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BALLYMONEY BOROUGH COUNCIL

Minutes of Corporate & Central Services Committee Meeting No 418 held in the McKinley Room, Riada House, on Monday 23rd September 2013 at 7.00pm.

IN THE CHAIR: E Robinson

PRESENT: **Aldermen**
F Campbell
H Connolly
C Cousley, MBE

Councillors

J Atkinson
W Blair
A Cavlan
J Finlay
R Halliday
R McAfee
C McLaughlin
I Stevenson

IN ATTENDANCE: Chief Executive [Item 11-19]
Director of Central and Leisure Services [Item 1-10]
Head of Corporate and Development Services [Item 11-19]
Business Support Officer

APOLOGIES: Alderman B Kennedy
P McGuigan
M Storey, MLA

418.1 DECLARATIONS OF INTEREST

Nil

418.2 MINUTES OF MEETING NO 417 – 24TH JUNE 2013

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

that the Minutes of Meeting No 417, 24th June 2013, as circulated, be approved.

CENTRAL SERVICES**418.3 COUNCILLORS ALLOWANCES**

The Director advised that the Department has determined new maximum rates of allowances for the Basic Allowance and the Special Responsibility Allowance effective from 1st April 2013.

The maximum amount of Basic Allowance is £9,835 per councillor per annum.

The total amount for Special Responsibility Allowance for a Council with a population not exceeding 50,000 is £20,705 per year with the maximum amount payable to any one councillor being £4,141.

A Copy of the formal determination is attached as Appendix A.

Council's practice is to pay the maximum rates for Basic Allowance.

The 2013/14 budget for Special Responsibility Allowance is £16,000.

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

to recommend that Council approve and pay the Basic Allowance of £9,835 per councillor per annum.

Councillor Robinson stated that in 2013/14 the budget had not been set for the full available amount of Special Responsibility Allowance. Council had previously agreed not to pay out the full amount.

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

to recommend that Council make no increase to the level of Special Responsibility Allowance paid in 2013/14, it to remain at the current level of £16,000.

418.4 TREASURY MANAGEMENT STRATEGY 2012/13 END OF YEAR REVIEW

The Director advised that in accordance with the Council's Treasury Management Policy 2012/13 an end of year review of treasury management practices has been carried out and a report was tabled and presented at the meeting (Appendix B).

A mid-year review report was presented to committee in November 2012.

The 2012/13 Year End Review report is recommended for acceptance.

The Director responded to members queries in relation to the loans drawn down in 2012/13 and gave details of loans to be drawn down in the current year.

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

to recommend that Council approve the Treasury Management Strategy 2012/13 End of Year Review.

* **Councillor Stevenson arrived at the meeting at 7.26pm.**

418.5 ANNUAL ACCOUNTS 2012/13

The Director advised that as a result of the annual audit, amendments may be required to the annual accounts subject to clarification from the auditors. If that is the case **IT IS RECOMMENDED** that amended accounts are tabled at the Consultation Committee on 21st October 2013.

Councillor Finlay thanked the Director for the information and for Council being consulted prior to the signing off of the accounts.

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

to recommend that amended accounts are presented at the Consultation Committee on 21st October 2013.

418.6 ACTUAL PENNY PRODUCTS 2013/14 IN YEAR FORECAST

The Director advised that Land and Property Services (LPS) has completed the first quarters in year forecast calculations of the Actual Penny Product outturn for 2013/14.

The indicative outturn for the Council is a claw back of £61,626.

An examination of the tax base shows that there has been a slight growth in the domestic sector whereas the non-domestic sector has contracted.

The forecast attempts to reflect as accurately as possible the end of year rate revenue outturn position; however this is the very early stages of the rating year. The second quarter forecast is due around the end of October.

* **Alderman Campbell left the meeting at 7.50pm.**

418.7 ACCOUNTS FOR PAYMENT

Treasury advice schedules detailing payments for Period 6, 2013/14 drawn on the Council's Revenue and Capital Bank Accounts were available for members to inspect at 6.30pm on Monday 23rd September 2013 in the McKinley Room, Riada House.

