

Corporate Policy & Resources Committee Tuesday 19th January 2016

Table of Key Recommendations

| No | Item | Recommendation |
|-----------|---|--|
| 2. | Declaration of Interests | <i>Alderman S McKillop Councillor Callan Councillor Knight-McQuillan Councillor McGuigan Councillor Wilson</i> |
| 3. | Minutes of meeting held 17 th November 2015 | <i>Confirmed</i> |
| 4. | NILGA Summary Product and Work Plan 2016/17 | <i>Defer decision to Council meeting pending further information from NILGA</i> |
| 5. | Sustainable NI Request for Funding | <i>Agree not to fund</i> |
| 6. | Corporate Health & Safety Management Software System | <i>Adopt proposal and grant permission to tender</i> |
| 7. | Draft Retention & Disposal Schedule | <i>Approve</i> |
| 8. | Open Data Portal & the Reuse of Public Sector Information Regulations 2015 | <i>Noted</i> |
| 9. | Special Responsibility Allowances | <i>Legal opinion to be brought to Council meeting</i> |
| 10. | Members' Allowances | <i>Noted</i> |
| 11. | Extension of Annual Tenders & Professional Construction Related Consultancy Services Contracts from 1 st April 2016 to 31 st March 2017 | <i>Extend for a one year period from 1st April 2016 to 31st March 2017: Lots 2, 3, 4, 6, 7, 12, 14, 16, 17, 18, 19, 24, 25 Extend to 30th June 2016: Lots 13, 10, 23, 5, 21, 22 Re-tender: Lots 13, 10, 5, 21, 22</i> |
| 12. | Correspondence | |

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| | <p>12.1 Commemoration of the Centenary of the Battle of the Somme – The Somme Association</p> <p>12.2. agendaNI – Annual Local Government Reform Conference</p> | <p><i>The Mayor and Deputy Mayor in position at the time (or their substitute) attend</i></p> <p><i>Noted</i></p> |
| 13. | <p>Consultations</p> <p>13.1 Note to Employers in LGPS (NI) – HM Treasury Consultation on the Public Sector Exit Payment Recovery Regulations</p> <p>13.2 DFPNI Consultation on the Review of the Non-Domestic Rate</p> | <p><i>Noted</i></p> <p><i>suggested changes to the draft response submitted to the Chief Finance Officer by Thursday 21st January 2016 and that an amended draft is brought to the Council meeting.</i></p> |
| 14. | Matters for reporting to Partnership Panel | <i>None</i> |
| 15. | Notice of Motion submitted by Councillor McGuigan (referred from Council Meeting held 24 th November 2015) | <i>that a delegation of party leaders meet with the Chief Executive or officer responsible for discussions on the issue and that further information be brought to the Council meeting.</i> |
| 16. | Notice of Motion submitted by Councillor McCandless (referred from Council Meeting 24 th November 2015) | <i>Amended motion carried</i> |
| 17. | Request to proceed with applications for Severance | <i>Approve to proceed</i> |
| 18. | Release of covenant, 58 Ballyreagh Road, Portrush | <i>Approve release</i> |
| 19. | Purchase of lands at Articlave | <i>Approve purchase</i> |
| 20. | Request for access/servitude rights Ballyreagh Road | <i>Grant in principle, conditional on planning considerations</i> |
| 21. | <p>Any Other Relevant Business</p> <p>21.1 The Committee produces a policy in regards to the Community Fund from the Landfill Tax.</p> <p>21.2 Staff Appraisals (Directors, HoS).</p> <p>21.3 Bonus payment schemes (including information on any bonuses paid).</p> | <i>Referred to February Corporate Policy and Resources meeting</i> |

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| | 21.4 Staff who have been made redundant returning to work for council. (Numbers if any, positions they are filling, costs). | |
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Corporate Policy & Resources Committee

Minutes of the Meeting of the Corporate Policy & Resources Committee, held in the Council Chamber, Civic Headquarters, Coleraine on Tuesday 19th January 2016 at 7.00pm.

In the Chair: Alderman Hillis

Members present: Alderman Campbell, Hickey, S McKillop; Councillors Beattie, Blair, Callan, Chivers, Duddy, Knight-McQuillan, McCandless, McCorkell, McGuigan, C McShane, Quigley, Wilson

In attendance: M Quinn, Director of Performance
D Wright, Chief Finance Officer
E Beattie, Head of Policy and Community Planning
E Johnston, Head of Democratic and Customer Services
A Finney, Committee and Member Services Officer

Also in attendance: Press (4 no.)

1. Apologies

There were no apologies recorded.

2. Declarations of Interest

Councillors Callan, Knight-McQuillan, Wilson and McGuigan and Alderman S McKillop declared an interest in Item 9 – Special Responsibility Allowances and left the chamber during discussion of this item.

3. Minutes of the Meeting held on 17th November 2015

The minutes of the meeting held on 17th November 2015 and ratified by Council on 24th November, were confirmed as a correct record.

4. NILGA Summary Product and Work Plan for 2016/17 and Investment Subscription

The Director of Performance presented the report as undernoted:

NILGA Summary Product and Work Plan 2016/17

The Chief Executive of NILGA has written to Council enclosing NILGA's Summary Product and Work Plan for 2016/17. Further details about the Work Plan are outlined in the correspondence. Council's approval for the Work Plan is requested by 29th February 2016.

A copy of the correspondence and the NILGA Product/Work Plan is attached as Appendix 1 (previously circulated).

Investment Subscription

The Causeway Coast and Glens Borough Council's investment subscription, as outlined in the Work Plan document, to enable investment in the Work Plan is £43,178 for 2016/17. Council's approval for the Investment Subscription is requested.

Recommendation

It is recommended that Committee considers and recommends approval of the Summary Product and Work Plan and the Investment Subscription of £43,178 for 2016/17

In response to Members' question, the Chief Finance Officer clarified there has been an increase in the investment subscription requested, payments made by legacy Councils and by Causeway Coast and Glens Council in the current year.

It was felt the increase contradicted the aim of Local Government Reform and that additional information was required on the breakdown of services provided, whether other Councils have been asked for an increased subscription and if it is being paid.

Alderman McKillop requested that additional information such as figures of subscriptions by legacy Councils should be included in reports to committee.

