

**Causeway Coast and Glens District Council**

**Minutes of the Shadow Council Meeting**

**Held in: Cloonavin Chamber at 7pm                      26 June 2014**

**Present:**

**Councillors**

J Baird  
 O Beattie  
 W Blair  
 A Callan  
 F Campbell  
 B Chivers  
 T Clarke  
 S Cole  
 B Douglas  
 G Duddy  
 M Fielding  
 J Finlay, Presiding Councillor  
 B Fitzpatrick  
 M Hickey  
 N Hillis  
 R Holmes  
 S Hunter  
 W King  
 M Knight-McQuillan  
 R Loftus

W McCandless  
 T McCaul  
 J McCorkell  
 S McGlinchey  
 P McGuigan  
 T McKeown  
 M McKillop  
 S McKillop  
 A McLean  
 C McShane  
 P McShane  
 K Mulholland  
 G Mullan  
 D Nicholl  
 S Quigley  
 A Robinson  
 I Stevenson  
 R Watton  
 D Wilson

**Officers**

D Jackson  
 P McColgan  
 G McCourt  
 S McMaw  
 D Wright  
 S Duggan

**In Attendance**

J Dempsey  
 K Doherty  
 L Flanigan  
 S Kelly  
 R Lewis  
 Maura Fox, DoE Planning Service  
 I McCleery  
 J Anderson

**Apologies**

Councillor D Harding

Press (1)  
 Public

<b>Item</b>	<b>Detail/ Summary/Action</b>	<b>Officer</b>
<b>1.</b>	<b>Declarations of Interest</b>	
	Nil	

2.	Presentation	
	<p>M Fox delivered a PowerPoint overview of Planning Reform and Transfer (tabled). M Fox responded to a number of member queries.</p> <p>Councillor Cole commented on the potential for a smaller number of councillors being part of the planning process. He questioned whether there were any subjectivity safeguards for the interpretation of planning policy statements.</p> <p>M Fox advised that the DoE is issuing guidance on how the Planning Committee should be set up and that a 50% councillor model has emerged from research in the English, Welsh and Scottish systems, allowing efficient decisions balanced by councillors role as lobbyists.</p> <p>Councillor King queried whether the Department will be clearing the backlog before the new Council takes over. M Fox replied that it was not currently a major problem for Ballymoney, Moyle, Limavady or Coleraine areas.</p> <p>In response to a comment from Councillor McGuigan, M Fox outlined the staff preference scheme.</p> <p>Councillor Baird stated that it was important that the democratic Planning process was returning to local government. She queried who set the targets and whether they were qualitative or quantitative measurements. Councillor Baird noted the community involvement and voiced concerns over the speed of the current planning process. Councillor Baird queried what weight will be attached to community responses and how a balance can be achieved between community concerns and public needs. M Fox responded that their Headquarters sets targets on quantity and speed, however many issues are taken into account, including how people perceive their experience of the Planning system. She noted that Planning needs to partner with community planning and more work needs to be done at the pre-application discussion stage.</p> <p>Councillor Mullan requested the levels and frequency of available training. M Fox advised Members will have the opportunity to train through a Regional Capacity Building Programme, supplemented by local budget for Council to do their own Capacity Building through, for example, informal workshops and the use of retrospective planning applications.</p> <p>In response to a query from Councillor Stevenson, M Fox stated she would bring further information back to the member regarding whether Councils can set Planning fees.</p> <p>D Jackson advised the Due Diligence Report by Deloitte, will be presented to the Transferring Functions Committee in July.</p> <p>The Presiding Councillor thanked M Fox for her presentation.</p>	<p><b>MF</b></p>