The Director was in attendance to deal with any queries and provide any information requested.

Payments made in Period 6 amount to:
Revenue Account £219,671.08 (excluding payroll)
Capital Account £200,010.80

418.8 WHOLE OF GOVERNMENT ACCOUNTS

The 2011/12 Whole of Government Accounts (WGA) were published on 17th July 2013, on the same day that the Office of Budget Responsibility published its 2013 Fiscal Sustainability Report. In an effort to make the WGA more accessible HM Treasury has produced a "Key facts and figures sheet" and published it on their website, circulated. Members may be interested in the values of the "Headline figures".

The Director advised that the Council produces WGA that feed into the overall process, and gave details of the Council's expenditure and assets figures compared to the whole of government.

* **Alderman Campbell rejoined the meeting at 7.53pm.**

418.9 PAY AWARD 2013/14

The National Joint Council for Local Government Services has advised that agreement had been reached on rates of pay applicable from 1st April 2013. The revised rates include a pay increase of 1%

It has also been agreed that Spinal Column Point 4 (SCP 4) will be deleted with effect from 1st October 2013.

Council made budgetary provision for a 1% pay increase in 2013/14.

418.10 BALLYMONEY CEMETERY MEMORIALS

The following applications have been received for the erection of memorials in Ballymoney Cemetery –

Section E1 No.108

Mr William Watt, 238 Islandmore Crescent, Coleraine
All Polished Black Granite Headstone and Base

Section H2 No. 48

Mr Robert Collins, 5 Railway View, Macfin, Ballymoney
'OG' Design Headstone and Base

Section I4 No. 70

Mrs Ann McKee, 26 Trinity Drive, Ballymoney
'J' Design Black Granite Headstone and Base

Section E3 No. 14

Mr James McLaughlin, 15 Beechwood Drive, Ballymoney
'J' Design Black Granite Headstone and Base

Section H1 No. 69

Mr Sam McConaghie, 19 Portrush Road, Ballymoney
Black Granite Headstone and Base

Section E3 No. 7

Mrs Ann Wales, 39 Chestnutt Grove, Ballymoney
All Polished Granite Headstone and Base

IT IS RECOMMENDED that Council grants permission for the erection of the above memorials.

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

AGREED:

to recommend that Council grants permission for the erection of the above memorials.

- * **Director of Central and Leisure Services left the meeting at 7.56pm**
- * **Chief Executive arrived at the meeting at 7.58pm.**
- * **Head of Corporate and Development Services arrived at the meeting at 7.58pm.**

CORPORATE SERVICES

418.11 LOCAL GOVERNMENT REFORM

11.1 Consultation on LGSC Procedures for the Recruitment and Selection of Clerk & Chief Executive in the eleven new councils.

This matter was referred to committee by Council at its meeting on 2nd September 2013. For members convenience an extract from the minute (CM 984.12) was circulated.

The committee has been empowered to respond for Council on the consultation document.

A copy of the NILGA response to the consultation was circulated.

Chief Executive circulated a letter from Public Service Commission to Minister Mark Durkan, MLA, dated 30 August 2013, sent by email to members and copy circulated.

The PSC letter conveyed concern on the process for the filling of Chief Executive posts in the new Councils and seeking an urgent meeting with the Minister and the PSC Commissioners.

The Chief Executive advised Members that, as is the case across Councils, he had a conflict of interest in this matter and therefore could

not give the committee advice. The CCG Statutory Transition Committee will consider the issue on Thursday 26th September and a paper to the committee giving recommended responses will be presented by the Transition Manager.

Members were also made aware of the liabilities of Councils, as employer of Chief Executives, arising from any action resulting from the decisions by the DoE to depart from the NI Executive guidance on the method of filling Chief Executive posts. While legislation requires STCs to appoint the new Chief Executives and regulations direct them how to do so, STCs have no budget of their own and rely on either the Department or the existing councils to meet their costs. In this regard the DoE has not given any assurance that it will cover councils' costs in such cases.