It was proposed by Councillor Duddy seconded by Councillor Callan and AGREED: **to recommend that additional information be provided on Item 4 NILGA Summary Product and Work Plan for 2016/17 and Investment Subscription and that the item is referred to the Council meeting for decision.**

5. Sustainable NI Request for Funding

The Director of Performance presented the report as undernoted:

Background

A letter has been received from Prof Jim Kitchen, Executive Director, Sustainable NI, regarding a request for a financial contribution of £5k from the Causeway Coast and Glens Borough Council (the Council) for the 2016-2017 financial year.

Sustainable NI is an organisation which was set up by Prof Kitchen to assist the 26 Councils to meet their obligations on sustainable development contained within the Northern Ireland (Miscellaneous Provisions) Act 2006.

Prof Kitchen was originally engaged by Central Government to develop guidance for both Central and Local Government in relation to sustainable development legislation and to create a number of performance indicators that could be reported on annually. These indicators were presented within the Statutory Duty Guidance as a framework for compliance. They were not statutory but formed a framework to make it easier for Councils to illustrate compliance with the Northern Ireland (Miscellaneous Provisions) Act 2006,

Having delivered this piece of work, Prof Kitchen set up Sustainable NI and a funding stream was created through the Local Government Environmental Officers Group arrangement which financially underpinned the organisation. Under the umbrella of Sustainable NI, Prof Kitchen set up a Sustainable Development Forum which met four times a year and at which there was representation from each of the 26 predecessor Councils. The purpose of the Forum was to share knowledge and experiences across Local Government. A web site was also developed to share information and Sustainable NI assisted Councils in collating performance information against the performance indicators within the framework document that Prof Kitchen had developed.

With the convergence of the 26 Councils to the 11 Council model, the Environmental Officer Group structure no longer exists and therefore from 1st April 2016 no funding is in place as a contribution to Sustainable NI.

The Sustainable Development Statutory Duty.

The Northern Ireland (Miscellaneous Provisions) Act 2006, Section 25 states

- (1) A public Authority must, in exercising its functions, act in a way it considers best calculated to contribute to the achievement of sustainable Development in Northern Ireland, except to the extent that it considers that any such action is not reasonably practicable in all the circumstances of the case.***
- (2) For this purpose***
- A Public Authority must have regard to any strategy or guidance relating to sustainable development issued by the Office of the First Minister and deputy First Minister, and***
 - A Public Authority other than a Northern Ireland department must have regard to any guidance relating to sustainable development issued by a Northern Ireland department other than the Office of the First Minister and deputy First Minister.***

In terms of the Sustainable Development Statutory Duty and the Local Government Act (Northern Ireland) (the Act), the Duty remains in force however the context for Sustainable Development aligns with the Community Planning component of the Act as opposed to the framework set out in the guidance document that Councils had previously been referencing and reporting against.

This will mean henceforth, the Sustainable Development Statutory Duty placed on the 11 new Councils can be met through the performance improvement plan developed in each Council. Sustainability is also one of the seven prescribed performance objectives set out within the Act and Councils can choose this as one of their key performance objectives.

That said, the performance improvement process requires in house staff resources to identify, quantify, manage, co-ordinate and deliver improvements/projects. In terms of sustainability and the Duty on the Council, the same processes apply. The Council will need to consider the best way to deal with sustainability as a corporate function and how to resource it to ensure ultimately it meets its responsibility under the Northern Ireland (Miscellaneous Provisions) Act 2006, Section 25.

Request from Sustainable NI

Sustainable NI has requested funding from the Council for the 2016-2017 financial year to the value of £5k. The request is being made to each of the 11 new Councils.

According to Prof Kitchen, Sustainable NI can continue to organise the Sustainable Development Forum, administer the web site and offer knowledge and support when required. There may also be a role in benchmarking in terms of performance improvement. There is a duty within the Act on Councils to seek benchmarking comparators in relation to performance improvement from 2017.

In terms of the Act, the onus is now on each Council to assess which sustainability performance improvements are most appropriate within the context of its Community Plan. As long as such sustainability improvements are part of the performance improvement plan the Council will meet its Statutory Sustainable Development Duty. In effect the previous framework used by the 26 Councils no longer applies.

In terms of information sharing and benchmarking, sustainability improvement targets will be Council specific in many instances so the opportunity to call upon Sustainable NI to carry out comparisons will be in all probability minimal. Comparison exercises can be undertaken as an in house exercise between Councils at no additional cost.

Summary

Sustainable NI is offering a service that can provide a degree of support in relation to the Council working towards meeting its Sustainable Development Duty. Having access to such support and expertise is very positive. In a more negative note the value to Council of the Sustainability Development Forum, the web site and benchmarking services are questionable at this time as future sustainability performance objectives will be Council specific and linked to emerging issues from the Community Plan. In terms of the expertise and

knowledge that Sustainable NI can provide, this may be more appropriately sourced on a needs basis and if necessary a daily pay rate agreed.

Recommendation

It is recommended that the Causeway Coast and Glens Borough Council does not provide funding to Sustainable NI for the 2016-2017 financial year.

It was AGREED: to recommend that Causeway Coast and Glens Borough Council does not provide funding to Sustainable NI for the 2016-2017 financial year.

6. Corporate Health and Safety Management Software System

The Director of Performance presented the report as undernoted:

Proposal to tender for Corporate Health and Safety, Web-based, Management Software System

Background

The transition period from four councils into one Causeway Coast and Glens Borough Council has left a legacy of outdated technology and in some cases manually correlating Health and Safety (H&S) information on a database.

An organisation the size of Council, with diverse activities and numerous sites, requires an effective and efficient health and safety management software system to support managers and staff to fulfil their health and safety responsibilities.

The system will provide real-time data, document control, for managers to monitor their health and safety performance, and also allow staff to access information specific to their job role, enabling them to report health and safety concerns to their manager.

The corporate health and safety team tested the market to ascertain the quality and range of web-based software systems available and associated cost over a three year period. As the cost exceeds the 30k mark it is necessary to seek permission from Council to tender in keeping with Council Policy.

What is the case for change?

