

**BALLYMONEY BOROUGH COUNCIL
Finance & General Purposes Committee**

Meeting No 344 – 26th June 2006

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BALLYMONEY BOROUGH COUNCIL

Finance & General Purpose Committee Meeting No 344 held in the McKinley Room, Riada House on Monday 26th June 2006 at 7.30 pm.

In the Chair: Councillor Mrs Audrey Patterson

Present:

Aldermen	
F Campbell	H Connolly
C Cousley	J Simpson

Councillors	
A Cavlan	J Finlay (Mayor)
B Kennedy	P McGuigan, MLA
D McKay	E Robinson
I Stevenson	M Storey, MLA
R Wilson	

Apologies: Councillor McKeown

In Attendance: Chief Executive
Director of Central & Leisure Services
Head of Corporate & Development Services
Committee Clerk

344.1 Election of Chair

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

that the Mayor conduct the election of Chair.

The Mayor assumed the Chair and invited nominations for the office of Chair.

It was proposed by Councillor Stevenson, seconded by Councillor Robinson:

that Councillor Patterson be elected Chair of the Committee for the ensuing year.

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

that Councillor Cavlan be elected Chair of the Committee for the ensuing year.

On being put to the meeting Councillor Patterson was declared elected Chair of the Committee for the ensuing year.

344.2 Election of Vice Chair

It was proposed by Councillor Wilson, seconded by Alderman Campbell:

that Councillor McKeown be elected to the post of Vice Chair for the ensuing year.

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

that Councillor Cavlan be elected Vice- Chair of the Committee for the ensuing year.

On being put to the meeting Councillor McKeown was declared elected Vice-Chair of the Committee for the ensuing year.

344.3 Minutes – Meeting No 342 – 22nd May 2006, Meeting No 343 – 1st June 2006

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

that the minutes of Meeting 342 and 343, on 22nd May 2006 and 1st June 2006, as circulated, be confirmed as a correct record.

Councillor Stevenson left the meeting after the above item (Time: 7.40pm).

344.4 Appointment of Marketing Sub-Committee

It was proposed by Councillor Finlay , seconded by Councillor Storey and **AGREED:**

to recommend that the Chair, Vice-Chair, Alderman Cousley, Alderman Campbell and Councillor Simpson be re-elected to the sub-committee for the ensuing year.

CORPORATE SERVICES

344.5 Staff Matters

a. Career Break – Chief Executive's PA

The Chief Executive's PA, Mrs Karen Wilson, is currently on a career break until the end of July 2006. She has applied for further year's extension to the end of July 2007.

It was proposed by Alderman Cousley, seconded by Councillor Finlay and

AGREED:

to recommend that the application be approved and that the current contract for the filling of the temporary vacancy be extended to 31st July 2007.

b. Job Share Application – Community Safety Co- Ordinator:

Further to committee minute FC.342.5.4 and the request from the existing officer regarding the above, it is considered that there would be no detrimental effect on current service provision should the post be job shared. Members will be aware that this is a contract post, fully funded by the Northern Ireland Office, Community Safety Unit (NIO CSU). The funding for the post expires on the 31st March 2008. Neither the funders nor the Community Safety Partnership have raised any objection to the application made. The same post in another authority has recently been designated and advertised as a job share. No additional funding will be made available from the NIO CSU to cover the costs of a recruitment exercise. This would be borne in its entirety by the employer and is estimated at £3000. Such expense has not been allowed for within the existing departmental budget or the annual funding from NIO CSU.

It was proposed by Alderman Campbell, seconded by Councillor Wilson and

AGREED:

to defer consideration of the job-share application for one month and present a detailed report on recruitment costs.

Alderman Connolly arrived during discussion of the above item (Time: 7.56pm)

344.6 Organisational Review

The Chief Executive has concluded his briefing of political parties and the independent member of Council on the decisions taken regarding the detailed structures within each department. The consultation exercise with staff and the Trade Unions has been concluded and the new structure has been implemented with effect from 5th June 2006. A revised organisational chart, detailing the new agreed Director and Heads Of Service job titles and revised structure was tabled. Attached as appendix A.