Council may decide it is better to allow the STC to respond to the consultation; it is, of course, open to parties or individual members to respond.

*** Declaration
of
Interest**

The Chief Executive then withdrew from the meeting to allow members to consider the matter.

Chief Executive withdrew from the meeting at 8.11pm.

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

to recommend that council write to the DoE noting the Commission's concerns, as set out in its letter of 30/8/13, with regard to the appointment process for Chief Executives of the new Councils, which could have financial implications for Councils, in the event of a challenge to the process which the STC is instructed to follow, and request DoE to indemnify Council in the event of a challenge to the process.

* Councillor Cavlan left the meeting at 8.36pm.

* Councillor McLaughlin left the meeting at 8.36pm.

* Chief Executive re-joined the meeting at 8.39pm.

* Councillor Atkinson left the meeting at 8.39pm.

11.2 Filling posts in new Councils

The DoE Minister, Mark H Durkan MLA, has written, letter 11/9/2013, arising from the growing concern that the decision to recruit the eleven new Chief Executive post in local government by open competition will be extended to other posts within the sector, to give assurance that that is not the case. He confirms that all other posts should only be filled through open competition should no suitable candidate be identified within the “at risk” groups, as set out in the Public Service Commission Guiding Principles. This includes any additional staff who may be recruited by the STCs to assist the new Chief Executives in undertaking the considerable transition work required to prepare for the new Councils. The remit of the Local Government Staff Commission has been extended to cover STCs and will issue supporting guidance on the appointment of additional staff by those committees in the near future. The letter has been issued to all employees.

11.3 Guidance (2nd Tranche) – STC Regulations

DoE, Local Government Policy Division, has issued, September 2013, guidance to Councils on the establishment and operation of Statutory Transition Committees. This guidance is mainly focused on the financial aspects of the STC Regulations. A copy is available on request from the Office of the Chief Executive.

This is the second part of the Departmental guidance for the Local Government (Statutory Transition Committees) Regulations (NI) 2013, which came into operation on 2nd July 2013. This Departmental guidance has been developed to assist Councils in the establishment and operation of Statutory Transition Committees.

11.4 Regional Transition Committee (RTC) Minutes

A copy of the minutes of the RTC on 8th August 2013 has been circulated to members via email and a copy placed in the Members’ Room.

418.12 HOLOCAUST MEMORIAL DAY 2014

The Holocaust Memorial Day (HMD) Trust has invited Council to hold a commemorative event in 2014 to join with hundreds of others to demonstrate our community's support for Holocaust Memorial Day which takes place on 27th January each year.

The event provides an opportunity for everyone to learn the lessons of the past; challenge ourselves to work to end discrimination and racism; and pledge to help create a safer, better future. This year over 2,000 activities took place across the UK to mark Holocaust Memorial Day, and 136 local authorities held a commemorative event.

HMD is the day for everyone to commemorate the Holocaust, Nazi Persecution, and subsequent genocides. It's an opportunity to reflect about what happens when respect breaks down. It's a time to challenge racism and prejudice which, in extreme circumstances, can lead to genocide. Local authorities across the country commemorate HMD as a central part of their work promoting community cohesion, diversity and equality.

Crucially, organising a HMD activity need not cost money or officer resources. The Holocaust Memorial Day Trust provide free, tailored resources for local authorities to make organising a HMD activity as easy and affordable as possible. Council activity could be as simple as encouraging local libraries to use the free poster display about HMD, or holding a reading or moment's time for reflection before you're a Council meeting. A civic event could be arranged working in partnership with faith groups or schools in the area to hold a public commemoration.

This matter is put before committee **for consideration**.

It was proposed by Councillor Stevenson, seconded by Councillor Blair and

AGREED:

to recommend that Council support Holocaust Memorial Day which takes place on 27th January each year.

