



**CORPORATE POLICY AND RESOURCES COMMITTEE MEETING  
TUESDAY 28 SEPTEMBER 2021**

<b>No</b>	<b>Item</b>	<b>Summary of Key Recommendations</b>
1.	Apologies	<b>Councillors McLean and C McShane</b>
2.	Declarations of Interest	<b>Nil</b>
3.	Minutes of Meeting held Tuesday 24 August 2021	<b>Confirmed as amended by Council</b>
4.	2020/21 Performance Self Assessment	<b>Noted</b>
5.	Remembrance Sunday Services 2021	<b>To recommend that while final confirmation regarding the format for Remembrance Services this year has not yet been received, it is recommended that Council proceed as normal with Party Leads nominating members to attend each of the services using D'Hondt</b>
6.	Notes of Women's Working Group Tuesday 31 <sup>st</sup> August 2021	<b>Approve</b>

7.	Standing Order 2 – Remote Council Meetings	<p><b>To recommend that Council</b></p> <p><b>a) Notes that the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020 come into effect again from 27 August 2021 and;</b></p> <p><b>b) Having reviewed Standing Order 2, approves no change to the provisions of the Standing Order which state that ‘The Annual Meeting and other meetings of the Council shall normally be held at 7.00 pm in the Council Chamber, or in remote or hybrid format, except where otherwise fixed by statute or by special summons’, subject to review in March 2022</b></p>
8.	Schedule of Council and Committee Meetings 2022	<p><b>To recommend that Council shall hold its Annual Meeting on Tuesday 7<sup>th</sup> June 2022 at 7pm; that Council shall hold its Rate Strike meeting on Thursday 3<sup>rd</sup> February 2022 at 7pm; and hold Wednesday 9<sup>th</sup> February 2022 at 7pm and Thursday 10<sup>th</sup> February 2022 at 7pm in the case of an adjournment;</b></p> <p><b>That Council approve the Timetable of Meetings Schedule, circulated as Appendix I, excluding August 2022;</b></p> <p><b>That Council extend its Committee meeting recess from July 2022 to include August 2022, that Council does schedule its Council Meeting and Planning Committee in</b></p>

		<b>August 2022 pending consultation with senior staff, in advance of the next Full Council Meeting</b>
<b>9.</b>	Conferences	<b>Noted (i-iii)</b>
<b>i)</b>	Digital Government 2021	
<b>ii)</b>	Valuing Data and Evidence in Community Planning (NILGA) NILGA /LGTG Regional Programme 2021/22	
<b>iii)</b>	NILGA /LGTG Regional Programme 2021/22	
<b>10.</b>	Correspondence	<b>Nil</b>
<b>11.</b>	Consultations	<b>Nil</b>
<b>12.</b>	Matters for Reporting to Partnership Panel	<b>Nil</b>
	<b>'In Committee' (Items 13 - 15 inclusive)</b>	
<b>13.</b>	Planning Review	<b>To recommend that Council take this forward, establish a Working Group, set up of 8 by members by d'hondt to meet bi-monthly.</b>
<b>14.</b>	Minutes of Land and Property Sub Committee held 1 September 2021	<b>Approve</b>
<b>15.</b>	Agency Workers and Vacancy Control	<b>Note</b>
<b>16.</b>	Any Other Relevant Business (notified in accordance with Standing Order 12 (o))	<b>Withdrawn</b>
<b>16.1</b>	Portstewart Town Hall (Councillor Wilson)	

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE  
CORPORATE POLICY & RESOURCES COMMITTEE  
HELD IN THE COUNCIL CHAMBER, CIVIC HEADQUARTERS,  
AND VIA VIDEO-CONFERENCE ON  
TUESDAY 28 SEPTEMBER AT 7.00 PM**

**In the Chair:** Alderman Knight McQuillan (C)

**Present:** Alderman Finlay (C), Fielding (C), McKeown (R), S  
McKillop (C), Hillis (C)

Councillors Beattie (R); Callan (C), Chivers (R); Dallat  
O'Driscoll (R); McCaw (R); McGurk (R); Wilson (C);  
Holmes (R) McGlinchey (R)

**Officers Present:** D Jackson, Chief Executive (C)  
M Quinn, Director of Corporate Services (C)  
M Smyth, Director of Finance (Interim) (R)  
S McMaw, Head of Performance (R)  
J McCarron, Performance Improvement Manager (R)  
I Owens, Committee and Member Services Officer (C)

**In Attendance:** A Lennox, Mobile Operations Officer(C)  
Chrissy Thompson, ICT Officer (C)

Mr J Mackinnon (Item 14) (C)  
Press (2 No.) (R)

**Key:** (C) Attended in the Chamber                      (R) Attended Remotely

**Substitutions:** Councillor Holmes substituted for Alderman Baird;  
Councillor Callan substituted for Alderman Duddy

The Director of Corporate Services undertook a roll call of committee members present.