Currently the majority of our H&S management systems are paper based and are inconsistent throughout the Council, with information being compiled, recorded and stored across multiple locations and duplicated in many cases. The procurement of a centralised, Council wide, H&S management system will enable a formal standardised approach to H&S across all services and will

eliminate multiple systems, duplication and pockets of poor H&S management within the Council.

A robust H&S management system will help to reduce the risk of prosecution and increase defensibility against claims. The desired H&S management system will provide a comprehensive audit and evidence trail that will be a valuable tool in providing retrievable evidence, on request, from both internal and external stakeholders.

Other benefits the software will provide include improving efficiency in the way staff work, time management by reducing the time spent completing paperwork. It will enable greater collaboration and partnership across services, with the ability to share risk assessments, safe systems of work, procedures and best practices. This in turn will help to eliminate duplication of work and ultimately help to minimise the risk of injury to staff, contractors, service users and the public in general.

The H&S Management System will be web-based and in modular format

The H&S management system ideally will comprise of modules which will be flexible in developing with the system and in meeting future needs. The initial purchase will include the following modules:

- ***Accident Reporting and Data Analysis***

Currently mainly paper based which is dependent on staff using an accident report form, forwarding to their line manager for authorisation before being viewed by the corporate H&S team and then manually entered onto separate database across multiple sites.

Through the use of a web-based H&S management software system the reporting and investigation of accidents will be made simpler and faster, allowing more detailed real-time data reports and statistics to be produced. This will enable monitoring of accidents/incidents, identify trends, and benchmark proactively against similar size organisations and Council's key H&S performance indicators (KPI).

- ***H&S Audit System, Reports and Action Plans***

A paper based audit system is currently in operation by the H&S team; this is time consuming and normally comprises of a site visit to undertake the full audit, followed by time to write up the report and action plan.

The web-based H&S management software system would provide an electronic/on-line audit system that would be quick to complete and could provide an immediate report and action plan which would be automatically shared with the relevant persons for completion. Such a system would ensure

that all actions identified can be monitored and tracked by the responsible manager through to completion.

The H&S Team will have access permission to the on-line H&S software system which will enable them to access documentation for all service areas of Council and ultimately manage/control/monitor the entire system from a central location.

- ***Risk Assessments***

Council will have the ability to develop a corporate library of risk assessments for all activities with access via a 'web-based portal,' This will enable sharing of best practice and transferable assessments for similar task across Council, improving time efficiency and document control.

The software will be a valuable tool for managers, staff and the corporate H&S team to enable real-time monitoring of H&S standards, practices and progress with action plans.

Installing the three modules above will help to mitigate against the risk of injury or harm to our staff and the public thereby reducing the possibility/likelihood of associated legal action and liability claims. It will provide retrievable, standardised H&S documentation as evidence that Council is taking all reasonably practicable steps to reduce the risk of harm or injury.

Benefits to Council

The main benefits of purchasing and embedding a web-based H&S management software system across Council are:

- ***It will improve operational and administrative efficiency, in terms of time and financial savings.***
- ***Increase defensibility against civil and legal prosecution and claims through the use of a comprehensive audit trail, document coding and control.***
- ***The on-line portal will enable staff to access and input data without the need for expensive user licence.***
- ***Offer greater assurance that managers and staff are more effectively engaged in the Council's safety culture***
- ***Significant savings as the software system is internet hosted which will eliminate the need for internal servers and hardware support.***
- ***The system will help reduce risk and provide all levels of management with confidence in meeting their H&S compliance needs.***
- ***The system will be consistent, efficient, accurate and user friendly which will encourage staff to embrace and use.***
- ***Facilitate the monitoring of high level H&S performance indicators and track overall H&S performance at any point in time.***

Recommendation

The current H&S management software systems are disjointed, inadequate and do not meet the corporate needs of Council. Therefore it is recommended that the Council adopt this proposal and grant permission to tender for Corporate Health and Safety, Web-based, Management Software System.

It was proposed by Alderman S McKillop seconded by Councillor Knight-McQuillan: to recommend that Council adopts this proposal and grant permission to tender for Corporate Health and Safety, Web-based, Management Software System.

7. Draft Retention and Disposal Schedule

The Head of Policy and Community Planning presented the report as undernoted:

Background

As required under the Public Records Act 1923 and the Disposal of Documents Order 1925, the Council is required to have a Retention and Disposal Schedule.

This Schedule will enable Council to dispose of records promptly when they cease to be of any continuing administrative or legal value and will identify any records which should be transferred to the Public Records Office of Northern Ireland (PRONI) because of their long term historical or research value.

The Schedule must be formally laid before the Northern Ireland Assembly by the Public Records Office of Northern Ireland and it is intended that this will happen early in 2016.

Draft Retention and Disposal Scheme

The Information Governance Officer has worked with a number of senior officers within Council and with officers in the Public Records Office (PRONI) to develop the draft Retention and Disposal Schedule for the Council. A copy of the Schedule is attached to this report as Appendix 1 (previously circulated).

The Schedule aims to identify the retention and disposal arrangements for all categories of record held by Causeway Coast and Glens Borough Council. A record is essentially information, recorded in any form (paper or electronic), created or received by the Council, or individual members of staff, to support and show evidence of organisational activities.

The Schedule outlines the roles and responsibilities and the procedures, which need to be adhered to by all Causeway Coast and Glens Borough Council staff in relation to the retention and disposal of records.

The Schedule breaks down the records held by the Council by areas of work and gives examples of the types of records held in each area. It also details any legislation which already relates to the retention and disposal of particular records, for example tax records; what the retention period will be for the records; and the action to be taken at the end of the administrative life of the record, ie:

- ***Destroy;***
- ***Permanent retention by Council;***
- ***For appraisal by PRONI;***
- ***Automatic transfer to PRONI.***

The draft Schedule complies with the requirements in the Public Records Act (NI) 1923 and the Disposal of Documents Order 1925.

Recommendation

It is recommended that the Corporate Policy and Resources Committee recommend to Council the approval of the draft Retention and Disposal Schedule for laying before the Northern Ireland Assembly.

