

LISBURN & CASTLEREAGH CITY COUNCIL

Minutes of the Meeting of the Governance and Audit Committee held in the Island Civic Centre, The Island, Lisburn, on Tuesday, 10 February, 2015 at 4:35 pm

PRESENT:

Councillor W A Leathem (Chairman)

Presiding Member – Councillor J Tinsley

Councillors J Baird, S Carson, D Drysdale, A G Ewart, J Gallen, O Gawith, A Givan, H Legge, J McCarthy and U Mackin

OTHER MEMBERS:

Councillors N Anderson, P Catney and John Palmer

IN ATTENDANCE:

Lisburn City and Castlereagh District Council

Chief Executive

Director of Finance and the Convergence of IT Systems
Community Planning Manager

Lisburn City Council

Director of Corporate Services

Assistant Director Corporate Services (Central Support)
Transition Manager

Performance Development Officer

Committee Secretary

LVI Centre Manager

Technician

1. Apologies

It was agreed to accept apologies for non-attendance at the meeting on behalf of Councillors S Martin, Jenny Palmer, S P Porter and A Redpath.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes

It was agreed that the minutes of the meeting of Committee held on 13 January, 2015, as adopted at the meeting of Shadow Council held on 28 January, 2015, be confirmed and signed.

4. Report from Chief Executive

It was proposed by Councillor J Tinsley, seconded by Councillor U Mackin and agreed that the reports and recommendations of the Chief Executive be adopted, subject to any decisions recorded below.

Items for Decision

4.1 Ethical Standards Framework

Members were provided with a copy of a letter dated 20 January, 2015 from Local Government Policy Division 1, Department of the Environment (DOE), setting out the cost to each new council in 2015/16 to cover the Northern Ireland Commissioner of Complaints' costs, incurred exclusively for the purpose of dealing with, and adjudicating on, complaints relating to alleged breaches by councillors of the Code of Conduct. The cost to each council had been based on the hybrid apportionment method (ie. the number of councillors and the gross penny rate product weighted at 50/50) and a review of this methodology would be undertaken in 2017/18.

It was proposed by Councillor O Gawith, seconded by Councillor U Mackin and agreed to recommend that the cost to Lisburn & Castlereagh City Council for the 2015/16 financial year (£45,983) be accepted.

4.2 Draft Guidance on the Making of Bye-Laws

The Committee was reminded that, at its meeting held on 11 November, 2014, it had been stated that, in relation to drinking bye-laws, it would be beneficial for Enforcement Officers if areas could be named rather than individual streets being named, as was currently required.

Members were advised that this matter had been raised with the DOE and the advice from the Departmental Solicitor's Office was that "... as bye-laws create criminal offences, it is important that individual members of the public are clear about which areas are subject to which bye-laws and to which extent. The geographical area of the bye-law will not necessarily affect the validity of the bye-law ... but it is an enforceability issues to the Council and ultimately a matter for the Council".

It was proposed by Councillor U Mackin, seconded by Councillor S Carson and agreed to recommend that areas be named in the Council's bye-laws rather than individual streets. It was further agreed to recommend that the Transition Manager ascertain if areas listed in the bye-laws could be added to at a later date; this information would be reported to a future meeting of the Committee.

4.3 Council Coat of Arms

The Committee was reminded that, at its meeting held on 13 January, 2015, it had been resolved to recommend to Council that the draft Coat of Arms be approved, subject to Officers investigating the possibility of the motto "Ex Igne Resurgam" being changed to the Latin for "We Will Arise". The current motto of

4.3 Council Coat of Arms (Contd)

Lisburn City Council translated to "I Will Arise Again Out of the Fire". A number of alternatives to this, in Latin, were set out in the Chief Executive's report.

The Chairman, Councillor W A Leathem, pointed out that he had spoken to the Assistant Director of Leisure Services (Cultural and Community Services Unit) who had advised that the motto referred to the Phoenix rising out of the flames. Councillor O Gawith stated that any references to the Phoenix were always in the singular. It was, therefore, proposed by Councillor J Tinsley and seconded by Councillor O Gawith that the current motto "Ex Igne Resurgam" be retained.

It was proposed by Councillor J Gallen and seconded by Councillor J McCarthy that, in order to be more inclusive, the motto be changed to "Ex Igne Resurgemus" (We Will Arise Again Out of the Fire).

