

Ballymoney Borough Council
Corporate & Central Services Meeting No 383 – 22nd February 2010

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**BALLYMONEY BOROUGH COUNCIL
CORPORATE & CENTRAL SERVICES COMMITTEE**

Minutes of Corporate & Central Services Committee Meeting No. 383 held in the McKinley Room, Riada House, Ballymoney on Monday 22nd February 2010 at 7.01pm.

IN THE CHAIR Alderman J Simpson

PRESENT

Aldermen
F Campbell
C Cousley, MBE, Deputy Mayor
H Connolly

Councillors
J Finlay
E Robinson
I Stevenson
M McCamphill
R T Halliday

IN ATTENDANCE Head of Finance & IT [Items 1-4]
Chief Executive [Items 5-12]
Head of Corporate and Development Services [Items 5-12]
Committee Clerk

APOLOGIES Councillor A Cavlan
Councillor M Storey, MLA

383.1 MINUTES OF MEETING NO 382 – 25TH JANUARY 2010

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

*that the minutes of meeting no 382 – 25th January 2010, as
circulated, be confirmed as a correct record.*

CENTRAL SERVICES

383.2 ACCOUNTS FOR PAYMENT

Treasury advise schedules detailing payments for Period 11, 2009/10 drawn on the Council's Revenue and Capital Bank Accounts were circulated at the meeting.

IT IS RECOMMENDED that the payments are made.

Head of Finance and IT responded to a number of questions from members.

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

to recommend that accounts to the value of £1,122,985.59 from the Revenue Account and £1,380.55 from the Capital Account for period 11 - 2009/2010 be approved for payment.

- * **Chief Executive arrived at the meeting during consideration of the above matter at 7.15pm.**

383.3 DISTRICT RATES

Circulated, for members' information, was a schedule of all 26 District Councils non-domestic and domestic rates for 2010/11.

Ballymoney has remained in 13th position on the Domestic Rate League Table.

Councillor Finlay thanked the Head of Finance & IT for the information supplied, however, requested that an additional table be distributed which was ranked in order from lowest domestic rate percentage increase to highest.

- * **Head of Finance & IT left the meeting at 7.23pm.**

CORPORATE SERVICES

383.4 STAFF MATTERS

NOT FOR PUBLICATION

- * **Head of Corporate and Development Services arrived at the meeting at 7.24pm during consideration of the above matter.**

383.5 LOCAL GOVERNMENT PAY 2010-2011

Following the Employer's announcement that they were unable to offer any increase in pay for 2010-11 to local government employees the trade union side has sent a letter to all elected members in England Wales and Northern Ireland seeking their views on the decision and asking them to urge the Local Government Association and the Local Government Employers to change their minds. As a number of councillors have contacted the National Employers Organisation wishing to declare their support for the employers position a model letter has been provided. The Chief Executive advised that the model letter was available from the Office of the Chief Executive.

383.6 REVIEW OF DPP's AND CSP's

The Northern Ireland Office has written recently to council to seek support in ensuring there are as few practical barriers as possible to closer working between CSPs and DPPs.

The background to this is the review which Minister Goggins commissioned into the arrangements to deliver these functions after RPA. The review also considered how to facilitate closer working between the existing partnerships in the intervening period.

The initial responses to the review proposals were that about 80% of respondents were in favour of the creation of single partnerships to deliver local policing and community safety functions, as well as confirming widespread agreement on the principle of closer working in the short to medium term.

The Northern Ireland Office has been advised that Council will review how it organises, manages, accommodates and supports administratively both partnerships, to consider how best to remove structural barriers in the short term. A further report will be brought to Committee. During discussion the Chief Executive responded to members questions.

It is recommended that Committee note this report.

383.7 REVIEW OF NON-DOMESTIC VACANT RATING AND EXCLUSION OF COMPANIES IN ADMINISTRATION

NILGA have provided an update of the review of non-domestic vacant rating recently completed by the Department of Finance and Personnel. As part of this views were sought from a range of stakeholders as well as Members of the Assembly's Finance and Personnel Committee.

While there are necessary changes to be made to the operation of the rating of empty commercial properties, it is the view of the Minister that it would be best to leave any substantive policy changes until there has been a more positive economic recovery, perhaps being looked at again in two to three years time. This could include consideration of more fundamental changes to the policy such as ending the exclusion for industrial properties or moving to 100% rating. Nevertheless, it is felt that change is needed now in relation to the treatment of companies in administration.