	<b>M Fox left the meeting at 8.07pm</b>							
<b>3.</b>	<b>Minutes of Annual Meeting - 12 June 2014</b>							
	It was proposed by Councillor Fitzpatrick, seconded by Councillor Cole and <b>AGREED:</b>  <i>to adopt the Minutes of the Shadow Council Annual Meeting held, 12 June 2014, as circulated.</i>							
	<b>3.1 Matters arising from the Minutes</b>							
	<b>Proposed Committee Structure (7.1)</b> Councillor Douglas requested a detailed list of the committee appointments. D Jackson advised he was awaiting nominations from parties and would send the information to the member.	<b>DJ</b>						
<b>4.</b>	<b>Adoption of Interim Standing Orders</b>							
	The Draft Local Government (Standing Orders) Regulations (Northern Ireland) 2014 and Model Standing Orders Regulations Consultation Document has been issued with responses sought by 15 August 2015. The estimated release is October 2014.  In the interim, the circulated document has been produced to guide the Shadow Council until then.  It was proposed by Councillor Holmes, seconded by Councillor Hickey and <b>AGREED:</b>  <i>to adopt the Interim Standing Orders to guide the Shadow Council until the Model Standing Orders are adopted in the Autumn.</i>							
<b>5.</b>	<b>Councillor Allowances - 1 June 2014 to 31 March 2015</b>							
	The Executive has provided funding to support Shadow Councils and part of that is to fund Councillors Allowances and Expenses during the Shadow period. The maximum funding available is -  <table style="width: 100%; border: none;"> <tr> <td style="width: 80%;">Basic, Special Responsibility and Carers Allowances</td> <td style="text-align: right;">£389,520</td> </tr> <tr> <td>Travel, subsistence and other expenses</td> <td style="text-align: right;">£60,600</td> </tr> <tr> <td></td> <td style="text-align: right;"><b>Total £450,120</b></td> </tr> </table> <p>The cost of allowances and expenses for the 10 month period has been estimated as detailed below.</p> <p>The following assumptions have been made to calculate the estimated cost -</p> <ul style="list-style-type: none"> <li>(i) the maximum level of basic allowance as determined by the DOE will be paid.</li> <li>(ii) the maximum level of carers allowances as determined by the DOE will be paid.</li> <li>(iii) the maximum level of mileage rates as determined by the DOE will be paid.</li> </ul>	Basic, Special Responsibility and Carers Allowances	£389,520	Travel, subsistence and other expenses	£60,600		<b>Total £450,120</b>	
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	<b>Total £450,120</b>							

(iv) 75% of councillors will join the pension scheme (based on current uptake in existing Councils).

**Estimated Costs**

Basic Allowance	327,840
Special Responsibility Allowance	30,000
Employers costs - ni and pension contributions	57,280
Dependants Carers Allowance	3,000
Travel, subsistence and other expenses	32,000
<b>TOTAL</b>	<b>450,120</b>

**Special Responsibility Allowance (SRA)**

Council is required to identify the special responsibilities roles for which the allowance is to be paid. Three of the existing councils pay SRA to Mayor, Deputy Mayor and Chairs of main committees. An options paper detailing responsibilities and level of allowances for consideration, was circulated.

Option 1 allows for payment of special responsibility allowance to the Presiding and Deputy Presiding Councillors, Chairs of the 4 Committees and the nominated representative on the Partnership Panel. Option 2 allows for payment to Vice-Chairs of the Committees. Should more than 75% of Councillors join the Pension scheme, a third option will arise whereby a reduced amount of special responsibility allowance may be available for such payments.

**Scheme of Allowances Payable to Councillors 2014/2015**

Under the Local Government (Payments to Councillors) Regulations (Northern Ireland) 2012, Council is required to prepare a Scheme of Allowances Payable to Councillors.

The Scheme, when approved is to be published on the council website. Details of all allowances paid to each councillor are to be published at the end of the financial year.

A draft Scheme for 2014/2015 has been prepared, as attached. The draft Scheme includes the maximum rates for Basic Allowance, Dependants Carers Allowance and Travel and Subsistence Allowance and option 2 for the Special Responsibility Allowance.

**IT IS RECOMMENDED** that Council -

Approve the Scheme of Allowances which includes Option 2 for Special Responsibility. Should uptake to the Pension Scheme exceed 75%, a further report will be brought to Council.