It was proposed by Councillor McCorkell seconded by Councillor Callan; **to recommend to Council the approval of the draft Retention and Disposal Schedule for laying before the Northern Ireland Assembly.**

8. Open Data Portal and The Reuse of Public Sector Information Regulations 2015

The Head of Policy and Community Planning presented the report as undernoted:

Background

The Re-Use of Public Sector Information Regulations 2015 (“RPSI”) came into force on 18th July 2015. From this date anyone could make a request to re-use information held by the public sector including local government.

The legislation was introduced to:

- ***Recognise that public sector information is a valuable information resource that can be utilised by the private sector to develop value added products and services;***
- ***Remove barriers to the re-use of information and therefore act as a stimulus to the information and publishing industry in Europe, in turn providing significant economic opportunities and enhancing job creation across Europe;***
- ***Improve the flow of information from the public sector to the citizen.***

Public sector information means information that the Council produces as part of its “public task”. ‘Public task’ means the Council’s core role and functions, as defined in legislation or established through custom and practice.

Re-use means using public sector information for a purpose other than the initial public task it was produced for.

Typically, this would mean an individual, a company or another organisation taking information the Council has produced and republishing it or using it to produce a new product or resource, often by combining it with other information. This is sometimes, though not always, on a commercial basis.

The legislation does not apply to recorded information held by the Council if someone else holds the intellectual property rights (eg by copyright or database right).

Implications for Council

The Council will have to publish a list of the main information assets held which falls within the Council’s “public task” and which is of interest and value to the Council itself and potentially to others. This is known as an “Asset List” and it will include information that the Council already publishes proactively as well as unpublished information.

It is likely that much of the information on the Asset List will already be covered by the publication scheme the Council is required to produce under the Freedom of Information Act and it may be possible to combine these two documents.

People who want to make a request for re-use of Council information must submit the request in writing, with their name and address for correspondence, and specify the information they want to re-use and the purpose they intend to use it for.

When the Council receives a request to re-use information it must respond within 20 working days. The Council can, however, extend this time if the information is extensive or the request raises complex issues, but we must inform the requester of this within the 20 day period.

If the Council has not previously disclosed the information requested, then we have to firstly deal it as an access request under the appropriate legislation eg Freedom of Information Act, Data Protection Act or the Environmental Information Regulations in order to decide whether the information is exempt from disclosure. This will be the first stage of dealing with the request as the Re-Use of Public Section Information Regulations do not apply to information that would normally be exempt from disclosure under information access legislation.

The Council may charge for permitting re-use of information but this has to be limited to marginal costs incurred in respect of the reproduction, provision and dissemination of documents.

The Council may impose conditions on re-use but these conditions must be as open and non-restrictive as possible. The legislation refers to Implied and Formal Licences which provide caveats to how the information is to be used. For example an “Implied Licence” would mean the information would have a covering statement that “This information can be re-used freely subject to acknowledging the copyright, identifying the source and not using it in a misleading manner”.

The Council has to establish a procedure for dealing with complaints about Council’s implementation of the Re-Use of Public Section Information Regulations. For example, a complaint must be submitted in writing and the Council has to respond to the complaint within a reasonable time. If the applicant is not satisfied with the Council’s response to their complaint they can then complain to the Information Commissioner’s Office.

Launch of the Northern Ireland Open Data Portal

Central government are promoting the re-use of public sector information and have recently launched a new Open Data Portal.

The Open Data Portal is a website which will provide free on-line access in one place to a range of data from government departments and other public sector organisations, some of which has not previously been published. The data will be free to copy, adapt, commercially exploit and publish.

The Open Data Portal website already has more than 40 datasets available – everything from prescription data, to mapping and transport. The Portal aims to join up access to data across a range of themes including: health; education; employment and the economy; population and society; property and land; and environment and agriculture.

In the first instance, local authority waste management figures, provided by Councils to the Department of the Environment in various statutory returns, will be uploaded to the Portal by the Department.

***The Northern Ireland open data website can be accessed at:
www.opendatani.gov.uk***

Members noted the report.

9. Special Responsibility Allowances

Alderman S McKillop, Councillors Callan, Knight-McQuillan, McGuigan and Wilson had Declared an Interest in the Item and withdrew from the Chamber.

The Chief Finance Officer presented the report as undernoted:

Background

Causeway Coast and Glens Borough Council has established a scheme of allowances payable to Members for the current period. The scheme provides for the payment of allowances to Councillors on the basis that:

- 1 – The maximum level of basic allowance as determined by the Department of the Environment (DoE) is paid***
- 2 – The maximum level of carers allowances as determined by the DoE are paid***
- 3 – The maximum level of mileage rates as determined by the DoE are paid***
- 4 – Councillors' payments are made on the third last banking day of each month***

At the meeting of this committee on 20th October 2015 it was proposed that a sub-committee be set-up to consider the level and recipients of Special Responsibility Allowance.

Minutes of Sub-committee meeting on 14th December 2015

In attendance: Alderman Cole
Alderman Finlay
Alderman Hickey
Alderman McKeown
Councillor Baird
Councillor Chivers
Chief Finance Officer

The Chief Finance Officer outlined the terms of reference of the meeting as follows:

To consider the allocation of Special Responsibility Allowance for 2016/17 taking into account whether or not all members of the Planning Committee should be in receipt.

The discussion began with agreement that the position of Mayor was being underpaid adding that the current level of payment to the position could be counter-productive especially for younger members of Council who could feel put off taking on the role as they may end up being at a financial loss due to the workload and time commitment required. The sum of £12,000 per annum was agreed.

Turning to the planning committee there was a slight difference of opinion as to whether there should be a payment to all members of this committee. It was eventually agreed that there should considering the increased time commitment in comparison to other committees with site meeting commencing at 10am, continuing through most of the early part of the day and then the meeting proper itself. The consensus was that the membership of this committee did not lend itself to those with full time employment since taking a day off their normal employment was not an option for many councillors. Members also agreed that since this committee has full council powers there rests with the members an added responsibility. The level of SRA for a Planning committee member is recommended at £1200 per annum.

Members next discussed the matter of limiting the number of recipients of SRA, currently this could be a maximum of 25 if Planning Committee members are to be included, regulations allows 20 (50% of total council members). It was agreed that Committee Vice-Chairs would be removed from the scheme of allowances thereby reducing the number of recipients by 5 but with the Planning Vice-chair now receiving a standard committee member's allowance tis put the total back up to 21. It was further suggested that the scheme make allowance for a prolonged absence of for example a committee chair i.e.: more than a calendar month so that the allowance for that period can be transferred to the vice chair.