The proposal in the name of Councillor J Gallen was put to the meeting and, the voting being two votes in favour of and nine against, it was declared "lost".

The proposal in the name of Councillor J Tinsley was put to the meeting and, the voting being nines votes in favour of and two against the proposal, it was declared "carried".

The Chairman, Councillor W A Leathem, thanked the Director of Corporate Services for his work in bringing this matter before the Committee.

4.4 Council Seal

Members were provided with an extract from the Local Government (Transitional, Supplementary, Incidental Provisions and Modifications) Regulations (Northern Ireland) 2014. Attention was drawn to Item 2 (7) of the Regulations, which stated that "A new council may use the seal of one of its predecessor councils until such time as it may obtain a seal in its own name".

It was proposed by Councillor J Tinsley, seconded by Councillor J Baird and agreed to recommend that Lisburn City Council seal be adopted for the purposes of sealing legal documents and articles of association, until such time as Lisburn & Castlereagh City Council had a new Coat of Arms and seal.

4.5 Council Mace

The Committee was advised that Lisburn City Council, at its meeting held on 27 May, 2014, had agreed that its "Mace be used by the new Council in shadow form for its Council meetings until such times as the shadow council could determine its future requirements".

It was proposed by Councillor S Carson, seconded by Councillor O Gawith and agreed to recommend that, from 1 April, 2015, use of the Lisburn City Council mace at meetings of Lisburn & Castlereagh City Council be continued.

4.6 Quality Accreditations in Lisburn & Castlereagh City Council

Members were provided with a copy of a report by the Performance Development Officer, Lisburn City Council, regarding the above matter. It was noted that Lisburn City Council currently had five services that held the Customer Service Excellence (CSE) accreditation.

It was proposed by Councillor J Baird, seconded by Councillor S Carson and agreed to recommend that:

- (a) the CSE standard within the services listed in the Performance Development Officer's report be maintained, post April 2015. There would be the amalgamation of the same units from Castlereagh Borough Council that did not currently hold the standard; however, the Performance Development Officer confirmed that the verification body that Lisburn City Council had used to date could put action plans in place to facilitate this; and
- (b) a corporate CSE application for Lisburn & Castlereagh City Council be supported, which would be an absolute first for a Northern Ireland Council.

4.7 NILGA Subscription

The Committee was reminded that, at its meeting held on 13 January, 2015, consideration had been given to allocating £47,000 from the end of this year's budget for membership of NILGA moving forward from 1 April, 2015. It had been agreed that, before any decision was made on this matter, clarification be sought from NILGA in respect of a number of issues. Members were provided with a copy of a letter dated 29 January, 2015 from the Chief Executive of NILGA providing clarification of the points raised.

The Director of Finance and the Convergence of IT Systems pointed out that, as indicated in the letter from the Chief Executive of NILGA, the cost to Lisburn & Castlereagh City Council for 2015/16 would be £42,750, not £47,000 as previously notified.

It was proposed by Councillor J Tinsley, seconded by Councillor D Drysdale and agreed to recommend that the figure of £42,750 for membership of NILGA in 2015/16 be approved, in principle, subject to NILGA providing the following:

- (a) an organisational chart indicating staff members, their role and whether they were full-time members of staff or working on fixed term contracts; and
- (b) further information on the make-up of the NILGA Executive, which it was considered the d'Hondt system should be used to determine.

The Chief Executive advised that the Chief Executive of NILGA had offered to attend the next Council meeting to address any queries Members had and to clarify any issues.

The Chairman, Councillor W A Leathem, advised that there would be a special meeting of the Governance and Audit Committee on Wednesday, 18 February, 2015 at 5.00 pm. It was agreed that, should a satisfactory reply to (a) and (b)

4.7 NILGA Subscription (Contd)

above not be received prior to the special meeting on 18 February, the Chief Executive of NILGA be invited to attend the Council meeting on 25 February to address the issues at that time.

4.8 NILGA Report to Councils on Reconstitution of NILGA

Members were provided with a copy of a letter dated 2 February, 2015 from the Chief Executive of NILGA, together with a copy of a 'Report to Councils – Reconstituting the Northern Ireland Local Government Association – Responses from Councils and Proposals for a Forward Work Plan for NILGA'. The letter from NILGA set out the following recommendations for the agreement of councils:

- (a) the new constitution is established for governance purposes;
- (b) core investment, as defined, is provided for the 2015/16 year;
- (c) key representation and related services are established/maintained for the 11 councils effective from April 2015; and
- (d) each council, through representation from nominated Members and input from the Chief Executive, or his/her nominated senior officers, collectively develop and define the requirements of the 11 councils during this year, clearly establishing the future specific and collective requirements of the councils.