It was proposed by Councillor Callan, that Council adopt the Special Responsibility Allowances as follows:

Presiding Councillor	£4,800
Deputy Presiding Councillor	£1,200
Chair of Governance Committee	£4,000
Chair of Organisation Development Committee	£4,000
Chair of Transferring Functions & Group Committee	£4,000
Chair of Corporate Policy & Resources Committee	£4,000
Deputy Chair of Governance Committee	£1,000
Deputy Chair of Organisation Development Committee	£1,000
Deputy Chair of Transferring Function s& Group Committee	£1,000
Deputy Chair of Corporate Policy & Resources Committee	£1,000
Partnership Panel	£4,000

On behalf of the UUP, Councillor Callan offered an interpretation of how the Party saw the financial value placed upon each position held.

Councillor McGuigan felt Members should be prudent with public money, find out what SRA actually means and offer more certainty on how to spend it. He would like the Item brought back to the relevant committee for further examination.

It was proposed by Councillor McCorkell, seconded by Councillor Clarke:

that Council approve Option 2, circulated, with the amendment that a Deputy Chair receive £1,000 and Partnership Panel role receive £1,000.

Councillor Hickey, being unaware of the detail of the Pension Scheme, stated she may now reassess the Item but had considered the following allowances:

Presiding Councillor	£5,000
Deputy Presiding Councillor	£2,500
Chair of Governance Committee	£2,000
Chair of Organisation Development Committee	£2,000
Chair of Transferring Functions & Group Committee	£2,000
Chair of Corporate Policy & Resources Committee	£2,000
Deputy Chair of Governance Committee	£1,000
Deputy Chair of Organisation Development Committee	£1,000
Deputy Chair of Transferring Functions & Group Committee	£1,000
Deputy Chair of Corporate Policy & Resources Committee	£1,000
Partnership Panel	£2,100
DUP Party Lead	£1,500
UUP Party Lead	£1,500
SF Party Lead	£1,500

	<p>SDLP Party Lead £1,500                  TUV Party Lead £1,500                  PUP Party Lead £1,500                  ALL Party Lead £1,500</p>		
	<p>It was proposed by Councillor Hickey, that Council defer the Item of Councillors Allowances to the next Corporate Policy &amp; Resources committee.</p> <p>D Jackson advised that the relevant committee is Corporate Policy and Resources. The Item could be tabled with options proposed and job descriptions circulated.</p> <p>Councillor Holmes felt the item should be deferred.</p> <p>Councillor McCorkell withdrew his proposal.</p> <p>It was proposed by Councillor McGuigan, seconded by Councillor McShane:</p> <p style="text-align: center;"><b><i>that Council defer the Item of Councillors' Special Responsibility Allowances to the next Corporate Policy &amp; Resources committee.</i></b></p> <p>D Jackson will advise DoE that the Shadow Council will avail of £450,000 Basic Allowances, SRA is being reviewed.</p> <p>A discussion ensued on the NILGOSC pension scheme. Members were advised they may not currently meet the criteria to be automatically enrolled.</p> <p>Councillor McGuigan stated he would like an opportunity for new Councillors to be given a briefing on the pension scheme in order to make a decision. I McCleery will make available, 'A Councillor's Guide to the Pension Scheme'. Councillor Hickey requested that Members receive a presentation from a representative of the pension scheme. I McCleery advised this was possible.</p> <p>It was proposed by Councillor Hillis, seconded by Councillor Wilson and  <b>AGREED:</b>  <b><i>that Council adopt the Basic Responsibility Allowance.</i></b></p>		<p><b>IMcC</b></p>
<p><b>6.</b></p>	<p><b>Notice of Motion</b></p>		
	<p>The undernoted Motion has been submitted by Councillor N Hillis, supported by Councillor W McCandless, Councillor D Wilson, Councillor</p>		

D Harding, Councillor T McKeown, Councillor R Holmes and Councillor A Callan:

*'That the Shadow Council pursues Borough status for the new Council area.'*

Councillor Hillis considered the new super council as a coming together of four councils. Coleraine became a Borough in 1928, Ballymoney in 1977 and Limavady in 1989. He believed it would be a unifying action for the new super councils to be a Borough and gain status with much to gain and nothing to lose. If Council remains a district council it would have a council chairman, not a mayor and Councillor Hillis felt that would be a backward step.