Some further discussion centered on the regulatory limit regarding the maximum number of recipients. The Chief Finance Officer informed members that Councils may apply to exceed this limit stating their reasons for doing so but also informed members that he had made enquiries about this, to date no council has made an application to exceed the 50% limit under the new 11 council regime, there had been a few successful applications under the former 26 council model. He continued to point out to members that when the enquiry was made DoE made the following statement in their response, this being a reference to the remunerations panel's determination on the setting of the members basic allowance for the new 11 council regime;

You will be aware that the previous Environment Minister appointed an Independent Remuneration Panel in May 2013 to conduct a review of all councillors' allowances. The Panel when making its recommendations on the new rates was asked to take into consideration the full range of new duties that councillors were to undertake from 2015/2016; this included the new planning responsibilities. The Report of the Panel, dated 1 November 2013, recommended that the basic allowance from 1 April 2015 should be increased considerably to take account of the new duties for all councillors.

In light of this it was felt that an application to the department on this basis could not be guaranteed success therefore a suggestion was made to allow Council to remain within the 50% limit, currently the Partnership Panel representative is also a member of the Planning Committee therefore if this

was a standing arrangement the maximum number of recipients of SRA would be 20 and therefore compliant.

Finally it was agreed that in light of the Mayor's increased allocation that the Deputy Mayor receive an additional £1,000

Recommendations

It is recommended that;

- 1 Mayor's allowance be increased to £12,000 per annum with immediate effect***
- 2 Planning committee members receive £1,200 per annum with effect from 1 April 2016***
- 3 Committee vice-chairs be removed from the SRA allocations***
- 4 Partnership panel representative always be a member of the planning committee***
- 5 Deputy Mayor's allowance be increased by £1,000 per annum with immediate effect***

Councillor Duddy raised a number of issues with the recommendation. He stated that the make-up of the sub-committee included four members of the Planning Committee which he believed was against Item 6.2 Pecuniary Interest in the code of conduct. Councillor Duddy commented on attendance of Planning Committee members at organised site visits and the average length of time of a Planning Committee meeting. He also referred to the work of the Independent Remuneration Panel. He felt that any increase in remuneration would lead to inequality across the committees.

The Chair suggested before a decision was made to ascertain previous Mayor's, Deputy Mayor's and Chairs allowances in legacy Councils and in the other 10 Councils.

Alderman Hickey stated that indepth discussions were held at the working group and that all parties were present at the table. Councillor Chivers added that decisions were not taken lightly at the working group meeting.

It was proposed by Alderman Hickey, seconded by Councillor Chivers: **to recommend that Council approves:**

- 1 Mayor's allowance be increased to £12,000 per annum with immediate effect***
- 2 Planning committee members receive £1,200 per annum with effect from 1 April 2016***
- 3 Committee vice-chairs be removed from the SRA allocations***
- 4 Partnership panel representative always be a member of the planning committee***
- 5 Deputy Mayor's allowance be increased by £1,000 per annum with immediate effect***

Discussion continued, it was proposed by Councillor Duddy, seconded by Councillor McCorkell: **to recommend that Council does not approve:**

- 1 Mayor's allowance be increased to £12,000 per annum with immediate effect**
- 2 Planning committee members receive £1,200 per annum with effect from 1 April 2016**
- 3 Committee vice-chairs be removed from the SRA allocations**
- 4 Partnership panel representative always be a member of the planning committee**

Alderman Hickey withdrew her proposal with the agreement of Councillor Chivers.

The Chair put the amended proposal to vote, 4 members voted for, five members voted against. The Chair declared the amendment lost.

The Chair advised that legal advice would be sought before the item is brought to the full Council meeting.

- * Alderman S McKillop, Councillors Callan, Knight-McQuillan, McGuigan and Wilson returned to the meeting at 7.59pm.

10. Members' Allowances

The Chief Finance Officer presented the report as undernoted:

Background

Causeway Coast and Glens District Council has established a scheme of allowances payable to Members for the shadow period. The scheme provides for the payment of allowances to Councillors on the basis that:

- 1 – The maximum level of basic allowance as determined by the Department of the Environment (DoE) is paid***
- 2 – The maximum level of carers allowances as determined by the DoE are paid***
- 3 – The maximum level of mileage rates as determined by the DoE are paid***
- 4 – Councillors' payments are made on the third last banking day of each month***

Additional resources

There has been some discussion recently regarding the additional payments, equipment, etc. which is being provided/not provided for members with particular reference to the provisions made in other councils. The table and notes, previously circulated, set out what each council provides or does not

provide in a number of areas. This table has been provided by an external body therefore Council cannot guarantee total accuracy.

I have appended for information the Local Government Circular LG04/2015 – Councillors Allowances Guidance 2015, previously circulated, which does in sections 4 and 9 set out what is intended to be covered by the increased basic allowance received by members in the new 11 council regime.

Members noted the report.

11. Extension of Annual Tenders & Professional Construction Related Consultancy Services Contracts from 1st April 2016 to 31st March 2017

The Chief Finance Officer presented the report as undernoted:

Background

Council have a legislative duty to comply with European and UK procurement legislation, in particular the Public Contracts Regulations 2015. A procurement exercise was completed in spring 2015, in accordance with the legislation, to award a suite of annual tenders and create a framework of professional services contractors that can be utilised to support Council's operations. This report seeks a decision from Council on three matters, further details of each are provided in 1.2 below:

- 1. To extend the majority of these contracts for a one year period.***
- 2. To extend a small number of lots until 30th June 2016 to facilitate a re-tender.***
- 3. To issue a new contract for food waste bin liners.***

Detail

Annual tenders had been run in previous years across the legacy Councils. They covered a range of common goods and services such as electrical supplies, cleaning materials, batteries, tradespersons, lubricants, window cleaning etc. The current suite of annual tenders were revised and expanded somewhat in preparation of Causeway Coast & Glens Borough Council coming into effect on 1st April 2015. These new contracts ensured that suppliers were able to meet the requirements of the new Council area.