The Chair read the remote meetings protocol at the beginning of the meeting:

*Welcome to the Corporate, Policy and Resources Committee meeting held on Tuesday 28<sup>th</sup> September 2021.*

*All those in attendance should be aware that the meeting will be audio recorded.*

*This includes when the meeting is in committee. The public session of the audio recording will be published on Council's website within 2 days of the meeting.*

*Elected Members are reminded that they are personally responsible for any comments that they make at the meeting.*

*Members of the press and public will be required to leave when the meeting goes into committee.*

*If anyone loses connection please call the number which was sent to you by Democratic Services. The number can be found in the email with the meeting link sent today.*

*Members please use the chat facility if you wish to speak. For those in the Chamber, please wait until your microphone is switched on before speaking.*

*I would also remind all in attendance that the taking of photographs of proceedings or the recording of proceedings, other than by authorised officers, is prohibited.*

#### **1. APOLOGIES**

Apologies were recorded for Councillors McLean and C McShane.

#### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **3. MINUTES OF MEETING HELD TUESDAY 24 AUGUST 2021**

Summary, previously circulated, presented by the Director of Corporate Services.

The Minutes of the Corporate Policy and Resources Committee meeting held Tuesday 24 August 2021, as amended by Council, were confirmed as a correct record.

#### **4. 20/21 PERFORMANCE SELF ASSESSMENT**

Report, previously circulated was presented by The Head of Performance and the Performance Improvement Manager.

##### Purpose

The purpose of this report is to present to Elected Members for information Council's self-assessment of performance against set indicators during the year 2020/21

##### Background

The Local Government Act (NI) 2014, Part 12, sets out the key responsibilities that each Council has in relation to the Performance Duty. One of these key responsibilities is that in September of each year Council must make arrangements for the publication of its assessment of its performance during a

financial year. Please find Council's self-assessment of performance for 2020/21 attached at Appendix 1.

One significant consequence of Covid 19 restrictions during 2020 was that for the requirement for an Annual Performance Improvement Plan for 2020/21 was removed, and as such there will be no section in this self-assessment which deals with performance against an Annual Plan for 2020/21.

Despite the lack of a Performance Improvement Plan for 2020/21 Council still has plenty to report on including statutory indicators, self-imposed indicators, national benchmarking outcomes and the arrangements that we have in place to achieve continuous improvement.

#### Conclusion

The Council's Corporate Policy and Resources Committee assumes a scrutiny role in relation to Performance and receives update reports to enable this function. Members are invited to review the attached report at Appendix 1 and take the opportunity to seek any further information necessary with regard to the various outcomes that are detailed.

#### Recommendation

**It is recommended** that Elected Members note the contents of this report.

The Head of Performance explained to Elected Members that current focus was on Performance Improvement Plan which was required under NI Local Government Act 2014, the findings of which were subject to audit by the Northern Ireland Audit Office.

The Head of Performance said that there was a continuation of self-imposed performance indicators and statutory performance indicators currently in place and that there was an obligation also to produce performance self-assessment.

Additionally the Head of Performance referred to bespoke management software 'PERFORM' which is being developed and advised elected members that a report on the progress of this will be tabled for consideration shortly; APSE benchmarking also take place, a forum which through a ratepayers survey facilitates feedback which is an important element from a Northern Ireland Audit Office perspective.

The Head of Performance invited the Performance Improvement Manager to present the report, previously circulated.

The Performance Improvement Manager referred Elected Members to the report pointing out key milestones and recommendations from previous and ongoing audits. The Performance Improvement Manager said that through performance improvement he would like to encourage a culture throughout all of the service areas of continuous improvement and feeding Elected Members with informative, relevant and current information.

Alderman S McKillop expressed concern regarding the absenteeism figures and how absent posts were being backfilled and the subsequent cost, whilst

welcoming the reduction said there remained a lot of work to do to reduce absenteeism.

The Director of Corporate Services advised that reporting on loss as a result of absenteeism was tabled at September Audit Committee and confirmed that a model was continuing to be developed in this regard.

Councillor Callan thanked the officers for the reports presented and referred to the well-being of staff being considered whilst also meeting with legislative requirements. Councillor Callan felt that as an organisation this Council should ensure that positive outcomes in terms of 'what we do well' should be marketed more widely and asked the Officers if there was a forum to engage with the public in this regard.