Councillor Robinson indicated that she wished, on behalf of the DUP Group Leader, and in the absence of officers, the Chief Executive excepted, to read a statement on the DUP group's position on this matter and to have it recorded in the minute.

The Head of Corporate & Development Services and Committee Clerk left the meeting (Time: 8.05pm)

Councillor Robinson read the following letter which had been sent to the Chief Executive on 28th April 2006.

"I write to thank you for the time you accorded not only myself but also my fellow councillors on Wednesday 26th April 2006 when you explained the current allocation of responsibilities of the Directors of the Council.

I have, this morning, met with the D.U.P. Group of Councillors and I now must state that we have major concerns with the seeming unequal distribution of responsibilities that exists within the proposed structures.

I am aware that when Council passed the resolution to split the Directorship of Leisure & Amenities and accorded the Leisure function to the Director of Finance and the Amenities function to the Director of Health & Environmental Services, you were given, as Chief Executive, the task of allocating the responsibilities, pertaining to each function, to the two Directors.

I trust that I may now leave this matter with you and that you will, with integrity, ensure that both Directors have equal responsibilities.

Assuring you of my best co-operation at all times

(signed: John Finlay)."

Councillor Kennedy arrived during discussion on this item (Time:8.10pm)

The Head of Corporate & Development Services and Committee Clerk returned to the meeting during the next item (Time: 8.17pm)

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

to recommend that those posts, listed below, where responsibilities changed as a result of the review exercise, be subjected to job evaluation by Belfast City Council Business Improvement Unit

Office of The Chief Executive:

- Head of Corporate & Development Services
- Corporate Project Officer

Borough Services Directorate

- Head of Environmental Health/Community Safety (Dep. Dir)

Central & Leisure Services Directorate

- Head of Human Resources
- Head of Finance & I.T.
- Head of Leisure Services
- Cultural Services Officer

344.7 Council Decision Making Structure

Council, on the recommendation of the Committee decided that the committee structure should remain as follows, with the addition of an Audit Committee and Consultation Committee.

- Development Committee

- Finance & General Purposes Committee
- Leisure & Amenities Committee
- Health & Environmental Services Committee

To better align the committees to the new structure approved by Council and more adequately reflect its functional areas it is suggested that the name of the Finance & General Purposes Committee be changed to Corporate and Central Services Committee.

It was proposed by Councillor Robinson, seconded by Alderman Simpson and **AGREED:**

to defer the decision on the committee name change from Finance & General Purposes Committee to Corporate & Central Services Committee.

344.8 Fair Employment Complaint

DECLARATION Councillor McKay declared an interest as the complainant and left the **OF INTEREST** meeting (Time: 8.21 p.m.)

The Chief Executive reported that the Equality Commission has written to advise that a complaint by a member of Council has been made to them regarding the issue of proportionality and the appointment of Councillors to external bodies, namely Rasharkin Community Centre Committee, and the alleged failures to comply with Council's approved Equality Scheme arising from these Council actions. The member's request for an investigation will be considered by the Commission's Statutory Duty Investigations committee.

Councillor McKay returned to the meeting. (Time: 8.22pm)

344.9 Best Value Legislation (Council's involvement in companies)

Committee will recall that following concerns raised last year by the Chief Local Government Auditor about councils' involvement in companies the Department of Environment undertook, in the absence of powers in primary legislation, to bring forward subordinate legislation to enable councils to form or participate in companies in delivering local government functions. A draft copy of proposed legislation – "The Local Government Companies (Best Value) Order (NI) 2006" is tabled. The proposed legislation is essentially to regularise, where possible, the current position regarding councils' involvement in companies and comments are invited. A report will be presented for committee's consideration at the July meeting.