418.13 FLY A FLAG FOR THE COMMONWEALTH – 2014 – UNITING A FAMILY OF NATIONS IN COMMON PURPOSE

Council is invited to participate in Commonwealth Day 2014 (10th March) by flying the commonwealth flag in a strategic position to celebrate the true value of

commonwealth as an increasingly multi-cultural world seeks unity, understanding and tolerance. This influential family of nations spans all the continents.

A number of Northern Ireland Councils have already signed up to participate.

The matter is put before committee **for consideration.**

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

to recommend that Council participate in Commonwealth Day 2014 (10th March) by flying the Commonwealth Flag alongside the Union Flag.

* **Councillor Atkinson re-joined the meeting at 8.45pm.**

418.14 CIVIC EVENTS

Head of Corporate and Development Services presented a report on Civic Events to include the opening of Phase 1 of Drumaheglis Marina Building and Cloughmills Bio Park. The completion of Ballybogey MUGA, Dervock Community Hall, and Old Mill, Cloughmills, and in due course Glebeside play facility, would following the pattern previously set, Community Celebration Day, involving local residents and Management of the halls.

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

to recommend that Council confirm Civic Events as outlined above.

* **Councillor Stevenson left the meeting at 8.48pm.**

418.15 CONFERENCES

Application have been received from Alderman Cousley and Councillor Robinson to attend the National Association of Councillors (NAC) Conference on 4th October, in Bangor, Co. Down, fee £40. Budget provision is available.

IT IS RECOMMENDED that approval be granted, the two members being Council's representatives on the NAC.

Councillor Robinson indicated her wish to attend an Environmental Health Conference in Londonderry in the near future along with the Chair, Environmental Health Committee.

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

to recommend that Council grant approval to (a)Alderman Cousley and Councillor Robinson to attend the National Association of Councillors (NAC) Conference on 4th October (b)Councillor Robinson and Chair, Environmental Health Committee to attend an Environmental Health Conference, Londonderry, details of which to be provided in due course (estimated cost £230 each).

418.16 LOCAL ELECTIONS

16.1 Review of District Electoral Areas

Members were advised, in OCE memo 240-2013 of 8th July, that details of written representations received on the provisional recommendations were available on the DEA Commissioner's website. The review, which commenced in January 2013 is expected to be complete within the year.

16.2 Electoral Registration Canvass

A comprehensive canvass of electors in NI commenced in August. Advice from the Electoral Office of NI on this exercise and the notice to raise public awareness of electoral registration canvass was circulated to members. This canvass was to ensure that the electoral register is as accurate and comprehensive as possible in advance of the elections for 2014 and beyond. It concludes on 21st September, with returns due by 27th September.

Councillor Finlay urged residents to contact the Electoral Office of Northern Ireland (EONI) and obtain a registration form if they had not received one in the post.

16.3 Electoral Legislation – Consultation

The Northern Ireland Office (NIO) is consulting on proposed changes to local elections legislation which the Minister of State intends to bring

before Parliament shortly. The draft Order – “The Local Elections (NI) Order 2013, changes the date of the next scheduled local election in Northern Ireland to 22nd May 2014 and facilitates the operation of a transitional period from the fourth day after the election until 1 April 2015, when existing Councillors elected in 2011 will leave office and new councillors elected in 2014 will take up full powers. The Order also makes specific provision for the management of elections in 2014, including changes relating to the payment of election expenses to the Chief Electoral Officer and the appointment of Deputy Returning Officers for the purposes of the 2014 elections.

Once the District Electoral Areas Commission has submitted his report, new electoral areas will be created by a separate order as part of the local government reform process.. The order permits the Chief Electoral Officer to prepare a new polling station scheme to take account of the new wards and electoral areas, outside the normal cycle and before the elections in 2014.