The Performance Improvement Manager referred to the difficulties encountered during 2020/21 and the dedication and resilience shown by staff and said although engagement with citizens tended not to be undertaken he had a desire to re-engage with citizens; It is anticipated that a questionnaire will be going to the public with a view to determine public perception of performance by Council.

Councillor McGurk suggested that the drop in absenteeism figures could be related to the option for staff to work from home and felt that the hybrid method of working going forward was welcome.

The Director of Corporate Services confirmed that there were positive outcomes as a result of staff working from home and on occasions those who were unwell but did not have to travel to their place of work were able to work at home. In terms of a figure the Director of Corporate Services said that with less staff in the office there were also less occurrences of colds, flus and coughs during the pandemic and said there was much to consider going forward in terms of staff returning to work on a phased basis and that trade union involvement would be integral to this.

Councillor McGurk also referred to the monitoring by Democratic Services of actions and motions agreed at meetings and said she would like to see a mechanism where these matters could be quickly actioned by the responsible officer and closed off as complete.

The Performance Improvement Manager referred to a comprehensive checking and reporting mechanism tool used by Democratic Services and said he was assured by the level of detail for capturing information. Councillor McGurk clarified that additional work was required by Directors to review and update progress on matters which are routinely logged on the action sheet prepared by Democratic Services.

The Director of Corporate Services agreed to report to committee in October on schedule of actions outstanding on the monthly action plan at this time.

**AGREED** to recommend that Council note the report.

## 5. REMEMBRANCE SUNDAY SERVICES 2021

Report, previously circulated, was presented by the Director of Corporate Services.

### Background

The purpose of this report is to consider and agree Council representation at the annual Remembrance Sunday services across the Causeway Coast and Glens Borough Council area.

Council has previously agreed that attendance at Remembrance Services would be as follows, table previously circulated.

“The Mayor and Deputy Mayor decide which event they wish to attend on Remembrance Sunday and that the other Elected Members be nominated to represent Council by Party Leads using D’Hondt.”

The above process has been followed with Elected Members attending services in the area of their choice.

### Recommendation

While final confirmation regarding the format for Remembrance Services this year has not yet been received:

**It is recommended** that Council proceed as normal with Party Leads nominating members to attend each of the services using D’Hondt (services previously circulated)

Proposed by Alderman S McKillop  
Seconded by Councillor Callan and

**AGREED** - to recommend to Council, that while final confirmation regarding the format for Remembrance Services this year has not yet been received, it is recommended that Council proceed as normal with Party Leads nominating members to attend each of the services using D’Hondt.

## 6. NOTES OF WOMEN’S WORKING GROUP 31 AUGUST 2021

The Director of Corporate Services referred Committee Members to the notes of the Women’s Working Group held on Tuesday 31 August 2021 via MS Teams.

Proposed by Alderman S McKillop  
Seconded by Councillor Callan and

**AGREED** - to recommend that Council approve the Notes of the Women’s Working Group held on Tuesday 31 August 2021 at 7PM.



## 7. STANDING ORDER 2 – REMOTE COUNCIL MEETINGS

Report, previously circulated, was presented by the Director of Corporate Services.

### Introduction

The purpose of this report is to consider Standing Order 2: Time and Place of Meetings following Council's decision to amend Standing Order 2 in June 2021.

### Background

At its meeting held on 1<sup>st</sup> June 2021 Council resolved 'that Council approve Standing Order 2: Time and Place of Meetings; subject to a review in September 2021.' Standing Order 2 was amended due to the impact of Coronavirus pandemic on physical Council meetings, and the subsequent expiry of emergency legislation.

### The Local Government (Meetings and Performance) Act (Northern Ireland) 2021

Correspondence has been received from the Department for Communities, dated 2<sup>nd</sup> September 2021, which states that *under section 1 of the Act, the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020 come into effect again from 27 August 2021 which will provide councils with the flexibility to hold meetings by remote or hybrid means until the Coronavirus Act 2020, under which the Regulations were made, expires (currently scheduled for 25 March 2022).* The correspondence is attached at Appendix 1 (previously circulated)

### Standing Order 2

Standing Order 2 states that 'The Annual Meeting and other meetings of the Council shall normally be held at 7.00 pm in the Council Chamber, or in remote or hybrid format, except where otherwise fixed by statute or by special summons.'

The matter is now before Members for review in line with Council's previous decision.

### COVID-19 – Current position and PHA Advice

The latest guide to the coronavirus restrictions in Northern Ireland and the Public Health Advice is included in Appendix 2. (previously circulated) This guide will change frequently to reflect changes in the regulations. This version of the guide reflects the regulations as they stand on 10 September 2021.

A consolidated version of the Regulations can also be found at the link below. Changes are updated here within 48 hours of each amendment being made.

