



MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE POLICY AND GOVERNANCE COMMITTEE HELD IN ANTRIM CIVIC CENTRE ON TUESDAY 3 MARCH 2020 AT 6.30 PM

In the Chair: Councillor P Dunlop

Members Present: Aldermen F Agnew
Councillors – H Cushinan, S Flanagan, M Goodman,
P Hamill, D Kinahan, N Kelly, N McClelland, V McAuley,
M Magill, P Michael, V Robinson, B Webb and R Wilson

Non Committee Members: Councillor A Bennington

Officers Present: Director of Finance & Governance – S Cole
Director of Organisation Development – A McCooke
Borough Lawyer and Head of Legal Services – P Casey
Head of Governance – L Johnston
Head of Communications – J Hart
Systems Support Officer – C Bell
Mayor and Member Services Officer – S Fisher

CHAIRPERSON'S REMARKS

The Chairperson welcomed everyone to the March Meeting of the Policy and Governance Committee, and reminded all present of recording requirements. He also introduced and welcomed John Hart who has taken up the role as Head of Communications at the Council.

1. APOLOGIES

None

2. DECLARATIONS OF INTEREST

None

3. ITEMS FOR DECISION

3.1 G/IG/7 FOI POLICY

The purpose of the Freedom of Information Policy is to ensure that the provisions of the Freedom of Information Act 2000 are adhered to. A review of the Council's policy is now required under a two-year review cycle.

While the policy is considered appropriate it is an opportune time to revise the procedure for clarification of requests and the procedure for FOI appeals/internal review requests. The proposed revised policy was circulated.

The following are the changes proposed:

1. Clarification of requests

There is no specific guidance from the Information Commissioner's Office (ICO) on how long requests should be held open following clarification being sought. Other Councils apply a period ranging from 10 working days to three months.

It is proposed that the Council's period should be revised from three months to 20 working days and that requesters should be advised that if clarification is not received within this period the request will be closed. If a requester still wishes to receive information it is likely they will respond to a request for clarification promptly, and certainly within 20 working days, as they would have expected to receive a response by then.

2. Appeals/Requests for internal review

The Council currently has a three stage process for FOI Appeals/Internal Review requests.

The ICO's Code of Practice provides guidance for public authorities on best practice in meeting their responsibilities and the recently updated Code of Practice (2018) recommends that the process be a straightforward, single-stage process. After which requesters would be referred to the ICO if they remained dissatisfied. Appeals/Internal Reviews should be considered by a Director not involved in the original response with the support of the Borough Lawyer.

Proposed by Councillor Wilson

Seconded by Councillor McClelland and agreed that

the revised FOI Policy be approved to include the following amendments:

- **The clarification period for FOI's is 20 working days, thereafter the request will be closed.**
- **The FOI Appeals/Internal Review Process is amended to a one stage process.**

ACTION BY: Helen McBride, Information Governance Manager

3.2 G/LEG/162 REQUEST FROM NIE NETWORKS TO CARRY OUT WORKS ON COUNCIL LAND

Officers received a request from NIE Networks to carry out works on Council land at Neillsbrook Park, Randalstown.

The maps (circulated) highlighted the works to be carried out and the location.

NIE Networks propose to raise the height of existing overhead electricity lines and to replace the poles in their current location. The proposed works will cross lands which Council lease to Randalstown Rugby Club. Randalstown Rugby Club have agreed to the proposed works.

Officers will liaise with NIE Networks to oversee the works and all works are to be carried out by NIE Networks or the appointed contractor for NIE Networks. The duration of the works will be two days and will have a minimal impact to Council land.

Proposed by Councillor Wilson
Seconded by Councillor Kelly and agreed that

Members approve the request from NIE Networks for access to Council land to carry out works at Neillsbrook Park, Randalstown subject to them agreeing to the following:

- 1. Reinstatement Council land to its current condition.**
- 2. Indemnify the Council for any liabilities associated with the works.**
- 3. A Wayleave Agreement is agreed between the parties.**

ACTION BY: Deirdre Nelson, Paralegal

4. ITEMS FOR NOTING

4.1 G-LEG-325 DEPARTMENT FOR INFRASTRUCTURE - THE PRIVATE STREETS (NORTHERN IRELAND) ORDER 1980 DEVELOPMENTS AT AYLESBURY, NEWTOWNABBEY; MILL BANK ROAD, NEWTOWNABBEY; DRUMCREE PLACE, NEWTOWNABBEY; QUEENS AVENUE, NEWTOWNABBEY; GLENVILLE WAY, NEWTOWNABBEY; AND WATERSIDE VIEW, JORDANSTOWN

Correspondence has been received from the Department for Infrastructure advising that streets at the above developments have now been adopted (circulated).

Proposed by Councillor Goodman
Seconded by Councillor McClelland and agreed that

the correspondence be noted.