It was agreed to recommend, in principle, that the above be approved, subject to the provision of information from NILGA, as detailed in Item 4.7.

4.9 Draft Statutory Guidance for the Operation of Community Planning

Members were advised that the Local Government Act (NI) 2014 made provision for the new duty of community planning on councils and their community planning partners. It provided the high level framework for the operation of community planning and stated that councils must initiate, and having done so, maintain and facilitate the community planning process. The councils should have a leadership role in this process and be supported by community planning partners. The DOE had prepared draft guidance to assist councils and their partners in this new duty, which was currently out for consultation.

Members having been provided with a copy of a paper prepared by the Community Planning Manager in respect of the consultation, it was proposed by Councillor U Mackin, seconded by Councillor J McCarthy and agreed to recommend that a response to the consultation be prepared, based on the information contained in the paper by the Community Planning Manager. It was requested that any Members who wished to comment on the consultation convey such comments to the Community Planning Manager within the next week, for inclusion in the response, which would be cleared by the Chairman and Vice-Chairman prior to submission to the Department by 9 March, 2015.

4.10 Report of the Director of Finance and the Convergence of IT Systems

Members were provided with a copy of a report prepared by the Director of Finance and the Convergence of IT Systems containing the following matters:

4.10.1 Letter to MLAs Regarding Future Performance Audit Fees

Members were provided with, and noted the contents of, a copy of a letter dated 3 February, 2015 that the Director had forwarded to all MLAs responsible for the Council area in respect of future Performance Audit Fees.

4.10.2 Public Accountability & Governance for Audit Committees
3 March, 2015 – Malone House, Belfast

Members were provided with details of the above seminar, which it was recommended the Chairman and Vice-Chairman attend. However, the Chairman and Vice-Chairman having both already attended such a seminar, it was agreed to recommend that Councillors D Drysdale and J Gallen attend.

4.10.3 Public Accountability & Governance for Senior Managers
4 March, 2015 – Malone House, Belfast

Members having been provided with details of the above seminar, it was proposed by Councillor S Carson, seconded by Councillor J Tinsley and agreed to recommend that the Director of Corporate Services be nominated to attend.

Items for Noting

4.11 Policy Convergence Project

Members were provided with, and noted the contents of, a copy of an update report on progress on the Policy Convergence Project. Members commended the Performance Development Officer, together with other staff involved in this piece of work.

4.12 Update on Community Planning Work Plan

Members were provided with, and noted the contents of, a copy of an update report in respect of the Community Planning Work Plan.

4.13 Irish Language in New Councils

Members were provided with, and noted the contents of, a copy of a report of a meeting of the Chief Executive, Transition Managers and Equality Officer with Mr S O Coinn from Foras na Gaeilge regarding Irish language promotion within the new Council structures.

4.14 Northern Ireland Commissioner for Complaints Consultation
“Northern Ireland Commissioner for Complaints’ Guidance on the NI
Local Government Code of Conduct for Councillors”

The Committee was reminded that, at its meeting held on 13 January, 2015, it had agreed that, subject to any comments or concerns Members had in respect of the NILGA response to the above consultation, the NI Commissioner for Complaints be advised that the NILGA response was representative of the views of Lisburn & Castlereagh City Council.

Members were provided with, and noted the contents of, a copy of a letter dated 30 January, 2015 from the Chief Executive to the NI Commissioner of Complaints advising that the Council supported the NILGA response to the consultation and setting out a number of additional comments for his consideration. The NI Commissioner for Complaints’ response to the comments raised would be reported to the Committee in due course.

4.15 Annual General Meeting Update

Members were advised that the Annual General Meeting Working Group was progressing matters for the Lisburn & Castlereagh City Council Annual General Meeting on 5 March, 2015. However, there were a number of outstanding pieces of legislation from the DOE that Council Officers were still waiting on, as listed in the Chief Executive’s report. It was noted that Council Officers were preparing contingency plans, should this legislation not be issued on time.