<https://www.legislation.gov.uk/nisr/2021/93/contents>

The purpose of this guide is to provide clear information and advice for the public on (a) the restrictions in law on movement and activities during the pandemic and (b) what you, your business, your place of worship or your organisation can and should do to limit the spread of COVID-19.

There are now two sets of regulations:

- the [Health Protection \(Coronavirus, Restrictions\) Regulations \(Northern Ireland\) 2021](#), which deal with restrictions on businesses and gatherings. In the paragraphs that follow these Regulations will be referred to as “the Principal Regulations”; and

- [the Health Protection \(Coronavirus, Wearing of Face Coverings\) Regulations \(Northern Ireland\) 2020](#), which deal with face coverings. In the paragraphs that follow, these Regulations will be referred to as “the Face Coverings Regulations”.

Each restriction and each requirement must be removed as soon as it is no longer necessary.

The guide is in three sections:

(1) Requirements under the Health Protection (Coronavirus, Wearing of Face Coverings) Regulations (Northern Ireland) 2020

(2) Requirements under the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021

a. what the Regulations mean for you as an individual citizen;

b. what the Regulations mean for your business;

(3) The public health advice.

The first two sections are about the legally enforceable restrictions and requirements, while the third is about practical things you can do to protect yourself and protect others. The two go together and both are necessary to bring the epidemic to an end. The key to further progress is for each of us to act responsibly.

The main purpose of the guide is to help you to navigate and comply with the restrictions and to enable you to live as freely as possible within the constraints that they impose. PLEASE NOTE: the guide is not a definitive statement of the law and should not be quoted or relied upon as such.

This guide includes links to other forms of guidance about COVID-19.

#### Recommendation

**It is recommended** that Council;

a) notes that the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020 come into effect again from 27 August 2021 and;

b) having reviewed Standing Order 2, approves no change to the provisions of the Standing Order which state that ‘The Annual Meeting and other meetings of the Council shall normally be held at 7.00 pm in the Council Chamber, or in remote or hybrid format, except where otherwise fixed by statute or by special summons’, subject to review in March 2022.

Councillor Wilson acknowledged the work of ICT when the pandemic emerged and applauded the work of frontline employees who were not able to work remotely and suggested that Elected Members set an example to employees by, while following government guidelines, be in attendance in the Chamber where

possible unless unable to do so for health reasons. Councillor Callan welcomed the flexibility during pandemic in terms of facilitating remote meetings but felt that 'in person' attendance in the Chamber makes for a less challenging engagement and suggested that Full Council meeting be 'in person' attendance as a step towards navigating our way towards togetherness in the Chamber.

Councillor McGurk said the benefits of staff working from home and facilitation of remote meetings had proven to be effective and had shown flexibility to staff and Elected Members with caring responsibilities. Councillor Dallat O'Driscoll concurred with Councillor McGurk saying that hybrid is reflective of society at present and referred to family commitments.

The Chair referred to the difficulties often experienced by female staff and Elected Members who often have caring responsibilities but agreed that there was also a need for face to face contact. Councillor Wilson said he fully appreciated the role of a working mother but referred to many and varying commitments affecting all Members suggesting that post covid a form of normality would return and where possible in the interest of good working relationships Elected Members should strive to be in attendance at meetings in person.

Proposed by Councillor McGurk  
Seconded by Councillor Chivers and

**AGREED** – to recommend that Council:

- a) notes that the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020 come into effect again from 27 August 2021 and;
- b) having reviewed Standing Order 2, approves no change to the provisions of the Standing Order which state that 'The Annual Meeting and other meetings of the Council shall normally be held at 7.00 pm in the Council Chamber, or in remote or hybrid format, except where otherwise fixed by statute or by special summons', subject to review in March 2022.

## 8. SCHEDULE OF COUNCIL AND COMMITTEE MEETINGS 2022

Report, previously circulated, was presented by the Director of Corporate Services.

### Purpose of Report

The purpose of the report is to present the Schedule of Council and Committee Meetings, January 2022 -December 2022 for Council decision.

### Background

The day and frequency of Council and Committee meetings each month previously agreed, is presented as follows:

- Council Meeting – 1st Tuesday at 7pm;
- Environmental Service Committee – 2<sup>nd</sup> Tuesday at 7pm;
- Audit Committee - Quarterly on 2<sup>nd</sup> Wednesday at 7pm;
- Finance Committee – 2<sup>nd</sup> Thursday at 7pm:
- Leisure and Development Committee – 3<sup>rd</sup> Tuesday at 7pm;

- Corporate Policy and Resources Committee – 4<sup>th</sup> Tuesday at 7pm;
- Planning Committee (with full Council powers) – 4<sup>th</sup> Wednesday at 10.30am.

