Ireland: the need for an urban policy review' in *Regional Studies*, Vol. 30(1), pp.85-89.

CEC: Commission of the European Communities (1999). *European Spatial Development Perspective: Towards Balanced and Sustainable Development of the Territory of the European Union*. Luxembourg: Office of the Official Publications of the European Communities.

CIH: Chartered Institute of Housing (2010). *Local Government Reform Discussion Forum*. See <http://www.cih.org/discuss/>

Creamer, C. & O’Keeffe, B. (2009). *Local Government in Ireland*. Paper prepared for the Observatory on Local Autonomy (OLA), an EU-wide governance network. Website forthcoming.

Department of An Taoiseach (2002). *National Spatial Strategy for Ireland 2002-2020: People, Places and Potential*. Dublin: The Stationery Office.

DoEHLG: Department of Environment, Heritage and Local Government (2010). *Report of the Local Government Efficiency Review Group*. Dublin: The Stationery Office. July 2010.

DoEHLG (2008). *Stronger Local Democracy – Options for Change*. Green Paper on Local Government Reform. Dublin: The Stationery Office. April 2008. See <http://www.environ.ie/en/LocalGovernment/LocalGovernmentReform/GreenPaperonLocalGovernmentReform/>

Department of the Environment and Local Government (1996). *Better Local Government – A Programme for Change*. Dublin: The Stationery Office.

Department for Regional Development (2001). *Shaping our Future - Regional Development Strategy for Northern Ireland, 2025*. Belfast: Corporate Document Services.

Harris, N., Hooper, A., & Bishop, K. (2002). ‘Constructing the practice of ‘spatial planning’: a national spatial planning framework for Wales’ in *Environment and Planning C: Government and Policy*, Vol.20, pp.555-572.

Impartial Reporter (2010). ‘Council shake-up may not go ahead until 2015’. Article by Catriona Loughran, 8 April 2010.

ICLRD: International Centre for Local and Regional Development (2010). *All Change But Any alignment? The Impact of the Proposed Governance and Planning Reforms Across the Island of Ireland on Inter-Jurisdictional Planning*. Armagh: International Centre for Local and Regional Development. June 2010.

Kitchin, R. Gleeson, J., Keaveney, K. & O’Callaghan, C. (2010). *A Haunted Landscape: Housing and Ghost Estates in Post-Celtic Ireland*. Working Paper No. 59. NIRSA Working Paper Series, July 2010. NUI Maynooth: NIRSA.

Keaveney, K. (2009). *Contested Ruralities: Housing in the Irish Countryside*. Maynooth: NUI Maynooth: Unpublished PhD Thesis.

Knox, C (2009). ‘The Politics of Local Government Reform in Northern Ireland’ in *Local Government Studies*, Vol. 35(4), pp.435-455.



Lloyd, M.G. (2009). 'Planning Reform in Northern Ireland: Independent Report to the Minister for the Environment' in Planning Service (DoE) *Reform of the Planning System in Northern Ireland: Your Chance to Influence Change*. Belfast: Department of the Environment, pp.131-155.

Local Government Act 1991. Dublin: Office of the Attorney General.

Nadin, V. (2007). 'The Emergence of the Spatial Planning Approach in England' in *Planning, Practice & Research*, Vol. 22(1), pp. 43-62, February 2007.

Northern Ireland Office (2005). *The Review of Public Administration in Northern Ireland –Further Consultation*. Belfast: Corporate Document Services. March 2005.

Northern Ireland Office (2003). *The Review of Public Administration in Northern Ireland – Public Consultation Document*. Belfast: Corporate Document Services. October 2003.

Pemberton, S. & Lloyd, M.G. (2008). 'Devolution, Community Planning and Institutional Decongestion?' in *Local Government Studies*, Vol 34 (4), pp.437-451.

Planning and Development (Amendment) Act 2010. Dublin: The Stationery Office.

Planning and Development (Strategic Infrastructure) Act 2006. Dublin: The Stationery Office.

Planning and Development Act 2000. Dublin: The Stationery Office.

PricewaterhouseCoopers (2009). *Local Government Service Delivery: Economic Appraisal*. October 2009. Belfast: PWC.

TASC (2007). *Report of the TASC Roundtable on Local Government Reform*. 14 December 2007, Liberty Hall, Dublin. Accessed at <http://www.tascnet.ie/upload/TASC%20Roundtable%20Report.pdf>, 17th November 2010.

Williams, B., Hughes, B. & Redmond, D. (2010). *Managing an Unstable Housing Market*. Working Paper Series: UCD Urban Institute Ireland. Accessed at <http://www.uep.ie/pdfs/WP%201002%20W.pdf>, 17th November 2010.