#### Motion 1

It was proposed by Councillor Hillis, seconded by Councillor Cole:

that the Shadow Council pursues Borough status for the new Council area.

Councillor Cole, concurred, Borough status would give Council prestige, maximizing its impact of its tourist profile and gain international prestige. Councillor Cole felt a Mayor commands much more respect, prestige and care. Council will require its own Charter but that would not be a problem.

#### Motion 2

An amendment to the Motion was proposed by Councillor Mulholland, seconded by Councillor Chivers:

that Council considers all possible status options and a report be brought to Council to outline the costs and benefits of each of the status options.

Councillor Douglas stated that TUV support the Notice of Motion.

On behalf of SDLP, Councillor Hickey stated that it was irrelevant whether Council held a Borough status or was a District Council, however it had prepared to agree to support Borough status, if that's what the majority wanted.

Councillor McGuigan sought clarification from Standing Orders, he considered when a note of a Notice of Motion came before Council, that was relevant to a committee, was proposed and seconded, it went to that committee for discussion before coming back.

D Jackson stated he would need to review the newly adopted Standing Orders, noting that committees were not scheduled at the time of the Motion being presented so this evening's meeting was being used to deal with all current business.

	<p>Councillor McShane felt Borough status was pretentious, being of no benefit, and was firmly in favour of rejecting the motion.</p> <p>Chair put Motion 2 to the Council to vote, 8 voted For.</p> <p>Chair put the Notice of Motion (Motion 1) to the Council to vote, 31 voted For, Chair declared the Motion carried.</p> <p>It was proposed by Councillor Hillis, seconded by Councillor Cole and <b>AGREED:</b></p> <p style="text-align: center;"><b><i>that the Shadow Council pursues Borough status for the new Council area.</i></b></p>	
<b>7.</b>	<b>Councillor Information and Communication Technology (ICT) Policy</b>	
	<p>D Jackson presented the report. P McColgan demonstrated the website <a href="http://www.causewaycoastandglens.gov.uk">www.causewaycoastandglens.gov.uk</a> and Private Members area.</p> <p>It was proposed by Councillor Stevenson, seconded by Councillor Duddy and <b>AGREED:</b></p> <p style="text-align: center;"><b><i>that Council adopt the ICT Policy for their use of ICT equipment, with the following amendment at item 7.0 Consumables: "...(headed paper, printer ink and business cards) be provided and purchased by Council for Councillors.</i></b></p>	
<b>8.</b>	<b>Convergence work plan / Committee Meeting arrangements</b>	
	<p>S McMaw reported.</p> <p>Councillor Douglas expressed a desire that committee meetings be held in Coleraine.</p> <p>Councillor McGuigan disagreed, feeling there would be a loss of localness, people need a sense of attachment to the new Council.</p> <p><u>Motion 1</u></p> <p>It was proposed by Councillor McGuigan, seconded by Councillor Holmes and Councillor P McShane:</p> <p style="text-align: center;">that Council continue to meet in each of the four locations of Coleraine, Ballymoney, Limavady and Moyle.</p> <p>Councillor McGuigan referred to the development of an Equality Scheme for the Shadow Council and the current existence of 4 different policies.</p> <p>Councillor Holmes stated that the Shadow Council is currently using Coleraine Headquarters and should use its current policy. He further</p>	