### Proposals

#### Rate Strike Meeting 2022

Councils are legally required to strike the rate no later than the 15<sup>th</sup> February each year.

It is proposed that Council shall hold its Rate Strike Meeting on Thursday 3<sup>rd</sup> February 2022 at 7pm. It is further proposed that Council shall hold Wednesday 9<sup>th</sup> February 2022 at 7pm and Thursday 10<sup>th</sup> February 2022 at 7pm, in the event of allowing time for any potential adjournment (if required) and enable Council to strike within the appointed timeframe.

#### The Annual Meeting 2022

In accordance with Council's Standing Orders, *'In every year that is not a local election year the Council shall hold an Annual Meeting in the month of June'*.

It is proposed that Council shall hold its Annual Meeting on Tuesday 7<sup>th</sup> June 2022 at 7pm (following which, the full Council meeting at 8pm).

#### Proposed Schedule of Council and Committee Meetings January 2022 - December 2022

In accordance with Council's Standing Orders, Protocol for The Operation of the Planning Committee, Annex D, 4.1, *"No meeting will take place in the month of July"*.

The proposed Timetable of Meetings Schedule 2022 has been presented taking into account a proposed July recess and key public holiday periods.

Rescheduled meeting dates/times have been presented for Council decision, where appropriate.

#### Recommendation

**It is recommended** that Council shall hold its Annual Meeting on Tuesday 7<sup>th</sup> June 2022 at 7pm; that Council shall hold its Rate Strike meeting on Thursday 3<sup>rd</sup> February 2022 at 7pm; and hold Wednesday 9<sup>th</sup> February 2022 at 7pm and Thursday 10<sup>th</sup> February 2022 at 7pm in the case of an adjournment; that Council consider the Timetable of Meetings Schedule, January 2022- December 2022 inclusive, attached as Appendix I, previously circulated.

Councillor Callan suggested that it may be prudent to continue the recess until September given the fact that there is a lighter agenda, less business processed and often member attendance at meetings is lower during August. Alderman Finlay concurred with these remarks suggesting that the Planning Meeting should still be held as usual, in August.

The Chair referred to the requirement of staff also to take holidays.

Councillor McGurk suggested that a conversation may be required on how urgent business such as relating to Land and Property could be handled during extended period of recess. Councillor Wilson felt that the minimum of a full council meeting should be held in August and that staff affected should be consulted also in this regard.

The Director of Corporate Services undertook to consult with Directors prior to the Council Meeting on 5<sup>th</sup> October to inform Council's consideration of extending the July recess in August, with the exception of the Planning Committee and a Full Council Meeting.

Proposed by Councillor Callan  
Seconded by Councillor McGurk and

**AGREED** – to recommend that Council shall hold its Annual Meeting on Tuesday 7<sup>th</sup> June 2022 at 7pm; that Council shall hold its Rate Strike meeting on Thursday 3<sup>rd</sup> February 2022 at 7pm; and hold Wednesday 9<sup>th</sup> February 2022 at 7pm and Thursday 10<sup>th</sup> February 2022 at 7pm in the case of an adjournment;

That Council approve the Timetable of Meetings Schedule, circulated as Appendix I, excluding August 2022;

That Council extend its Committee meeting recess from July 2022 to include August 2022,

that Council does schedule its Council Meeting and Planning Committee Meetings in August 2022;

pending consultation with senior staff, in advance of the next Full Council Meeting.

## 9. CONFERENCES

Report, previously circulated, was presented by the Director of Corporate Services,

### Purpose of report

The purpose of the report is to inform Elected Members of conferences and courses they may wish to attend.

The following were listed:

Elected Members should contact Democratic Services to register interest.

#### i) Digital Government 2021

Wednesday 6<sup>th</sup> October – Hybrid Event – Europa Hotel, Belfast/Online

Cost: Public Sector Delegate fee: £175 +VAT @20% = £210

(cost is the same either in person or online)

- <https://www.bmfbusinessservices.com/product/digital-government-conference-2021/>

ii) Valuing Data and Evidence in Community Planning (NILGA)

Online Zoom Thursday 30 September 2021 10.30am-1.00pm

Cost: Free of Charge.

- <https://www.nilga.org/events/2021/september/community-planning>

iii) **NILGA /LGTG Regional Programme 2021/22** (attached Appendix 1), previously circulated.

Recommendation

**It is recommended** that Corporate Policy & Resources Committee approve the Conferences/Courses listed.

The Director of Corporate Services invited those wishing to register for any of the above to contact Democratic Services.

**AGREED:** to recommend that Council note the report.

**10. CORRESPONDENCE**

There were no Items of correspondence to note.

