

BALLYMONEY BOROUGH COUNCIL
Corporate & Central Services Committee
Meeting No: 351 – 22nd January 2007

Table of Contents

| | | |
|---------------|---|--|
| 351.1 | Minutes | <i>approved</i> |
| 351.2 | Accounts for Payment | <i>to recommend to Council that accounts to the value of £880,786.14 from the Revenue Account and £259,497.57 from the Capital Account be approved for payment.</i> |
| 351.3 | The General Grant (specified bodies) Regulations (Northern Ireland) 2007 | <i>no comments made</i> |
| 351.4 | Draft Local Government (payments to Councillors)(Amendment) Regulations (NI) 2007 - consultation | <i>that there should be 80% attendance at Standing Council/Committee meetings</i> |
| 351.5 | Chief Executive salary scales | <i>revised salary effective from 1st December 2005</i> |
| 351.6 | Audit Warrant | <i>new auditor is Mr Stephen Knox</i> |
| 351.7 | EQIA Consultation Documents (a) Street Naming Policy (b) Office Bearers/Committees | <i>(a) Chief Executive to prepare a report to the February meeting of Council on the consequences of a decision by Council to rescind its current de facto policy on street naming (b) information noted</i> |
| 351.8 | Opening of Tenders | <i>to recommend to Council that when tenders are invited, Council grant authority to the Committee Chair or Vice Chair together with the Head of Corporate & Development Services, or her nominee, to open the tenders received following their specified deadline for evaluation and report to Council.</i> |
| 351.9 | Effect of the St Andrews Agreement Act on DPPS | <i>information noted</i> |
| 351.10 | NILGA Annual Subscription 2007/2008 | <i>noted</i> |

351.11 Marketing Sub Committee

to recommend to Council that the Mayor be appointed an ex-officio member of The Marketing Sub-Committee.

**BALLYMONEY BOROUGH COUNCIL
Corporate & Central Services Committee**

Minutes of Corporate & Central Services Meeting No 351 held in the Council Chamber, Riada House on Monday, 22nd January 2007 at 2:30 pm

IN THE CHAIR: Councillor A Patterson

PRESENT

Aldermen
F Campbell
H Connolly
C Cousley (Vice-Chair)

Councillors
A Cavlan
J Finlay
D McKay
E Robinson
I Stevenson
R Wilson

APOLOGIES P McGuigan, MLA

IN ATTENDANCE Chief Executive
Items [7-11]
Director of Central and Leisure Services
Items [1-6]
Committee Clerk

351.1 MINUTES OF MEETING NO 350 – 21ST DECEMBER 2006

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

that the minutes of the committee's meeting No. 350, on 21st December 2006, as circulated, be confirmed as a correct record.

CENTRAL SERVICES

351.2 ACCOUNTS FOR PAYMENT

Treasury advice schedules detailing payments for Period 10, 2006/07 drawn on the Council's Capital and Revenue Bank Accounts were tabled for members. .

It was proposed by Councillor Stevenson, seconded by Councillor Wilson and
AGREED:

to recommend to Council that accounts to the value of £880,786.14 from the Revenue Account and £259,497.57 from the Capital Account be approved for payment.

351.3 THE GENERAL GRANT (SPECIFIED BODIES) REGULATIONS (NORTHERN IRELAND) 2007

The Department intends to revoke and replace the General Grant (Specified Bodies) Regulations (NI) 2001 with the draft 2007 Regulations - copy circulated. The draft Regulations allows for the changes to two of the bodies specified in the 2001 Regulations as follows –

- the Local Authorities' Co-ordinating Body on Trading Standards has changed its name to the Local Authorities' Co-ordinators of Regulatory Services, and
- payments previously paid to the National Joint Council for Local Government Services should be made to the Employers' Organisation for Local Government.

The Local Government (Miscellaneous Provisions) (NI) Order 2002 allows for the Department to make payments to specified bodies for services provided to district councils and to recover that expenditure by way of deductions from the general grant. After responding to members' questions, the Director informed committee that she would make available details of all the specified bodies and the amounts payable.