	<p>pointed out that it was worth going out to see unfamiliar facilities in the area.</p> <p><u>Motion 2</u> It was proposed by Councillor McGuigan, seconded by Councillor C McShane:  <p style="padding-left: 40px;">that Council adopt a neutral policy on Flags &amp; Emblems and write to the 4 Council's advising of a policy, supporting the neutrality of buildings used in the auspices of Causeway Coast and Glens Council.</p> <p>Chair put Motion 1 to the Council to vote, 34 members voted For, 1 voted Against. Chair declared Motion 1 carried.</p> <p>Chair put Motion 2 to Council to vote, 8 Members voted For, 23 voted against,</p> <p>It was proposed by Councillor McGuigan, seconded by Councillor Holmes and <b>AGREED:</b></p> <p style="text-align: center;"><b><i>that Council adopt the Convergence Work Plan for July and August, circulated and continue to meet in each of the four locations of Coleraine, Ballymoney, Limavady and Moyle.</i></b></p> </p>	
<b>9.</b>	<b>Expenditure Approvals</b>	
	<p>D Wright reported.</p> <p>DoE circular LG22/2014 issued on 28 May 2014 sets out direction on controls in place for the eleven new councils operating in shadow form effective from 26 May 2014. These controls have a direct impact on four key areas for each legacy council which are;</p> <ol style="list-style-type: none"> <li>1 Capital projects with a value in excess of £250k</li> <li>2 Disposals of land with a value in excess of £100k</li> <li>3 Non-capital contracts with a lifetime value in excess of £100k</li> <li>4 Borrowing where the value of the loan exceeds £250k</li> </ol> <p>These controls have a direct impact upon the operation of our four legacy councils within the Causeway Coast and Glens District Council cluster and as a result the four councils now require approval for matters which prior to the effective date of this direction (26 May 2014) they would have otherwise had the power to do having received all the necessary approvals for such matters from their own Members and if required from the former Statutory Transition Committee (STC). There are a number of scenarios which falling under the categories above now require urgent approval by Shadow Council in order to allow the particular Council to provide service or in the case of borrowing manage cash flow. These schemes are detailed in the appendices attached and are divided into three categories:</p>	

- 1 Capital schemes in excess of £250k
- 2 Loans in excess of £250k
- 3 Non – capital contracts in excess of £100k

The list of schemes, loans and contracts presented before Council is not an exhaustive one but merely those ones which require urgent approval and in the case of the loans, to manage cash flow. A few of the capital projects are included in the schedules due to the constraints of pending or on-going funding applications which if Shadow Council approval was not granted these funding applications could fail or indeed not proceed. It is intended that the remaining capital schemes, loans and contracts would be tabled before Council at subsequent meetings as and when appropriate.

**IT IS RECOMMENDED** that the Causeway Coast and Glens Shadow Council approve the capital schemes, loans and non-capital contracts, circulated.

Motion 1

It was proposed by Councillor McCandless, seconded by Councillor Knight-McQuillan:

*(Councillor McCandless) "In relation to spend and development, sport, leisure, recreational facilities, tourism and community services by any Council which forms part of the Causeway Coast and Glens, I propose we have a moratorium of spend until the officer has sufficient time to develop a strategy to provide an appropriate direction of which to follow. I request that Mr Jackson have the information ready to present for 4 weeks' time, where we could review legal agreements, costs incurred to date, grant funding available, lifelong costs. I think we all need to fully appreciate and understand population density, areas of deprivation, transportation links and travel times and what our facilities currently are in each area. Only when a complete survey which includes defined measured analyses has been completed and when we are in agreement should we proceed to implementation stage, and agree capital spend. Ratepayers money is incumbent of us to have a critical view."*

Councillor Knight-McQuillan concurred.

Councillor C McShane wished to place on record that Moyle District Council wished to ensure good public toilets because it is a key tourism area. Its Members have been pushing an agenda very strongly regarding a lack of leisure and sporting facilities and the need for a swimming pool for the Moyle area.

Councillor Finlay stressed the need to be careful regarding the loss of funding but that he was happy to defer for one month.

Councillor McGuigan had understood that decisions did need to be taken on the night, otherwise funding would be lost, he queried that by delaying decisions projects could be put in jeopardy. D Jackson advised that officers were present to answer queries regarding the immediate impact. Operational contracts and a number of schemes had already been approved by STC but as a result of regulation changes these have been brought to the Shadow Council along with a number of new schemes. D Jackson was aware that the Limavady scheme did need a decision within the next few days.