**11. CONSULTATIONS**

There were no consultations documents to note.

**12. MATTERS FOR REPORTING TO THE PARTNERSHIP PANEL**

There were no matters to report to the Partnership Panel.

**MOTION TO PROCEED 'IN COMMITTEE'**

Proposed by Councillor Callan

Seconded by and Alderman Fielding and

**AGREED** – to recommend that Committee move '*In Committee*'.

\* **Members of the Press / Public left the meeting at 8:40 pm**

**The information contained in the following items is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014**

The Chair read the following statement:

*Members, I would remind you that this session is being audio recorded in line with Council's guidance. You are reminded that there should be no other persons present who are not entitled to be - either hearing or seeing consideration of such items, and/or recording the proceedings. Failure to comply could be in breach of Code of Conduct responsibilities. You are reminded that you are personally responsible for any comments that you make*

### 13. PLANNING REVIEW

Confidential report, previously circulated.

Mr Jim Mackinnon attended to present the Review of Planning report.

#### Purpose of Report

The purpose of this report is to deliver the findings of the independent review of Planning.

#### Background

Council at its meeting on 1st September ratified the recommendation of Corporate Policy and Resources held on 25th August 2020 as follows:

“Given the strategic significance of planning to Causeway Coast and Glens Borough Council – this Council calls for a full Independent review of Planning processes by an appropriate qualified Body or Group, to include Services Users, Agents and Applicants; and for this to be carried out within a 6 months' timescale”

Council subsequently approved (1st December 2020) a direct award contract to Mr Jim Mackinnon to provide a full independent review of the Council's planning functions and processes, to include service users, agents and applicants.

A copy of the full report is included in Appendix 1, previously circulated.

#### Recommendation

**It is recommended** that the Corporate Policy and Resources Committee considers the report recommends to Council the adoption of the recommendations contained therein.

The Chair invited Mr Jim Mackinnon to present powerpoint presentation and recommendations on the Review of Planning.

Mr Mackinnon advised he had undertaken the review based on a recommendation from the Corporate Policy and Resources Committee meeting and highlighted his findings as follows:-

Planning laws prescriptive in Northern Ireland with local government having limited powers and planning procedures subject to the Department of Infrastructure.

Problems exist with the portal which new system may resolve.

Planning appeals commission, ombudsman and courts instill a high level of worry and constraints amongst the planners.

Perception that some planners have not made the transition from civil service to local government employees

High level of complaints result in major demands on staff and affects morale

Need for service improvement on speaking with developers, agents and elected members with reference being made to concentrating on processes instead of outcomes and the pace of decision making slow, falling outside of the 15 week target for local applications.

Important is to reset relationships with elected members, businesses, agents and contractors within the local authority

Staff stability improved with temporary staff on permanent contracts however more junior staff should be empowered instead of directing to senior planners and above and staff encouraged to have confidence in their judgements; Additional staffing recommended in habitat regulations assessment and development management and planning as there are legal implications should breaches occur.

Issues should be dealt with at an early stage of process, including conflict design, reports should be shorter and issues exist with late submissions to committees;

Local Development Plan – Councils operating as agents of central government, possibly until 2025/26.

In terms of Performance Review consideration should be given to the stakeholders and how they felt the service met with their requirement.

In closing Mr Mackinnon said the decision to commission a review was well judged, that the Elected Members had a role to plan in challenging and supporting the officers through an implementation plan and was assured that the committee has the ability and authority to see through the recommendations. Mr Mackinnon wished management, planners and Elected Members well in taking his recommendations forward and said Council needed a respected planning with the oversight of a working party of this committee to continuously review. Mr Mackinnon told Elected Members that his recommendations were deliverable and tangible and said he was grateful for commission and found it a pleasure and privilege to work with all concerned.

The Chair thanked the presenter for a detailed and well delivered presentation which identified responsibilities of all those involved.

Members concurred with the Chair's comments and welcomed the insight and discussions with all parties and hoped that Mr Mackinnon would continue to advise Council independently as part of the journey towards delivering the best possible outcomes. Members hoped that decision timescales and



communication could be improved and accountability put in place through the Working Group.

Members applauded the work ethos of the planners and the spirit in which the recommendations had been received and understood some of the burdens faced by planning staff including legislation, regulation and complicated processes.

Members emphasized that there was a requirement for all stakeholders to work together going forward to ensure focus was on working towards a planning service everyone can be proud of to drive the economy forward.

Proposed by Councillor Callan  
Seconded by Alderman Finlay and

**AGREED** - to recommend that Council take this forward, establish a Working Group, set up of 8 by members by d'hondt to meet bi-monthly.

