

BALLYMONEY BOROUGH COUNCIL**Table of Contents**

405.1	Minutes of Meeting No 404 – 23 rd April 2012	<i>Approved.</i>
CENTRAL SERVICES		
405.2	Accounts for Payment	<i>£936,104.94 Revenue Account and £39,439.69 Capital account approved.</i>
405.3	Provisional Actual Penny Product 2011/2012	<i>Repay LPS deferred BT monies of £11,117.78.</i>
405.4	Banking Services BACS Facility	<i>Increase BACS facility to £1,500,000.00 per month.</i>
405.5	District Council Rates (Statistics) 2012/13	<i>Copy available</i>
CORPORATE SERVICES		
405.6	Minutes of Meeting No 404 – 23 rd April 2012 – Matters Arising	<i>Adopted</i>
405.7	SOLACE	<i>Approve: Hold meeting in Chamber November 2012.</i>
405.8	Staff Matters 8.1 Appointments/vacancies 8.2 Pay Protection Policy	<i>Update Staff salary will not suffer detriment for 3 years.</i>
405.9	Councillor Training Programme	<i>Members updated, 2 appointed to conference.</i>
405.10	Civic Events	<i>Council to enquire what dates suit Community Groups for Official Openings.</i>
405.11	Corporate Plan and Business Plans	<i>Agreed.</i>
405.12	Use of Mobile Phones	<i>Adopt.</i>
405.13	The Northern Ireland Local Government Association (NILGA) – Proposed Amendments to Constitution	<i>Approve.</i>
405.14	Local Government Staff Commission for NI – Strategic Plan 2012-15 and Business Plan 2012-13	<i>Information.</i>

BALLYMONEY BOROUGH COUNCIL

Minutes of Corporate & Central Services Committee Meeting No 405 held in the McKinley Room, Riada House, on Monday 28th May 2012 at 7.00pm.

IN THE CHAIR: Alderman C Cousley, MBE

PRESENT: **Aldermen**
F Campbell
B Kennedy

Councillors
J Atkinson
W Blair
A Cavlan
J Finlay
R Halliday
T McKeown
E Robinson
I Stevenson

IN ATTENDANCE: Chief Executive [Item 6-14]
Director of Central and Leisure Services [Item 1-5]
Head of Corporate and Development Services [Item 6-14]
Committee Clerk

APOLOGIES: Alderman H Connolly
Councillor M Storey, MLA

405.1 MINUTES OF MEETING NO 404 – 23RD APRIL 2012

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

to recommend that the Minutes of Meeting No 404 – 23rd April 2012 items 11-15, Central Services, 23rd April 2012, as circulated be approved.

CENTRAL SERVICES**405.2 ACCOUNTS FOR PAYMENT**

Treasury advice schedules detailing payments for Period 2, 2012/2013 drawn on the Councils Revenue and Capital Band Accounts were circulated at the meeting.

IT IS RECOMMENDED that the payments are approved.

The Director responded to a number of member queries.

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

to recommend that payments of £936,104.94 from Council's Revenue account and £39,434.69 from its Capital account be approved.

- * Councillor Robinson left the meeting at 7.11pm and returned at 7.19pm.
- * Alderman Kennedy left the meeting at 7.16pm.
- * Councillor McKeown arrived at the meeting at 7.30pm.

405.3 PROVISIONAL ACTUAL PENNY PRODUCT 2011/2012

The Director advised that Land and Property Services (LPS) have completed an initial assessment of the Actual Penny Product (APP) out turn for the 2011/2012 rating year. The provisional figures show a positive out turn of £191,022.26. However from this figure an amount of £5,558.89 relating to BT revaluations is due to be deducted, leaving a net out turn of £185,464.07.

This would leave an outstanding amount of deferred monies associated with BT revaluations of £5,558.89 to be repaid in 2012/13.

IT IS RECOMMENDED that this amount is also repaid out of the finalization figure for 2011/12.

This would give the Council a net overall outturn of £179,905.18.

LPS advise that the finalisation figures are subject to scrutiny by audit but that they do not anticipate any material changes to the figures.

LPS plan to have figures finalized by the end of August 2012 and will notify councils of the final position in early September. Payments are expected to be made in November 2012.

LPS have advised that the total rates debt at 31st March 2012 for Ballymoney is £1,541,543.59. This includes Rating of Empty Homes debt.