Councillor Duddy stated he had asked at STC for more information and it had never been forthcoming.

Councillor Holmes felt Capital expenditure should be taken in a strategic context. Council should take 4 weeks and come back ensuring it has provision for facilities right across the area.

D Wright guided Members concerning the loans and non-capital contracts. It was noted that in Ballymoney and Moyle, Pulse Fitness and Automated Public Conveniences' contracts were already in place. In some instances loans for schemes had already been started, substantially completed or indeed complete; therefore approval for loans was therefore required to allow Councils to manage their cash flows.

Councillor McGlinchy expressed concern over the Dungiven Project. He invited Valerie Richmond, Development Officer, to debate Limavady separately.

#### Motion 2

It was proposed by Councillor McGlinchey, seconded by Councillor McGuigan:

that Council approve the loans and non-capital contracts circulated and to hear from Officers regarding the other projects.

Councillor McCandless offered an amendment to his original proposal

#### Motion 1 - Amendment

It was proposed by Councillor McCandless, seconded by Councillor Hillis:

that Council approve the loans and non-capital contracts circulated and defer Capital Projects.

D Wright further advised the DoE circular does allow for a challenge to Shadow Council decision to be referred to DoE for arbitration.

Chair put Motion 2 to vote, 15 votes for, 19 voted against, Chair declared the motion had fallen.

	<p>Councillor Mc Guigan requested clarity around weighted majority decisions.</p> <p>D Jackson highlighted that legislation stipulates a number of decisions that require a qualified majority vote. D Jackson's interpretation was that this decision did not require a qualified majority vote. However he pointed out that one of the considerations within the Model Standing Orders consultation is that 15% of councillors can 'call in' a key decision of Council where they feel it has an adverse impact on part of a community. Where it was considered to be a legal challenge Council then considers a qualified majority vote.</p> <p>Chair put Motion 1 to Council to vote, 23 voted For, 8 voted against, Chair declared the Motion carried:</p> <p>It was proposed by Councillor McCandless, seconded by Councillor Hillis and <b>AGREED:</b></p> <p style="text-align: center;"><b><i>that Council approve loans and non-capital contracts, circulated.</i></b></p> <p>Councillor McGlinchey expressed his utter disappointment at the decision taken, which was very disappointing for the people of the Dungiven/Benbradagh area. He would be calling for a Special Meeting of the Council in Limavady to discuss the decision.</p>	
<b>10.</b>	<b>Management Accounts</b>	
	Mr McCourt presented. Circulated for information.	
<b>11.</b>	<b>Statutory Transition Committee Annual Financial Statements (Unaudited)</b>	
	It was proposed by Councillor Hillis, seconded by Councillor Wilson and <b>AGREED:</b> <p style="text-align: center;"><b><i>that Council approve the STC Management Accounts, circulated.</i></b></p>	
<b>12.</b>	<b>Consultation Documents</b>	
	Schedule circulated. Members are required to have comments back to S Duggan by 11 <sup>th</sup> July so that a response can be prepared for consideration by the next Shadow Council meeting on 24 July 2014.	<b>DJ</b>
<b>13.</b>	<b>Correspondence</b>	
	Circulated. D Jackson highlighted the reduced overall funding package from approximately £4.7 million to £4.3 million. DSD representatives will be invited to the Transferring Functions committee in July.	<b>SMcM</b>
<b>14.</b>	<b>Date of the next meeting</b>	
	<b>Thursday 24 July 2014</b> , at 7pm in Cloonavin Civic Offices, Coleraine.	

<b>15.</b>	<b>Letter of Thanks</b>	
	It was proposed by Councillor Duddy, seconded by Councillor Stevenson and <b>AGREED:</b>  <i>to send a letter to C Toner thanking her for STC and Shadow Council C support and wish her well over the next number of months.</i>	<b>DJ</b>

**This being all the business the meeting closed at 10.00pm.**