Councillor Callan stated the first meeting would be held November, to give an opportunity to develop an action plan and outworkings for the Head of Planning and other Senior Planning Team. Councillor Callan envisaged Mr Mackinnon would continue as an Independent advisor through the process, with the initial 6 months key in terms of momentum.

All members in attendance were in agreement

The Chair thanked Mr Mackinnon for his attendance, presentation and the work involved during the process of the review.

#### **14. LAND AND PROPERTY SUB COMMITTEE MEETING HELD ON 1 SEPTEMBER 2021**

Minutes previously circulated.

Proposed by Councillor Callan  
Seconded by Alderman Fielding

**AGREED** – to recommend that the Minutes of the Land and Property Sub-Committee held on 1 September 2021 and recommendations therein are approved.

Elected members welcomed the progression in the tender process for Market Yard and looked forward to seeing this historic asset which had been under utilized now being rejuvenated.

#### **15. AGENCY WORKERS AND VACANCY CONTROL**

##### Purpose of Report

Following on from the Agency Workers and Vacancy Control update report presented to August Committee, and the items of any other relevant business raised at that meeting, the purpose of this report is to provide

Options in reference to drawing up contracts with agency workers regarding a job being offered and the legalities of being offered a permanent post after a certain period of time.

Progress report on populating the Organisation Structure from the Directors of Leisure and Development and Environmental Services, and associated timeline of the work completed since December 2020 until August 2021 of the work completed in harmonising terms and conditions.

#### Options re Agency Staff

In February 2017 a report was presented to Corporate Policy and Resources Committee with information to enable a recommendation to be made to Council to amend the current Protocol for Recruiting Vacancies within Causeway Coast and Glens Borough Council during Vacancy Control. This was to enable agency workers to apply for vacant posts within Council.

The report was brought to Corporate Policy & Resources Committee on 21 February 2017, following a recommendation at the 22 November 2016 Council Meeting, to seek legal advice regarding the eligibility of agency workers to be included in trawls and to apply for positions within the new organisational structure.

The recommendation was that Committee were asked to consider the following amendment to the Protocol for Recruiting Vacancies within Causeway Coast and Glens Borough Council during Vacancy Control. Agency workers will be considered before the post is advertised externally:

1. At Risk employees within Causeway Coast and Glens Borough Council (in accordance with Vacancy Control Procedures LGRJF/03, 'At Risk' employees in the functional areas are considered first)
2. All employees within Causeway Coast and Glens Borough Council
3. At Risk employees in the Local Government Sector (10 other council, Staff Commission and RPA affected Groups)
4. Agency Workers within Causeway Coast and Glens Borough Council (this is the new step).
5. External Advertisement

The Council ratified this decision at its Full Council Meeting on 28 February 2017.

Since this decision all Agency Workers are advised of Recruitment Campaigns and considered in line with the Vacancy Control Protocol, as detailed at Section 2.3.

Legal advice on the legalities of Agency Workers being offered a permanent post after a certain period of time

The Agency Workers' Regulations (Northern Ireland) 2011 advises that from Day 1 of assignment agency workers must have access to information on job vacancies. There is no entitlement to be offered a permanent post after a certain period of time.

Council comply with the Local Government Code of Procedures in relation to Recruitment and Selection, which is underpinned by legislation. Appointment of the best person (merit principle) in terms of the criteria and competence framework established for a particular job is the fundamental principle underlying the current legislation impacting on all aspects of equality of opportunity.

The Code of Procedures is developed and followed to avoid procedures, policies and practices which could unlawfully directly or indirectly discriminate. This Code ensures that equality of opportunity is fully integrated into the recruitment and selection process. To offer a permanent post after a certain period of time without a recruitment and selection process based on merit would be contrary to the principle of equality of opportunity.

Furthermore as a Council, we have an obligation under Section 75 of the Northern Ireland Act 1998. Section 75 of the Northern Ireland Act 1998 places a duty on public authorities, in carrying out their functions, to have due regard to the need to promote equality of opportunity.

The Vacancy Control Process complies with the obligations under the Agency Workers' Regulations (Northern Ireland) 2011, and there is no entitlement to offer an Agency worker a permanent post after any period of time.

Progress Report and timeline - Leisure and Development

Management and Trade Union representatives commenced the process in 2019 to harmonise the many varied terms and conditions within the Sport and Wellbeing service area, inherited from the four legacy Councils.

Throughout the terms & conditions harmonisation process, Management has sought to balance affordability of the service against the financial impact any outcome would have on the individual employees within this service.

As a result, Management and the relevant Trade Unions – Unite, GMB and Nipsa

have had meaningful consultation and engaged in numerous T&C's Working Group meetings, which have been compliant with statutory consultation requirements.