In early September 2015, all Heads of Service were asked to consider how their contracts had performed since being set up on 1st April 2015. A specific question was tabled asking for feedback on any contract that had not met the expectations of the Heads of Service.

Rationale for Extending Lots for One Year

As none of the Heads of Service indicated an issue with any of the following lots, it is recommended that they are extended for a one year period from 1st April 2016 to 31st March 2017:

- **Lot 2 – Supply & Delivery of Ready Mix Concrete**
- **Lot 3 – Supply & Laying of Bituminous Macadam/ Asphalt Surfacing & Edging**
- **Lot 4 - Electrical Supplies**
- **Lot 6 - Supply of Paint**
- **Lot 7 - Hire of Vehicles & Plant**
- **Lot 12 - Supply of Protective Clothing**
- **Lot 14 - Sports Pitch Maintenance**
- **Lot 16 - Electrical Maintenance & Repair Work**
- **Lot 17 - Plumbing Maintenance & Repair Work**
- **Lot 18 - Hire of Bricklayers, Joiners, Plasterers & Labourers for Maintenance Work**
- **Lot 19 - Hire of Painters**
- **Lot 24 – Refuse Sacks**
- **Lot 25 – Window Cleaning**

Rationale for Extending Lots until 30th June 2016

An issue was identified with Lot 13 – Supply of Batteries and a meeting was set up with the Head of Operations and his colleagues to discuss further. Some of the batteries that Council required were not in stock when orders were placed and prices were, on occasion, in excess of other local suppliers. In light of these issues, it is recommended that this lot is extended until 30th June 2016 to facilitate a re-tender.

During the meeting other aspects of the annual tenders were discussed. These included Lot 10 – Supply of Quarry Materials which the group felt could achieve better value for money if re-tendered. Therefore, it is recommended that this lot is extended until 30th June 2016 to facilitate a re-tender.

Some minor issues had come to light with regard to Lot 23 – Lubricants. There was a degree of uncertainty around the specification of some of the oils and anti-freezes supplied and their compatibility with council equipment. The group will liaise with the supplier to try to resolve this issue. Therefore, it is recommended that this lot is extended until 30th June 2016 to allow time to monitor supplier performance.

Supplier performance has been below expectations with regard to Lot 5 - Cleaning Materials and Lot 21 – Industrial Cleaning Products, both of which were awarded to the same supplier. There have been a number of price discrepancies between the prices tendered and those charged on invoices. Officers have met with the supplier but the problems have not been resolved. Therefore, it is recommended that this lot is extended until 30th June 2016 to facilitate a re-tender. In the interim, it is intended that orders will be grouped

together and quotations will be sought with business awarded to the most competitive bidder.

Due to the significant fall in the global oil price during the last year, it is likely that goods derived from oil based products such as plastics will be available at a more competitive price. In light of this it is recommended that Lot 22 – Waste Containers is extended until 30th June 2016 to facilitate a re-tender.

A new contract is required for the supply of food waste bin liners for 5 and 7 litre bins. This requirement had not been captured by the current suite of annual tenders. It will run from 1st July 2016 to 31st March 2017 to align with the other annual tender lots.

The procurement officer has been in regular contact with the estates team who are delivering a range of projects in conjunction with professional services contractors under a contract set up in spring 2015. The estates and infrastructure teams did not highlighted any issues with the performance of the contract when Heads of Service were emailed in early September 2015. Therefore, an extension for a further one year period until 31st March 2017 is recommended.

Summary Recommendations

It is recommended that the following lots be extended to 30th June 2016:

- Lot 13 – Supply of batteries***
- Lot 10 – Supply of quarry materials***
- Lot 23 – Lubricants***
- Lot 5 – Cleaning materials***
- Lot 21 – Industrial cleaning products***
- Lot 22 – Waste containers***

It is further recommended that the following lots be re-tendered:

- Lot 13 – Supply of batteries***
- Lot 10 – Supply of quarry materials***
- Lot 5 – Cleaning materials***
- Lot 21 – Industrial cleaning products***
- Lot 22 – Waste containers***

The Chief Finance Officer responded to members' questions relating to the ability to purchase items from other providers and the procurement process.

It was AGREED: to recommend that the following lots are extended for a one year period from 1st April 2016 to 31st March 2017:

- **Lot 2 – Supply & Delivery of Ready Mix Concrete**

- **Lot 3 – Supply & Laying of Bituminous Macadam/ Asphalt Surfacing & Edging**
- **Lot 4 - Electrical Supplies**
- **Lot 6 - Supply of Paint**
- **Lot 7 - Hire of Vehicles & Plant**
- **Lot 12 - Supply of Protective Clothing**
- **Lot 14 - Sports Pitch Maintenance**
- **Lot 16 - Electrical Maintenance & Repair Work**
- **Lot 17 - Plumbing Maintenance & Repair Work**
- **Lot 18 - Hire of Bricklayers, Joiners, Plasterers & Labourers for Maintenance Work**
- **Lot 19 - Hire of Painters**
- **Lot 24 – Refuse Sacks**
- **Lot 25 – Window Cleaning**

It was AGREED: to recommend that the following lots be extended to 30th June 2016:

Lot 13 – Supply of batteries
Lot 10 – Supply of quarry materials
Lot 23 – Lubricants
Lot 5 – Cleaning materials
Lot 21 – Industrial cleaning products
Lot 22 – Waste containers;

and to further recommend that the following lots be re-tendered:

Lot 13 – Supply of batteries
Lot 10 – Supply of quarry materials
Lot 5 – Cleaning materials
Lot 21 – Industrial cleaning products
Lot 22 – Waste containers.

12. Correspondence Report

The Director of Performance presented the report as undernoted:

12.1 Commemoration of the Centenary of the Battle of the Somme – The Somme Association

An invitation has been received from The Somme Association to the official Northern Ireland commemoration at the Ulster Memorial Tower, Thiepval, France on the afternoon of 1st July 2016. On 2nd July there will be an “Act of Remembrance” at the Memorial to the 16th (Irish) Division at Guillemont.

The Association would particularly welcome representation from each Party to reflect the totality of service from our community and has offered four places in

2016 on the Centenary trip. After 31st January 2016 the association will reallocate places as availability allows.