Polling districts and places for parliamentary elections are currently those set for local elections. This cannot continue following the changes to local government boundaries. The Order therefore makes consequential amendments to allow parliamentary polling districts to be set out in secondary legislation made by the Secretary of State. It is our intention that those districts will continue to follow the previous local government ward structure. For parliamentary elections the Chief Electoral Officer will continue to be required to designate polling places and to review them in specified years, although this process will now be separate to that in respect of local elections. Finally, the Order makes amendments to allow the local elections to be combined with the European Parliamentary elections in 2014.

The Government does not have the power to lay this Order before parliament until the NI Executive has commenced some provisions of the Local Government (Boundaries) Act 2008. Providing this is done, the Secretary of State intends to lay the Order in Parliament on the first available dates after recess, 8th October. Comments are invited by 27th September.

NILGA intends to draft a response on 25th September for consideration by Office bearers prior to submission.

In the current financial year Council may have to pay some electoral costs, estimate £5000.

418.17 APPOINTMENT OF ONE DISTRICT COUNCILLOR TO THE NI FIRE AND RESCUE SERVICE BOARD

Notice has been circulated to members, via email, of the DHSSPS appointment process for the appointment of one district councillor to the NI Fire and Rescue Service Board. The closing date is 26th September.

418.18 CAUSEWAY COAST AND GLENS STATUTORY TRANSITION COMMITTEE

The next meeting of the STC will be held on Thursday 26th September at 5.00pm. Members have been emailed a copy of the papers and a copy has also been placed in the Members' Room.

418.19 BALLYMONEY FOODBANK

Members may have seen recent publicity around the proposal to set up a foodbank in Ballymoney Town Centre. Following a well attended public meeting on 12th September and expressions of support a committee has been established to take the project forward.

A flyer giving some details of the proposed Foodbank in Ballymoney and the reasons why the promoters intend to work with the Trussell Trust, is attached. This is a voluntary endeavour and already a list of local people who intend to help us in various ways...ie food collection, fund raising, meeting and greeting at the shop etc., have signed up to support.

The Group are actively looking at properties in Ballymoney. Initially they need to raise £1,500 to purchase the franchise from The Trussell Trust. There will also be on-going costs such as brochure printing, electricity and heating and shelving at the shop when it opens and it is estimated that the operation may need up to £7000 in the first year.

Councillor Finlay welcomed the addition of a Foodbank to Ballymoney, pointing to the number of people living in severe poverty and said it will be well supported in the community.

It was proposed by Councillor Finlay, seconded by Councillor Atkinson and
AGREED:

to recommend that Council grant the Ballymoney Foodbank committee £1,500 to purchase a franchise from The Trussell Trust to establish a Foodbank in Ballymoney.

This being all the business the meeting closed at 9.00pm.

Appendix A: Councillors Allowances 2013/14

Appendix B: Treasury Management Policy End of Year Review

LOCAL GOVERNMENT FINANCE ACT (NORTHERN IRELAND) 2011
LOCAL GOVERNMENT (PAYMENTS TO COUNCILLORS) REGULATIONS
(NORTHERN IRELAND) 2012
DETERMINATION OF MAXIMUM RATE OF BASIC ALLOWANCE

The Department of the Environment, in exercise of the powers conferred by section 31 of the Local Government Finance Act (Northern Ireland) 2011(a), hereby determines that, with effect from 1 April 2013, the maximum amount of basic allowance payable under the Local Government (Payments to Councillors) Regulations (Northern Ireland) 2012(b), shall not exceed £9,835 per councillor per annum.

Dated this *30th* day of *AUGUST* 2013.