- * Councillor Atkinson left the meeting at 7.49pm.

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

to recommend that council repay LPS the outstanding amount of deferred monies associated with BT revaluations in the amount of £5,558.89, in addition to the repayment due for 2011/12.

- * Councillor Atkinson rejoined the meeting at 7.54pm.
- * Head of Corporate and Development Services arrived at the meeting at 8.04pm.

405.4 BANKING SERVICES BACS FACILITY

As a result of extending the use of the BACS facility to include payments to suppliers, there is a need to increase the limit of the BACS Facility from £475,000 to £1,500,000.00 per month,

IT IS THEREFORE RECOMMENDED that Council approve an application to Bank of Ireland to have the BACS Facility limit increased to £1,500,000.00 per month.

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

AGREED:

to recommend that Council approve an application to Bank of Ireland to have the BACS Facility limit increased to £1,500,000.00 per month.

405.5 DISTRICT COUNCIL RATES (Statistics 2012/2013)

The Director advised that the Department of the Environment had issued District Council Rates Statistics for 2012/13.

She circulated a table detailing the 2012/13 Northern Ireland District Council rates, domestic and non-domestic and advised that a full copy of the statistics would be placed in the Members Room or can be emailed or made available to any member.

* **Director of Central and Leisure Services left the meeting at 8.10pm.**

* **Chief Executive arrived at the meeting at 8.13pm.**

CORPORATE SERVICES**405.6 MATTERS ARISING****Local Government Reform – Implementation Structure (404.4)**

After a wide ranging discussion, initiated by Councillor Robinson, on issues surrounding Voluntary Transition Committee and Regional Transition Committee business and attendance by representatives from NILGA, when contrary views were expressed, the member indicated that she wished to bring the matter to a close and move to the next business. The Chair agreed.

405.7 SOLACE

A request has been received from SOLACE to hold its meeting in the Council Chamber in November 2012. **IT IS RECOMMENDED** that this be considered under the Council's draft rules, recently adopted.

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

to recommend that Council approve the request from SOLACE to hold its meeting in the Council Chamber in November 2012.

405.8 STAFF MATTERS

The Chief Executive detailed a report to members, circulated.

8.1 Appointments/vacancies

There were 4 seasonal new starts, one employee is on a career break until 2013 and one employee is on a secondment until March 2012, there were nil leavers and nil early retirements.

8.2 Pay Protection Policy

The Chief Executive reported on representations and proposals on pay protection put to him by NIPSA arising from discussion on the redundancy situation facing employee No. 50094 resulting from service structural change. He advised that the employee remains on his substantive pay during the three month notice period whilst suitable alternative employment within the Council is identified. He also appraised members of arrangements negotiated and under consideration in other councils in the Cluster.

He explained that each employer council is in a position to reach its own agreement on pay protection policy, if indeed it chooses to introduce one. Any such policy would require to be screened under Section 75 for any equality issues which might arise and that process could take several months to reach a conclusion.

If the committee favours the principle of pay protection where a restructuring has occurred and to recommend that Council adopt a policy **it is recommended that:**

- 1. a pay protection policy is developed and negotiated with the relevant trades unions;**
- 2. as a one off without prejudice agreement, the average superannuation pay of Employee No. 50094 before his redeployment is protected for a period of one year; and**
- 3. council agrees to apply to this case the terms of any pay protection policy subsequently agreed.**

After discussion on the merits of establishing a policy to be applied to any employees affected by structural change it was proposed by Councillor Robinson, seconded by Councillor Finlay and **AGREED:**

to recommend that Council, in fellow feeling with its neighbouring Council, ensure that its employees whose salary is adversely impacted by a structural change will not suffer any financial detriment for a period of three years.

* Councillor Stevenson left the meeting at 9.04pm.

405.9 COUNCILLOR TRAINING PROGRAMME

Head of Corporate and Development Services updated members on the responses to expressions of interest for Local Government Training Group Learning and Development Programme. There was insufficient level of interest to support training being delivered within Council and collaboration with other Councils would be explored.

Head of Corporate and Development Services advised members of a NITB Engagement Seminar being held on 21st June based on event tourism, two applications had been received.

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

to recommend that Alderman Kennedy and Councillor McKeown attend the NITB Tourism and Events Seminar, held on 21st June at a cost of £55 each excluding VAT.