No comments on the draft Regulations were made.

351.4 DRAFT LOCAL GOVERNMENT (PAYMENTS TO COUNCILLORS) (AMENDMENT) REGULATIONS (NI) 2007 – consultation

The Department is inviting comments on its intention to bring forward the above Amendment Regulations to amend the Local Government (Payments to Councillors) Regulations (NI) 1999, copy circulated.

The proposed amendments are –

- to abolish the Attendance Allowance and replace it with an Enhanced Basic Allowance
- the introduction of a Dependants 'Carers' Allowance for child/dependant care necessarily incurred to enable a councillor to undertake approved duties.

Comments are invited by 17th February 2007.

Discussion ensued regarding the level of attendance at meetings if members were not required to attend a certain percentage of meetings.

It was **AGREED:**

to recommend that the Council write to the Department stating that there should be 80% attendance at Standing Council/Committee meetings before the enhanced basic allowance was paid. This would ensure members' attendance at meetings to enable the business to be conducted.

351.5 CHIEF EXECUTIVE SALARY SCALES

The Director advised that the Joint Negotiating Committee for Chief Executives of Local Authorities in Northern Ireland has completed a review of salary scales applying to Chief Executives and has concluded that the bandings applicable in respect of three councils should change based on revised job scores. One of the three is Ballymoney where the salary banding changes from Band 5 to Band 4. The effective date of the revised salary banding is 1st December 2005.

351.6 AUDIT WARRANT

Article 4 of the Local Government (NI) Order 2005 provides for the Department of the Environment to designate persons who are members of the staff of the Northern Ireland Audit Office as local government auditors, with the consent of the Comptroller and Auditor General.

The Director advised that in exercise of this power the Department has designated Mr Stephen Knox as Local Government Auditor with effect from 4th December 2006 to audit the accounts of Ballymoney Borough Council for 2006/07 and subsequent years, until further notice.

CORPORATE SERVICES

351.7 EQIA CONSULTATION DOCUMENTS

(a) – Street Naming Policy

Consideration of responses from the EQIA and the draft policy was deferred from the last meeting to allow members the opportunity to fully consider the comments from the public consultation, the responses to comments and legal advice.

The Chief Executive answered members' questions. After discussion it was proposed by Councillor McKay and seconded by Councillor Cavan;

to recommend to Council to adopt the "Street Naming Policy" as set out in the report.

Councillor McKay furthermore requested a recorded vote. The Chair put the proposal to the Committee with three voting for the motion and seven voting against.

| For (3) | Against (7) |
|----------------|--------------------|
| A Cavlan | F Campbell |
| H Connolly | C Cousley |
| D McKay | J Finlay |
| | A Patterson |
| | E Robinson |
| | I Stevenson |
| | R Wilson |

The Chair declared the motion lost.

The Chief Executive undertook to prepare a report for the Council meeting setting out the consequences of a decision by Council to rescind its current de facto policy on street naming.

(b) – Policy on Election of Office Bearers & Council representation on Committees and external bodies.

Following an extension of time on this consultation the consultation closed on 16th January. All responses received will now be analysed and a report presented to a future meeting.

Councillor Finlay left the meeting at 4.00pm.

351.8 OPENING OF TENDERS

The following policy recommendation, based on that adopted by Council for tenders falling within the remit of Borough Services and Development Committee, is recommended that the same process be applied for tenders falling within the remit of Corporate Services, as follows:-

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

to recommend to Council that when tenders are invited, Council grant authority to the Committee Chair or Vice Chair together with the Head of Corporate & Development Services, or her nominee, to open the tenders received following their specified deadline for evaluation and report to Council.

351.9 EFFECT OF THE ST. ANDREWS AGREEMENT ACT ON DPPS

Following a request from members for clarification on the above matter the Chief Executive reported:

Reconstitution of District Policing Partnerships

Schedule 8 of the Northern Ireland (St Andrews Agreement) Act 2006 provides for the Reconstitution of District Policing Partnerships (DPPs). The Schedule comes into force “on such day as the Secretary of State may by order made by statutory instrument appoint”. After the “commencement date” i.e. the day on which Schedule 8 comes into force,

the Policing Board is required, within 15 days, to comply with various requirements set out in the Schedule. One of these is to “consider whether the political condition is met in relation to each DPP.” The Schedule states that “the political condition is met in relation to a DPP if the political members of the DPP reflect, as far as practicable, the balance of parties prevailing among members of the council on the commencement date.”