NO ACTION

4.2 G-LEG-325 DEPARTMENT FOR INFRASTRUCTURE - THE PRIVATE STREETS (NORTHERN IRELAND) ORDER 1980 DEVELOPMENTS AT RATHFERN ESTATE, NEWTOWNABBEY; AND CARMEEN DRIVE, RATHCOOLE

Correspondence has been received from the Department for Infrastructure advising that streets at the above developments have now been adopted (circulated).

Proposed by Councillor Webb
Seconded by Councillor Magill and agreed that

the correspondence be noted.

NO ACTION

4.3 HR/HR/019 AGENCY STAFF UPDATE

Members were reminded that agency staff are used across the Council to provide temporary cover for absence such as:

- Maternity leave
- Secondments
- Sickness absence
- Vacant posts

The use of agency staff is subject to a rigorous approval process, which requires the approval of the Corporate Leadership Team and there is budgetary provision for the majority of posts filled via departmental salary budgets, salary contingency and grant funding.

The table appended provides an update for Members on the use of agency staff as at January 2020 as compared to January 2019. It excludes limited ad-hoc agency cover, which is necessary to provide operational cover, at short notice (Appendix 1 circulated).

Appendix 2 (circulated) sets out expenditure on agency workers in January 2020.

The cost of agency staff had increased for the period of 1 April 2019 to 31 January 2020 at 7% of all staffing costs compared to 6.16% for the same period last year. This increase substantively relates to the pay increase and increase in Employers pension contributions effective from April 2019, and the earlier starting date required for parks seasonal staff this year.

Proposed by Councillor Flanagan
Seconded by Councillor Hamill and agreed that

the report be noted.

NO ACTION

4.4 CCS/EDP/17 INCLUSIVE SUMMER FESTIVAL

The Council continues to work in partnership with the Northern Health Trust and Mae Murray Foundation, a local charity based organisation.

Members were reminded that last summer the Council, in partnership with Mae Murray Foundation, held the first Inclusive Summer Scheme of its kind in Northern Ireland at Allen Park. Additionally, the Council, in partnership with Mae Murray Foundation and the Northern Health Trust, held a two-day Inclusive Communities Event at Mossley Mill. The feedback from both events was very positive and Officers have continued to work with both partners to progress new initiatives for the incoming year.

Building upon the success of this partnership, Officers are working with the Mae Murray Foundation and the Northern Health Trust to co-design and develop an Inclusive Summer Festival at the Valley Leisure Centre from 6 -10 of July 2020.

The draft programme of activity is extensive and will include activities such as mindfulness, all ability biking, arts and crafts, outdoor cinema and a festival finale.

A further report will be made to Members in due course in relation to the draft programme.

Proposed by Councillor Kelly

Seconded by Councillor McClelland and agreed that

the report be noted.

NO ACTION

4.5 G/MSMO/074 CORRESPONDENCE FROM THE NATIONAL ASSOCIATION OF COUNCILLORS

Members were advised that correspondence had been received from the National Association of Councillors Northern Ireland Region to thank the Mayor, Council and Officers following the hosting of the Members Meeting held on the 19th February in Mossley Mill (circulated).

Proposed by Councillor Hamill

Seconded by Councillor Wilson and agreed that

the correspondence be noted.

NO ACTION

PROPOSAL TO PROCEED 'IN CONFIDENCE'

Proposed by Councillor Wilson

Seconded by Councillor Michael and agreed that

the following Committee business be taken In Confidence.

Members were advised that the audio recording would cease at this point.

5.1 IN CONFIDENCE – G/LEG/PI/23 HISTORIC ASBESTOS CASE

[REDACTED]

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Proposed by Councillor Webb
Seconded by Councillor Magill and agreed that

the report be noted.

NO ACTION

5.2 IN CONFIDENCE - G/INS/PROP/023/VOL2 STEEPLE HOUSE UPDATE

[REDACTED]

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[REDACTED]
Proposed by Councillor Kelly
Seconded by Councillor Michael and agreed that

that the report be noted.

NO ACTION

PROPOSAL TO PROCEED OUT OF 'IN CONFIDENCE'

Proposed by Councillor Wilson
Seconded by Councillor Magill and agreed that

the remainder of Committee business be taken in Open Session.

The Chairperson advised that audio-recording would recommence at this point.

6. ANY OTHER BUSINESS

The Director of Finance and Governance gave an update on the Covid-19 position and the steps taken by the Council to mitigate risk where possible. She advised that personnel are continually liaising with the appropriate authorities and immediately implementing any guidance being given. In addition, action and contingency plans have been developed and are under constant review and that Members will continue to be updated regularly.

Councillor Webb raised a query in relation to Business Continuity in the scenario where Elected Members were not available to make decisions. The Director agreed to include this within the risk assessment and action plan.

ACTION BY: Sandra Cole, Director of Finance and Governance

There being no further committee business the Chairperson thanked everyone for their attendance. The meeting concluded at 6.53 pm.

MAYOR

Council Minutes have been redacted in accordance with the Freedom of Information Act 2000, the Data Protection Act 2018, the General Data Protection Regulation, and legal advice.