4.16 Consultation on Council Domain Names – The Local Government
(Domain Names) Regulations (Northern Ireland) 2015

Members were provided with a copy of a letter dated 2 February, 2015 from the DOE, Local Government Policy Division 2, seeking views on the above consultation by 30 March, 2015. It was noted that this consultation was being considered by the Shadow Corporate Services Committee.

4.17 The Draft Local Government (Performance Indicators & Standards)
Order (Northern Ireland) 2015 – Consultation Paper

Members were provided with, and noted the contents of, a draft response to the above consultation, which was being considered by the Shadow Planning Committee.

Additional Report

Items for Decision

4.18 Draft Community Planning Guidance – Public Consultation Events

Members having been provided with information relating to consultation events being organised by the DOE, it was proposed by Councillor A Givan, seconded by Councillor A G Ewart and agreed to recommend that any Members wishing to attend one of the events notify Members’ Services staff accordingly.

4.18 Draft Community Planning Guidance – Public Consultation Events (Contd)

It was further agreed that the Transition Manager convey to the Department Members' concern that having such events during the day may not facilitate all Members and that, when organising future events, consideration should be given to holding some in the evening.

Items for Noting

4.19 Regenerating Local Spaces Through Effective Community Planning 26 February, 2015 – Dublin Castle

Members were provided with, and noted the contents of, information regarding the above conference, nominations to attend which were being made at the Development Committee and the Leisure and Community Development Committee.

4.20 Role of Elected Representative on the Reserve Forces and Cadets Association for Northern Ireland

Members were provided with, and noted the contents of, a copy of a letter dated 6 February, 2015 from the Chief Executive of the Reserve Forces and Cadets Association for Northern Ireland providing clarity on the role of the elected representative to that Association.

5. Confidential Report

It was proposed by Councillor D Drysdale, seconded by Councillor J Baird and agreed that the report and recommendations of the Chief Executive be adopted, subject to any decisions recorded below.

Items for Decision

5.1 Lisburn & Castlereagh City Council Draft Corporate Plan Version Control 1 – 2015/17

“In Committee”

It was proposed by Councillor S Carson, seconded by Councillor J McCarthy and agreed that this item be considered “in committee”, in the absence of members of the press and public being present.

Members were provided with a copy of the final draft of the above document and congratulated all those Officers involved in its preparation.

It was proposed by Councillor U Mackin and seconded by Councillor J Baird that the ‘Inclusivity’ paragraph under the ‘Our Values’ Section of the document, be amended to read “We will demonstrate inclusivity through effective communication and engagement with the local community and all relevant stakeholders”.

5.1 Lisburn & Castlereagh City Council Draft Corporate Plan
Version Control 1 – 2015/17 (Contd)

It was proposed by Councillor J Gallen and seconded by Councillor J McCarthy that the 'Inclusivity' paragraph under the 'Our Values' Section of the document remain as it currently was, ie. "We will demonstrate inclusivity through effective communication and engagement with the local community and other relevant stakeholders including people who might otherwise be excluded or marginalized, on the grounds of gender, race, class, sexuality, disability".

The proposal in the name of Councillor J Gallen was put to the meeting and, the voting being three votes in favour of and nine against, it was declared "lost".

The proposal in the name of Councillor U Mackin was put to the meeting and, the voting being nines votes in favour of the proposal, it was declared "carried".

Members were requested to provide any additional comments on the document to the Chief Executive as soon as possible.

It was agreed that the amended document would be presented to the Committee at its special meeting on 18 February, 2015 and, following agreement, the document would go to public consultation on the Lisburn & Castlereagh City Council website.

Resumption of Normal Business

It was proposed by Councillor U Mackin, seconded by Councillor J Baird and agreed to come out of committee and normal business was resumed.

6. Any Other Business

6.1 Special Meeting of Committee
Chairman, Councillor W A Leathem

The Chairman, Councillor W A Leathem, reminded the Committee that a special meeting had been convened at 5.00 pm on Wednesday, 18 February, 2015, the purpose of which was to consider a report by the Marketing and Communications Unit in respect of branding.

6.2 Annual General Meeting
Chairman, Councillor W A Leathem

At the request of the Chairman, Councillor W A Leathem, it was agreed to recommend that the time of the Annual General Meeting on 5 March, 2015 be changed from 12 noon to 1.00 pm, which was to facilitate a Member who would be out of the country and would only be arriving back that morning.

There being no further business, the meeting was terminated at 5.18 pm.

Presiding Member/Chairman