A senior officer of the Department of the Environment

Linda MacHugh

(a) 2011 c.10 (N.I.)
(b) SR 2012 No 85

LOCAL GOVERNMENT FINANCE ACT (NORTHERN IRELAND) 2011
LOCAL GOVERNMENT (PAYMENTS TO COUNCILLORS) REGULATIONS
(NORTHERN IRELAND) 2012
DETERMINATION OF MAXIMUM RATES OF SPECIAL RESPONSIBILITY
ALLOWANCE

The Department of the Environment, in exercise of the powers conferred by section 31 of the Local Government Finance Act (Northern Ireland) 2011 (a), hereby determines that, with effect from 1 April 2013, the maximum amounts of special responsibility allowance payable under the Local Government (Payments to Councillors) Regulations (Northern Ireland) 2012 (b), shall not exceed the amounts specified in the following table:-

A DISTRICT COUNCIL WITH A POPULATION	TOTAL AMOUNT PAYABLE IN A FINANCIAL YEAR	MAXIMUM RATE PAYABLE TO INDIVIDUAL MEMBERS
(Column 1)	(Column 2)	(Column 3)
300,000 or more	£82,820	One-fifth of the amount in Column 2.
100,000 – 199,999 (inclusive)	£62,115	One-fifth of the amount in Column 2.
50,000 – 99,999 (inclusive)	£31,058	One-fifth of the amount in Column 2.
Less than 50,000	£20,765	One-fifth of the amount in Column 2.

Dated this 30th day of August 2013

A senior officer of the Department of the Environment

Hinde MacIntyre

(a) 2011 c.10 (N.I.)
 (b) S.R.2012 No. 85

Treasury Management Policy 2012/13 – Year End Review

In accordance with Ballymoney Borough Council's Treasury Management Policy we are required to report annually on the performance of and compliance with the policy. This short report sets out the main areas of activity during the 2012 – 2013 financial year up to and including 31 March 2013.

1 New loan finance

During this financial year loans totalling £1,023,577.42 have been taken out for the projects detailed below:

	Details	Loan	Term	Rate of Interest
(i)	Purchase of wheeled shovel	£70,000	7 years	1.46%
(ii)	Purchase of RCV	£130,000	10 years	1.72%
(iii)	Museum fit-out	£120,000	20 years	2.70%
(iv)	Robert Dunlop memorial garden	£250,000	20 years	2.70%
(v)	JDLC fire alarm	£60,000	20 years	3.28%
(vi)	T Hall CCTV and security	£55,000	10 years	2.16%
(vii)	IT Equipment	£36,996.60	3 years	1.37%
(viii)	Plant & vehicles	£42,095.40	7 years	1.78%
(ix)	JDLC plant & equipment upgrade	£78,230.67	10 years	2.16%
(x)	Comm. centre & property refurb.	£181,254.75	20 years	3.28%

These loans have been secured at the specified interest rates for the entire term of the loan and constitutes a saving on the interest rate each loan was originally budgeted for on. Council continues to finance capital spend utilising internal funds given the Bank of England base rate remains low (0.5%) causing returns on any deposit funds to be extremely low.

2 Loans Outstanding

At 31 March 2013 the amount of outstanding debt owing on Council loans was £9,981,400.16.

3 Repayment of loans

During August 2012 Council paid the Department of Finance & Personnel (DFP) a total of £527,095.44 in loan charges, this figure being broken down into principal of £272,029.60 and interest of £255,065.84.

During February 2013 Council paid DFP a total of £556,790.77 in loan charges, this figure being broken down into principal of £303,959.89 and interest of £252,830.88.

4 Deposit Funds

Currently all surplus Council funds remain on instant access deposit with Bank of Ireland. There are currently no longer fixed term deposits due to the utilisation of reserves to fund projects as referred to in paragraph 1.

5 New banking facilities

In line with Council's Treasury Management Policy whereby funds can only be placed on longer fixed term deposits with institutions who meet our minimum criteria as specified in the policy arrangements have been set up with those institutions listed below in anticipation of suitable funds becoming available in the future;

Santander
Barclays Bank Plc.

All activity complies with Councils Treasury Management Policy and there are currently no conditions, either existing or anticipated, which would necessitate setting aside or reviewing this newly adopted policy.

The next report will be after the mid-point of 2013-14.