There are two price options based on the hotel chosen.

Option 1 – estimated price of the tour £730.00 per person (excluding personal insurance) staying at 2+ star hotel accommodation. There is a single room supplement of £100.00

Option 2 – estimated price of the tour £900.00 per person (excluding personal insurance) staying at 3 star hotel accommodation. There is a single room supplement of £100.00

Closing date for booking is 31st January 2016.

Committee is asked to consider the invitation from The Somme Association and make recommendation to Council on attendance, number of nominations and method of appointment.

It was proposed by Councillor McGuigan seconded by Councillor C McShane: **to recommend that Council nominates the Mayor and Deputy Mayor in position at the time (or their substitute) to attend**

Councillor Callan added that when choosing a substitute preference should be given to someone who has not been before. Alderman McKillop did not agree on the method of appointment as TUV will not hold the position of Mayor or Deputy Mayor.

The Chair put the motion to the vote, 13 Members voted for, and 2 Members voted against. The Chair declared the motion carried.

12.2 agendaNI – Annual Local Government Reform Conference

An invitation has been received from agendaNI inviting Elected Members to the Annual Local Government Reform Conference, to be held in Lagan Valley Island, Lisburn on Thursday 4th February 2016. (A discounted rate of £150 plus VAT for conference only. £210 plus VAT for conference and Councillor's Code of Conduct workshop).

The conference will share views on key issues including development plans, community planning, tourism, economic development, delivering better citizen services and the Councillors' code of conduct.

Committee is asked to note the invitation from agendaNI.

Members noted the report.

In response to Councillor McGuigan, the Director of Performance advised that a policy on attendance at conferences and courses will be brought to the February committee meeting.

13. Consultation Report

The Chief Finance Officer presented the report as undernoted:

13.1 Note to Employers in LGPS (NI) - HM Treasury Consultation on the Public Sector Exit Payment Recovery Regulations

Employers in the Local Government Pension Scheme (Northern Ireland) have been notified of the HM Treasury Consultation on the Public sector exit payment recovery regulations.

The consultation document can be accessed at:

<https://www.gov.uk/government/consultations/public-sector-exit-payment-recovery-regulations>

The Consultation seeks views on allowing for the recovery of exit payments when a high earner returns to the public sector shortly after exit.

The consultation will close on 25 January 2016.

Responses should be sent directly to HM Treasury in line with the guidance and contact details given in parts 4.1, 4.2 and 4.3 of the consultation document.

Members noted the above consultation.

13.2 DFPNI Consultation on the Review of the Non-Domestic Rate

Draft to be considered by Corporate Policy and Resources Committee prior to submission to the Department is attached as Appendix 1 previously circulated.

Committee is requested to consider the draft response.

Councillor Duddy raised a number of issues within the draft response. The issues were in relation to the review of reliefs, the relevance of energy prices and the suggestion that Council take on additional responsibilities.

It was AGREED: that suggested changes to the draft response are submitted to the Chief Finance Officer by Thursday 21st January 2016 and that an amended draft is brought to the Council meeting.

14. Matters for Reporting to Partnership Panel

There were no matters for reporting to the Partnership Panel.

15. Notice of Motion submitted by Councillor McGuigan and referred from Council Meeting 24th November 2015

"That Causeway Coast and Glens Borough council takes steps to remember the centenary of the Easter Rising and associated events in 2016, and assists in the facilitation, co-ordination and support of associated community-led events.

That Council formulates a working group comprising members, relevant officers, and other associated community interests across the Borough. The terms of reference of the working group will be to remember, through appropriately dignified and inclusive means, the centenary of the Easter Rising and associated events across the Borough; and that a budget be decided by this Council after the initial investigations and meeting of the working group to discuss possible events and initiatives.

It is imperative this Council remembers respectfully this pivotal historical event and assists other organisations within the Borough to do likewise"

Referring to Standing Order 18.2, Councillor McGuigan sought the meeting's approval to amend the motion.

It was proposed by Councillor McGuigan seconded by Councillor C McShane: to amend the motion as follows:

"That Causeway Coast and Glens Borough council takes urgent steps to remember the centenary of the Battle of the Somme and the Easter Rising and associated events in 2016, and assists in the facilitation, co-ordination and support of associated community-led events.

That Council formulates a working group comprising members, relevant officers, and other associated community interests across the Borough. The terms of reference of the working group will be to remember, through appropriately dignified and inclusive means, the centenary of the Battle of the Somme and the Easter Rising and associated events across the Borough; and that a budget be decided by this Council after the initial investigations and meeting of the working group to discuss possible events and initiatives.

It is imperative this Council remembers respectfully these pivotal historical events and assists other organisations within the Borough to do likewise"

The meeting was adjourned at 8.40pm for a five minute recess.

The meeting re-convened at 8:54pm.

The Chair put the proposal to make the amendment to the vote, 6 Members voted for, and 9 Members voted against. The Chair declared the amendment lost.

Councillor McGuigan expressed his disappointment and stated that the aim had been to have all events treated on an equal basis.

Councillor Callan proposed, seconded by Councillor Wilson, an amendment to the substantive motion:

“That Causeway Coast and Glens Borough Council mark and reflect on the significant events in Irish history in this decade of centenaries, which include an armed insurrection in Dublin in April of 1916, the losses of life associated with it, and the losses of life of Irishmen in the First World War. That Council formulates a working group for the facilitation and co-ordination of activities. The ToR of the working group will be to remember, through appropriately dignified and inclusive means, key centenary events of Irish history during the remainder of the decade of Centenary. That a budget be decided by Council after the initial investigations and meeting of the working group to discuss possible events.”

After a lengthy debate, it was AGREED: **that a delegation of party leaders meet with the Chief Executive or officer responsible for discussions on the issue and that further information be brought to the Council meeting.**

16. Notice of Motion submitted by Councillor McCandless referred from Council Meeting 24th November 2015

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

“Proposed Council Motion on continued Paramilitary Activity

That this Council notes the significant unresolved matters highlighted in the recent Assessment of Paramilitary Groups in Northern Ireland.