These companies are not subject to rates when unoccupied in GB and a number of calls have been made, given the current economic downturn, for a similar position to be adopted in Northern Ireland. Currently companies in administration in Northern Ireland are rated when unoccupied, albeit at 50% as opposed to the 100% level that would apply in GB if this measure were in place. Given the severity and length of the current economic downturn the application of vacant rates to companies in administration may cause additional difficulties during what is already a particularly hard time financially for all businesses.

While companies in administration are currently liable to pay rates when vacant, this presently gives rise to serious difficulties in respect of recovering associated revenue and LPS have advised that this debt will ultimately be written off as irrecoverable in any case as they cannot by law take court action against company administrators.

The Minister has therefore decided that they should be excluded from vacant rating from 1 April 2010. As this will have revenue implications for some councils the advice was received prior to 2010/11 rates being struck and referred to the Director of Central & Leisure Services to advise Council as appropriate.

In bringing forward this change consideration has been given to the impact any change could have on revenue raising, particularly for councils and therefore the Minister has taken the decision not to make more drastic concessions during this economic downturn. During discussion Chief Executive advised of work which the Director of Borough Services is putting in hand to assist with the backlog of identifying occupied properties.

383.8 CONFERENCE POLICY

Arising from Council's decision to reduce members conference budget in 2010-2011 options for revision of existing policy, as requested, will be brought to committees next meeting. Suggestions put forward by members were noted by the Chief Executive for consideration when identifying options.

383.9 REGISTRATION OF ELECTORS

District Councils are required under Electoral Law to pay to the consolidated fund a proportion of the expenses incurred in connection with the registration of electors. Expenditure on this by the Electoral Office in 2008-09 amounted to £2,152,179. Council's share of the cost has been calculated at £2401.32. This is £401.32 above the budget provision made. Budget provision in the incoming year has been increased to £2,500.

383.10 CONSULTATION DOCUMENT – INDEMNITIES FOR MEMBERS AND OFFICERS

The Department of Environment has published a consultation document on its proposals for a Local Government (Indemnities for Members & Officers) Order (NI) 2010, on which comments are invited by 31 March 2010. The Order will confer powers on councils to indemnify, subject to certain restrictions, some or all of their members and officers in respect of personal liabilities incurred in connection with service on behalf of their councils. The Department considers that it should be for councils themselves to determine which members and officers should be granted indemnities. It however considers that the power to grant indemnities out of public funds should be limited to circumstances in which members or officers act by virtue of membership of, or employment by, their councils and for the purposes of their councils. This specifically allows indemnities to be available where an individual

is working in partnership with another organization, so long as the conditions are met. It is not extended to members or officers working in a personal capacity. The powers are similar to those given to relevant local authorities in England and Wales. A copy of the draft Order's explanatory note has been circulated.

383.11 NILGA MANAGEMENT AND MONITORING OF ENGAGEMENT

Under the Management of Engagement NILGA requested Councils to monitor the attendance of members at NILGA meetings on a bi-annual basis and manage their engagement in NILGA. The six-monthly report on attendance by members at NILGA (full and Executive) meetings was circulated. Chief Executive agreed, at a members request, to review information published on the website regarding members expenses and attendance and report to the next meeting.

383.12 FILLING CASUAL VACANCIES ON DISTRICT COUNCILS – GOVERNMENT RESPONSE TO CONSULTATION

The consultation on '*Filling Casual Vacancies on District Councils*' closed on 15 January 2010. The Elections Unit of the Northern Ireland Office have advised that responses to the consultation were received from a number of political parties, district councils and other concerned organisations and individuals.

The consultation demonstrated overwhelming support for the proposal to allow vacant seats to be filled in future by a replacement nominated by the nominating officer of the party in whose name the vacating member stood when elected. There was further support for seats vacated by independent members to be filled using a list of substitutes provided by those members.

There was also clear support for bringing forward these changes as soon as possible in order to make it easier for councillors holding other elected offices to give up their council seats and to address any vacancies arising from the introduction of any severance scheme introduced by the Department of Environment (DoE(NI)) over the coming months.

The Government will therefore seek to bring legislation before Parliament to implement the changes proposed in the consultation as soon as possible. We are grateful to all who took the time to respond to the consultation and attach the full Government response. The response is also available on the NIO's website (www.nio.gov.uk) under *Public Consultation*.

The full NIO response document is available from the Office of the Chief Executive.

This being all the business the meeting closed at 8.14pm.