344.10 Tenders for Professional Services

In March 2002 Council invited tenders for a range of professional services to cover a three year period. These were subsequently extended for one year or thereabouts to 30th September 2006. The professional services are:

- 1) General Legal Services, including conveyancing, licensing and prosecutions;
- 2) Specialist legal services including Employment & Equality issues, interpretation of legislation and provision of legal advice; (note: council has a contract with Belfast City Council for provision of advice on FOI.
- 3) Planning advice and support in relation to Area Plan process and related matters
- 4) Environmental advice and support in relation to open case lignite mining and use as a fuel for power generation;
- 5) Marketing and Public Relations;
- 6) Management consultancy to include corporate planning and best value;
- 7) Architectural services including Civil, Mechanical & Engineering and Quantity Surveying;
- 8) Economic Development Consultancy

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

to recommend that tenders be invited for services as follows for a three year period:

- 1) General Legal Services, including conveyancing, licensing and prosecutions;
- 2) Specialist legal services including Employment & Equality issues, interpretation of legislation and provision of legal advice; (note: council has a contract with Belfast City Council for provision of advice on FOI.
- 3) Planning advice and support in relation to Area Plan process and related matters
- 4) Environmental advice and support in relation to open case lignite mining and use as a fuel for power generation;
- 5) Design and Print;
- 6) Architectural services including Civil, Mechanical & Engineering and Quantity Surveying;

344.11 **Review of Public Administration (RPA) Work Streams**

DOE recently confirmed that Councils would not be reimbursed for the time and mileage spend by Officers on RPA Sub-Group work. In the light of this Carrickfergus Borough Council have made representations to the Secretary of State seeking a review of these arrangements, as they consider it to be an unfair burden on ratepayers.

During discussion it was agreed that it was vitally important that local government was involved in the process.

It was proposed by Alderman Campbell, seconded by Alderman Connolly and
AGREED:

to recommend that Council write in similar terms to the Secretary of State seeking a review of the above arrangements.

344.12 **Somme Association – Annual Pilgrimage**

The Chief Executive reported that this year the Somme Association, despite room sharing, could not accommodate all of the delegates nominated by this Council and others due to over subscription. A reserve list was in operation from early April but names of those nominated for travel could not be changed after 14th June.

In this 90th anniversary year 250,000 ex-Service Men and Women, from around the UK and overseas, including 3,000 from Northern Ireland, are attending this year's 90th Anniversary of the Battle of the Somme on 1st July. This year's memorial Service has moved to within sight of the Somme Battlefields. All hotel accommodation and travel to and from the area have been booked solid for weeks.

The Council will be represented this year by its Somme representative, Councillor Storey, and Councillor Stevenson.

As reservations for the Somme Pilgrimage are not accepted without a deposit reservations cannot be progressed until appointments and approval of spend has gone through the due process. To provide for nominations to be submitted as soon as the Somme invitation is issued Committee is invited to consider agreeing its nominees now for 2007.

It was proposed by Councillor Kennedy, seconded by Councillor Storey and
AGREED:

to recommend that Council send two delegates to the 2007 Somme Pilgrimage.

344.13 **National Association of Councillors - Membership**

The Association has agreed at its AGM that each Council in Northern Ireland be permitted to have four members appointed to the Association (presently three).

The current representatives are Alderman Cousley, Councillor McCamphill and Councillor Robinson.

In reply to a question by Councillor McKay the Chief Executive advised that the Association did not require the application of d'Hondt for the appointment of representatives.

It was proposed by Alderman Cousley, seconded by Councillor Robinson and
AGREED:

to defer consideration of appointment of an additional member and seek information on the membership levy.

344.14 **Electoral Commission – Screening of Policies**

A copy of the results of screening of the Commission's policies to determine which of them have significant implications for equality of opportunity, is tabled. Comments are invited. A copy of the questionnaire is available. No comments were offered.

344.15 **Street Naming Policy – Draft EQIA**

The Chief Executive reported that this item was tabled for F&GP 342 22nd May 2006, and deferred to the June meeting, to allow members further time to fully consider the document.