Both parties have reached an agreement in principle in respect of non-standard working and the associated remuneration.

Whilst it has not been possible to ensure that every individual is not negatively affected by the proposal, Management have minimized the number at a financial detriment, by exceeding the current salary costs for this group of employees. Furthermore for those specifically at a detriment, pay protection and a compensatory payment has been applied.

The next step of the process is for the proposed agreement and relevant pay data to be shared with the affected union members and employees for review and clarification, as we have done previously. After a period of review and engagement with employees, the Trade Union Representatives will undertake a ballot on the proposal document with union members.

If the ballot supports the proposed agreement in respect of non-standard working and the associated remuneration, Management will seek the agreement of Council, to implement the new Terms & Conditions for all affected employees from the commencement of an agreed date within this financial year.

Management will advertise and populate the vacant posts for front line staff shortly thereafter.

Timetable of meetings held were previously circulated.

#### Progress Report and timeline - Environmental Services

Management and Trade Union representatives commenced the process in 2019 to complete route optimisation and harmonise the many varied terms and conditions within the Operations and Estates service areas, which TUPE across from the four legacy Councils. 16 new job descriptions and job specifications have been agreed and evaluated following extensive consultation with Local Trade Union representatives.

As a result, Management and the relevant Trade Unions – Unite, GMB and NIPSA have had meaningful consultation and engaged in numerous T&C's Working Group meetings, which have been compliant with statutory consultation requirements.

Whilst it has not been possible to ensure that every individual is not negatively affected by the proposal, Management have minimised the number at a financial detriment. Furthermore for those specifically at a detriment, pay protection and a compensatory payment has been applied.

The next step of the process is for the final management proposal document to be considered by the Trade Unions. After a period of review and engagement with employees, if there is an agreement in principle, the Trade Union Representatives will undertake a ballot on the proposal document with union members.

If the ballot supports the proposed agreement Management will seek the agreement of Council, to implement the new Terms & Conditions for all affected employees from the commencement of an agreed date within this financial year.

Management will advertise and populate the vacant posts for front line staff shortly thereafter.

Timetable of meetings were previously circulated.

#### Work Completed to date

To date a significant amount of time and resources has been dedicated to these projects despite no additional resources, with detailed work in relation to:

- Pay audits for 227 staff
- Setting up management meetings, working group meetings, local reps meetings
- Drafting management proposals, updating and recirculating following meetings
- Data sharing agreements, to allow issuing of pay day data to trade unions
- Benchmarking against other councils
- Modelling pay data with proposed grades to determine effect on staff pay
- Costing management proposals
- Developing Job Description's and Specification's
- Job Evaluations

Appendix 1, previously circulated, provides further details.

#### Next Steps – Assimilation and Filling Vacant Posts

In terms of timescales, and subject to Council approval and agreement from TU's, ballots could potentially happen in the Autumn, with Council consideration and approval taking place simultaneously. Negotiations and consultations are currently ongoing.

On the assumption of 7.1 (within the report, circulated) assimilation for permanent staff could take place during Winter, with recruitment for vacant posts then commencing late Spring.

All subject to TU and Council agreement and no challenges to the process.

Any vacancies that arise following the assimilation process will then be advertised in line with the Vacancy Control Process as detailed above at Section 2.3 (within the report, circulated).

The ES project affects 125 permanent staff in Operations and 41 permanent staff in Estates. Sport and Well Being project affects 61 permanent employees. It is anticipated that the following vacancies will be filled following assimilation of permanent staff

- 88 vacant posts in Operations
- 40 posts in Estates
- 29 potentially in SWB – subject to needs of the service and COVID 19 recovery

Recommendation(s)

**It is recommended** that the Corporate Policy and Resources Committee note this report.

The Director of Corporate Services advised that a monthly update would be reported at each Corporate, Policy and Resources Committee meetings.

**AGREED** - to recommend that Council note the report.

**16. ANY OTHER RELEVANT BUSINESS (NOTIFIED IN ACCORDANCE WITH STANDING ORDER 12 (o))**

**16.1 Portstewart Town Hall** (Councillor Wilson)

*To ask the Director for an update regarding Portstewart Town Hall, and to have internal legal representation available with a view to preparing a statement /update which can be issued via press release to the General public regarding same?*

The Chair advised that the item of any other relevant business had been withdrawn.

**MOTION TO PROCEED ‘IN PUBLIC’**

Proposed by Alderman S McKillop  
Seconded by Alderman Fielding and

**AGREED** – to recommend that Committee move ‘*In Public*’.

There being no further business the Chair thanked everyone for their attendance and the meeting concluded at 9:10 pm

---

Chair