The Schedule goes on to set out the process to be followed by the council where its DPP has been included on the list, published by the Policing Board, of those DPPs which, in its view, do not meet the political condition. The Council must publish notice of the date which is to be the political appointment date in relation to the DPP. That date must be “no later than three months after the date on which the list is published.”

Political members of the DPP will cease to hold office at the end of the previous day and on the political appointment date the council must appoint political members in accordance with Schedule 3 of the Police (Northern Ireland) Act 2000, as amended by the terms of the St Andrews Agreement Act. Effectively that means that the Council shall ensure that the political members reflect the balance of the parties prevailing among the members of the council on the commencement date for Schedule 8.

(Note: the Act does not specify the method to be used to ensure that this balance is achieved.

In 2002, Council agreed that the DPP should have 19 members, giving 10 political members, as this size of the DPP gave the widest possible representation of parties and the closest proportionality as compared with the council make up at that time. Council also agreed to use proportionality to allocate political members to the DPP. In 2005 Council decided to retain a DPP consisting of 19 members and to adopt the d’Hondt system for allocation of seats.)

Appointment of Chairman of the DPP

In 2002 the legislation provided for the “chairman and vice chairman of a DPP (to be) appointed by the Council from among the political members.” That was amended in 2005 and now only the post of chairman is held by political members. Council decided in 2002 that the largest party (DUP) hold the office of Chair in year 1, the second largest (UUP) in year 2 and the third largest (SDLP) in year 3. In 2005 the Council continued this practice and the Chair in 2005/06 was held by the DUP, with the UUP taking over for 2006/07. (Sinn Féin were the second largest party but did not take the seats allocated.)

The current legislation covering the appointment of the chairman is set out in Schedule 9 of the Police (Northern Ireland) Act 2000, amended by the District Policing Partnerships (Northern Ireland) Order 2005 and the Northern Ireland (St Andrews Agreement) Act 2006.

Paragraph 9 states :-

9. (1) For each DPP there shall be a chairman appointed by the council from among the political members.

(2) In making appointments to the office of chairman, the council shall ensure that, so far as is practicable –

(a) a person is appointed to that office for a term of 12 months at a time or, where that period is shorter than 18 months, for a period ending with the reconstitution date next following appointment;

(b) that office is held in turn by each of the four largest parties represented on the council *on the date on which Schedule 8 to the Northern Ireland (St Andrews Agreement) Act 2006 comes into force.*

The Act does not stipulate the order in which the four parties shall hold the position. The practice in Ballymoney Borough Council has been for it to be allocated in order of party size on Council, starting with the largest. That practice is consistent with the legislation and has been adopted by Council on two occasions, in 2002 & 2005. Other options are possible provided they comply with the Act and meet the test of reasonableness, which must be applied to all council decisions.

351.10 NILGA ANNUAL SUBSCRIPTION 2007/08

It was agreed at the NILGA Executive Committee meeting on 8th December 2006 that the annual increase on the 2007/08 subscription will be in line with inflation at 3%. Subscriptions are based on the EPP for General Grant figures made available by the DOE Local Government Division. Council's contribution, which will be included in the 2007/08 rate estimate, is £4012.07.

351.11 MARKETING SUB-COMMITTEE

Alderman Campbell referred to The Marketing Sub-Committee which considers a variety of marketing, communications and PR matters. He explained that one of the key marketing activities is civic functions and ceremonial occasions. As the Mayor plays a key role in such events he proposed that the Mayor should be appointed an ex-officio member of this sub-committee.

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

to recommend to Council that the Mayor be appointed an ex-officio member of The Marketing Sub-Committee.

This concluded the business of the meeting the time being 4.20 p.m.