The continued existence and activities of the Ulster Volunteer Force (UVF), Red Hand Commando (RHC), Ulster Defence Association (UDA), Provisional Irish Republican Army (PIRA) and Irish National Liberation Army (INLA) all provide serious concern.

Given that Sinn Fein are a party of government, it is of particular concern that the report states that the IRA Army Council remains intact, and is perceived to oversee Sinn Fein’s political strategy. It is also troubling that the Provisional IRA retain weapons, are involved in criminal activity, and that its members continue to carry out acts of violence, including murders.

This Council further agrees that Sinn Fein must accept the truth, that the IRA still exists, and use all their influence to ensure the Provisional IRA, along with all other paramilitary organisations, leave the stage completely.”

Councillor Chivers proposed, seconded by Councillor McShane, an amendment to the motion:

“That this Council notes the recent Agreement ‘A Fresh Start’ which will deal with significant unresolved matters highlighted in the recent Assessment of Paramilitary Groups. The continued existence and activities of paramilitary groups provides serious concern. It is also troubling that a number of these groups retain weapons, are involved in criminal activity, and continue to carry out acts of violence, including murders. This Council condemns all murders and criminal activity. This Council further agrees, in line

with the Agreement, that all parties should use whatever influence they have to ensure all paramilitary organisations leave the stage completely.

Following a discussion, it was proposed by Councillor McCorkell, seconded by Councillor McGuigan: **to vote on the amended motion.**

- * Councillor Quigley left the meeting at 10.04pm

The Chair put the amended motion to the vote, 8 Members voted for, and 3 Members voted against. The Chair declared the amended motion carried.

It was proposed by Councillor Callan seconded by Alderman Hickey and AGREED: **that Committee continue the meeting 'In Committee'.**

- * Councillor McGuigan left the meeting at 10.07pm

17. Request to Proceed with Applications for Severance

The Director of Performance presented the report summarised as undernoted:

Background

Under Section 123 of the Local Government Act (Northern Ireland) 2014, arrangements provide for payment of compensation to local government staff who leave their employment as a direct consequence of the RPA reform process following the 1st April 2015 (the vesting date for new Councils). The Local Government Reform Joint Forum 'RPA Staff Severance Scheme for Local Government' (the severance scheme) sets out the detail of how this compensation should be paid. The 'severance scheme' is underpinned by The Local Government Reorganisation (Compensation for Loss of Employment) Regulations (Northern Ireland) 2015. The 'severance scheme' was adopted at the Shadow Council meeting on Thursday 23rd October 2014.

Request

In accordance with these arrangements, the following officers have made an application for Severance from the Causeway Coast and Glens Borough Council:

Leisure and Development Directorate – Tourism and Recreation

- ***Centre Manager / Arts Officer***

Leisure and Development Directorate – Community and Culture

- ***Good Relation Officer***

The LGRJF 'RPA Staff Severance Scheme for Local Government' states, that in all circumstances a financial case for the payment of severance must be made by the Council.

Following a review of the business cases, the maximum cost to Council to release these officers is within the guidance contained within the Severance Scheme, 'all costs associated with the severance package must not exceed the individual's annual salary cost multiplied by 3.25. This is the period during which the costs are recouped or paid back i.e. Severance package / individuals total annual salary cost = 3.25 or less'.

Recommendation

It is recommended that council give approval to proceed with these two applications for Severance received from the officers as outlined above.

It was AGREED: to recommend that Council gives approval to proceed with these two applications for Severance received from the officers as outlined above.

18. Release of covenant, 58 Ballyreagh Road, Portrush

The Director of Performance presented the report summarised as undernoted:

Background

Committee is asked to consider a request received to release the covenant in respect of land adjacent to 58 Ballyreagh Road, Portrush. A map of the land was previously circulated.

Members were provided with details of the Valuation Report carried out on the land in question and information on valuation fees and legal costs incurred by the Council on the basis that there will be a substitute covenant by the current owner and successors in title to the Council's adjacent grounds.

Recommendation

It is recommended that the Council approves the release of the restrictive covenant.

The Director of Performance responded to members' queries relating to the site.

It was proposed by Councillor Duddy seconded by Alderman Campbell and AGREED: to recommend that Council approves the release of the restrictive covenant.

19. Purchase of lands at Articlave

The Director of Performance presented the report summarised as undernoted:

Background

In order to regularise the land adjacent to Council's playing field, MUGA and the play area at Articlave, which were built partially on Housing Executive land, the purchase of the land in question is required. The land was shown in a map previously circulated.

Members were informed of the cost to purchase the land and that a contract and draft Transfer Deed has been received from the Northern Ireland Housing Executive.

Recommendation

It is recommended that the Council approves the purchase of the land.

It was AGREED: to recommend that the Council approves the purchase of the land.

20. Request for access/servitude rights Ballyreagh Road

The Director of Performance presented the report summarised as undernoted:

In December 2015 Council officials had a meeting with the developer of a proposed project at Ballyreagh Road, Portstewart. The development has the potential to deliver an important tourism and economic boost to the area.

Prior to taking the proposal through the planning process, the developer has now written to Council to formally request access/servitude rights over Council owned land that connects the development site to the Ballyreagh Road. It is envisaged that the access road will not take up the entire land area but will enable the positioning of the final road and associated infrastructure. A map showing the area of land that has been requested was previously circulated.

Recommendation

It is recommended that the Council grants access/servitude rights over its land to permit site access subject to satisfactory contractual, legal and asset disposal considerations.

It was proposed by Councillor Duddy seconded by Alderman Hickey and AGREED: to recommend that the Council grants, in principle, access/servitude rights over its land to permit site access subject to satisfactory contractual, legal and asset disposal considerations and conditional on planning considerations.

21. Any Other Relevant Business

21.1 The Committee produces a policy in regards to the Community Fund from the Landfill Tax

21.2 Staff Appraisals (Directors, HoS)

21.3 Bonus Payment Schemes (including information on any bonuses paid)

**21.4 Staff who have been made redundant returning to work for Council.
(Numbers if any, positions they are filling, costs)**

Taking into account the time, it was AGREED: **to refer items 21.1, 21.2, 21.3 and 21.4 to the next Corporate Policy and Resources meeting.**

It was AGREED: **to resolve out of committee.**

This being all the business the meeting closed at 10.15pm