Members were also made aware of a Development Strategy Framework Seminar on Local Government Staff Commission People and Organisation Strategic Framework being held in Newtownabbey on 26 June, the event is free of charge, members should contact the Office of the Chief Executive with their expressions of interest.

405.10 CIVIC EVENTS

Alderman Campbell paid tribute to staff for the work they did for the Freedom of the Borough Ceremony, which significantly contributed to its success. Members concurred with Alderman Campbell's comments. Head of Corporate and Development Services tabled a letter of thanks from the Royal Irish Regiment to Council and its event team.

Head of Corporate and Development Services advised on proposed events to open Community halls and new bridge. Councillor Stevenson requested that Council enquire from each of the other building representatives what date would suit them for the occasion and to bring a report back to committee.

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

to recommend that Council enquire from each of the new Management Committees what date would be appropriate for the Official Opening of the new halls.

* Councillor Stevenson left the meeting at 9.31pm.

405.11 CORPORATE PLAN AND BUSINESS PLANS

Head of Corporate and Development Services gave an interim report on the proposals for the development of the corporate plan which would include a consultation exercise including a member workshop. She also presented the draft business management plan 2012/13, circulated. The plan could be reviewed mid-year to take account of the new corporate plan.

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

to recommend that the business management plan 2012/13 be adopted.

405.12 USE OF MOBILE PHONES

Chief Executive summarised the Draft policy on the use of mobile phones, circulated.

IT IS RECOMMENDED that committee consider Draft policy on the use of mobile phones, prepared at committee's request.

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

to recommend that Council adopt the Draft policy on the use of mobile phones, attached as Appendix A.

405.13 THE NORTHERN IRELAND LOCAL GOVERNMENT ASSOCIATION (NILGA) – PROPOSED AMENDMENTS TO CONSTITUTION

As part of delivering enhanced representation for councils within the Northern Ireland Local Government Association NILGA's Chief Executive has issued, following Executive and Full Members' approval, a proposed amendment to NILGA's Constitution. Copy correspondence and Section 8 of NILGA's constitution were circulated. The closing date for comments is 4pm on 11th June 2012.

Councillor Robinson explained the proposed amendment to the constitution.

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

to recommend that Council approve the proposed amendment to NILGA's Constitution, attached as Appendix B.

**405.14 LOCAL GOVERNMENT STAFF COMMISSION FOR NI – STRATEGIC PLAN 2012-15
AND BUSINESS PLAN 2012-13**

A copy of the above plan has been published and a copy provided to party leaders. The key performance areas are talent and development; recruitment and diversity; people strategies and corporate governance. Further copies are available from the Office of the Chief Executive.

This being all the business the meeting closed at 9.40pm.

Appendix A: Draft Policy on the use of Mobile Phones

**Appendix B: The Northern Ireland Local Government Association (NILGA) –
proposed amendments to constitution**

1 SUMMARY AND POLICY CONTEXT

1.1 Council's Standing Orders do not cover the use of mobile phones in Council meetings. For the purposes of this report, the expression "Council meeting" means a meeting of the Council, Committee, Sub-Committee or Working Group and "mobile phone" includes other portable communications devices.

1.2 Council has agreed that some control on the use of mobile phones in meetings should be introduced, but has made clear that a light touch should be applied when drawing up rules. This report proposes amendments to the Council's Standing Orders to reflect the above principles.

2 RELEVANT BACKGROUND INFORMATION

2.1 When the proposal to control the use of mobile phones at Council meetings was being discussed, it was evident that the issue of disruption of meetings by audible alerts and by users replying to calls while in the meeting room were the main targets of the proposed rule change. Advances in technology (in particular text messaging, web browsing and other non-audio-based communication facilities) mean that the rationale for a total ban on the use of mobile phones is not as strong as it once may have been. There is a growing tendency during meetings for individuals to use their mobile devices to check messages or browse the internet. Much of this can be done discreetly and, as long as it does not interfere with the proceedings, it would be disproportionate to ban it altogether.

2.2 Bearing in mind the above considerations, it is proposed that the use of mobile phones during meetings is permitted, subject to the following:

- (a) the device should be kept on silent or vibrate mode throughout the meeting;
- (b) there should be no use of the voice facility to make calls, receive calls or check messages. Only text or non voice uses can be made of mobile phones;
- (c) the person presiding at the meeting may require all mobile phones to be switched off at any time.