The Chief Executive drew attention to para 4 & 8.6/8.7 where alternative options were presented for Council's consideration.

It was proposed by Councillor Storey, seconded by Alderman Simpson:

to defer consideration of the matter for one month to allow members further time to consider the draft document.

Councillor McKay requested that voting be recorded.

In response to a question by Councillor McGuigan the Chief Executive outlined the consultation arrangements and the process for dealing with the EQIA.

On being put to the meeting 7 members voted for the motion and 3 members voted against. Voting was recorded as follows:-

For the Motion (7)
Councillor Robinson
Alderman Campbell
Alderman Cousley
Councillor Storey
Councillor Wilson
Alderman Simpson
Councillor Kennedy

Against the Motion (3)
Councillor McKay
Councillor Cavlan
Councillor McGuigan

The Chair declared the motion carried and the matter deferred for one month.

The Chief Executive, the Head of Corporate & Development Services and Councillor Storey left the meeting (Time: 8.46pm)

CENTRAL SERVICES

The Director of Central & Leisure Services joined the meeting (Time: 8.46pm)

Alderman Simpson left the meeting (Time: 8.47pm)

Councillor McGuigan left the meeting (Time:8.48pm)

344.17 Accounts For Payment

Treasury advice schedules detailing payments for Period 3, 2006/07 drawn on the Council's Revenue and Capital Bank Accounts were circulated at the meeting.

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

to recommend that accounts to the value of £532660.71 from the Revenue Account and £53527.09 from the Capital Account be approved for payment.

Councillor Wilson left the meeting (Time: 9.00pm)

344.18 Councillor's Allowances – 2006/07

The Department has now determined new maximum rates of allowances, payable under the Local Government (Payments to Councillors) Regulations (N.I) 1999.

The revised maximum rates effective from 1 April 2006 are as follows –

Basic Allowance	£4,930 per annum
Attendance Allowance (unchanged)	£22 per 24 hour period

Special Responsibility Allowance – for a Council with population not exceeding 50,000	£11,482 per annum
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Maximum payable to individual member	£2,296.40
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Details of Special Responsibility Allowance payable in 2005/06 is attached as Appendix B.

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

to recommend that the maximum allowance be paid in 2006/2007.

It was proposed by Councillor Kennedy, seconded by Councillor Robinson and
AGREED:

to defer the decision to allocate the Special Responsibility Allowance for 2006/2007.

Councillor Kennedy left the meeting (Time: 9.45pm).

344.19 **Loans to Officers for Purchase of Motor Vehicles**

Section 41B of the Local Government Act (N.I.) 1972 provides for a district council to make a loan to an officer for the purchase of a motor vehicle, subject to conditions set by the Department of the Environment with the approval of the Department of Finance and Personnel.

The Department has reviewed the existing interest rates applied by Councils and has determined that revised interest rates shall apply to all such loans granted, with effect from 19th June 2006.

The revised rate is 3% interest per annum on the amount of the loan – the loan and interest to be repaid by equal monthly instalments.

The Department has also advised Councils to exercise prudence in the granting of loans during the reorganisation of local government.

It was proposed by Alderman Campbell, seconded by Alderman Connolly and
AGREED:

to recommend that the revised rate of 3% interest be applied to all loans to officers for purchase of motor vehicles.

344.20 **Review of Rating Policy – Domestic Rating**

The Valuation & Lands Agency has issued details of when Council areas will be notified of the capital values revaluations. The schedule of notification was circulated.

It is recommended that the Council note that the capital values revaluation will be issued to domestic property owners in Ballymoney week commencing 17th July 2006.

344.21 **Local Government Task Force Remuneration to Elected Members**

The Director of Central & Leisure Services reported that the Department will now pay members travelling expenses, which will be claimed directly from the Department.

Councillors Cavlan & McKay left the meeting (Time: 9.52pm)

This concluded the business of the meeting, the time being 10.00pm.

Appendix A – Organisational Chart (344.6)

Appendix B – Special Responsibility Allowance 2005/06 (344.18)