2.3 It is proposed that there be a general requirement that use of mobile phones at meetings be discreet, proportionate and appropriate to the circumstances. There will be an expectation and understanding that this requirement would be supported/enforced voluntarily mainly through the political group system so far as it relates to Members and through the Officer leadership in so far as it applies to Officers. The chair of the meeting will also have a key role in ensuring that any use is kept within acceptable limits and will have the power to ban mobile phones for the duration of the meeting.

3 RECOMMENDATION

3.1 That the Corporate & Central Services Committee recommends to Council: that Standing Orders be amended by the inclusion of section 16A: Use of mobile phones.

16A Use of mobile phones

The use of mobile phones during Council meetings is permitted, subject to the following:

- (a) the device should be kept on silent or vibrate mode throughout the meeting;
- (b) there should be no use of the voice facility to make calls, receive calls or check messages. Only text or non voice uses can be made of mobile phones;
- (c) the person presiding at the meeting may require all mobile phones to be switched off at any time.

(the expression "Council meeting" means a meeting of the Council, Committee, Sub-Committee or Working Group and "mobile phone" includes other portable communications devices)

Appendix B: The Northern Ireland Local Government Association (NILGA) – proposed amendments to constitution



Mr John Dempsey
Town Clerk and Chief Executive
Ballymoney Borough Council
Riada House
14 Charles Street
BALLYMONEY
BT53 6DZ

20th April 2012

Dear John,

CONSULTATION – ALL 26 LOCAL AUTHORITIES in NORTHERN IRELAND

The Northern Ireland Local Government Association (NILGA) – Proposed Amendments to Constitution

As part of delivering enhanced representation for councils within the Northern Ireland Local Government Association I enclose, following Executive and Full Members' approval the following proposed amendment to NILGA's Constitution:

Section 8, sub section (c), and item (vi) presently states:

"A Council not represented on the Executive shall be entitled to nominate one member to attend, but not vote at, Executive Meetings"

The proposed amendment would state:

"A council not represented on the Executive shall be entitled to nominate one full member to attend, and vote at, Executive Meetings".

Section 8 of NILGA's Constitution is attached for your reference.

Please determine whether you (a) agree or (b) disagree with this proposal at your next Full Council or relevant Standing Committee, under NILGA business.

NILGA's sustainability and its value to the sector will continue to be developed.

This will be done through ever more effective regional (NI) elected member representation on a wide range of key bodies, through contemporary, regional, cost effective services, by strong lobbying and by presenting key policy positions for the sector's consideration, protection and long term benefit.

The Constitution will be further consulted upon in parallel with the local government elections proposed for May 2014 and the Association's Corporate Plan.

I look forward to receiving your response (a letter, email or an extract of the relevant minute of your council) by 4pm on 11th June 2012.

Thank you as always for your timely consideration.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Derek McCallan', is written over a horizontal line.

Derek McCallan
Chief Executive

Enc: Extract from NILGA's Constitution (Section 8)

Appendix B: The Northern Ireland Local Government Association (NILGA) – proposed amendments to constitution

Extract from NILGA's Constitution

8. EXECUTIVE COMMITTEE

- a) The Executive Committee shall be composed of (a) the office-bearers together with a number of ordinary members, that number being equal to the number of member councils plus two; and (b) three Chief Executives nominated for that purpose by the Advisory Group.
- b) Each political party holding at least six seats on the Association shall be entitled to appoint ordinary members to the Executive Committee in proportion to the number of seats, which they hold on the Association.
- c) It shall be the function of the Executive Committee
 - (i) to advise or instruct the Secretary of the Association on any matter which because of its urgency cannot await the decision of the full Association;
 - (ii) to consider, and advise the Association on, any matter which the Secretary of the Association presents to the Committee;
 - (iii) to make appointments to outside bodies with reference to direction of the nominating officers in accordance with the provisions of Clause 9 hereof.
 - (iv) To make recommendation to the Association on any proposal to change the Association's constitution.
 - (v) The three Chief Executives shall be entitled to attend, but not vote at, meetings.
 - (vi) **A council not represented on the Executive shall be entitled to nominate one member to attend, but not vote at, Executive meetings.**