



MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE POLICY AND GOVERNANCE COMMITTEE HELD IN ANTRIM CIVIC CENTRE ON TUESDAY 2 APRIL 2019 AT 6.30 PM

In the Chair: Councillor N McClelland

Members Present: Aldermen – F Agnew and W DeCourcy
Councillors – P Dunlop, T Girvan, M Goodman, P Hamill, M Magill, M Maguire, V McWilliam, B Webb and R Wilson

Officers Present: Director of Finance & Governance – S Cole
Director of Organisation Development – A McCooke
Head of Governance - L Johnston
Head of Legal Services & Borough Lawyer – P Casey
Head of Internal Audit – P Caulcutt
ICT Officer – J Higginson
Member Services Officer - S Boyd

CHAIRPERSON'S REMARKS

The Chairperson welcomed everyone to the April Meeting of the Policy and Governance Committee, and reminded all present of recording requirements.

The Chairperson advised that due to changes in the DUP, the Party's nominating Officer had advised that Councillor Brett had been appointed as Chair of the Policy and Governance Committee.

1. APOLOGIES

Councillors P Brett, J Bingham

2. DECLARATIONS OF INTEREST

None

3. ITEMS FOR DECISION

3.1 G-LEG-308/3 & 308/4 DfI ROADS - DISABLED PARKING BAYS – DONORE CRESCENT, ANTRIM & ANDRAID CLOSE ANTRIM

Correspondence had been received from DfI Roads outlining details regarding their proposals to reserve two on-street disabled parking spaces at Donore Crescent, Antrim and at Andraid Close, Antrim (circulated).

DfI Roads were requesting letters of confirmation that the Council are in agreement with these proposals.

Proposed by Councillor Dunlop
Seconded by Councillor Magill and agreed that

the Committee agrees with the proposals from DfI Roads.

ACTION BY: Deirdre Nelson, Paralegal

3.2 FI/AUD/04 REVISED ANTI-BRIBERY POLICY

Members were reminded that the Council has an Anti-Bribery Policy, which was implemented in April 2015. Officers have undertaken a review of this Policy (circulated) in order to bring it up to date.

The Bribery Act 2010 makes bribery a criminal offence. As such, as a Council, we do not, and will not, offer or pay bribes or other improper inducements for any purpose, nor do we or will we, accept bribes or improper inducements such as gifts or hospitality.

The Anti-Bribery Policy sets out the Council's commitment to the prevention, deterrence and detection of bribery. It also provides a framework to enable employees to understand and implement arrangements enabling compliance with the Policy and to identify and effectively report potential breaches.

The Council will assess the risk of bribery through Anti-Bribery Risk Assessments that will be completed bi-annually as part of the Management Assurance process. Where the risk of bribery is considered to be high, appropriate action will be taken by management to reduce the level of risk.

The Anti-Bribery Policy has been screened for the need for an Equality Impact Assessment (EQIA) and a Data Protection Impact Assessment (DPIA). Both an EQIA and a DPIA are not recommended.

Proposed by Councillor Hamill
Seconded by Councillor Webb and agreed that

the Committee approves the Anti-Bribery Policy.

ACTION BY: Paul Caulcutt, Head of Internal Audit

3.3 FI/AUD/04 REVISED ANTI-FRAUD AND CORRUPTION POLICY AND FRAUD RESPONSE PLAN

Members were reminded that the Council has an Anti-Fraud and Corruption Policy which was implemented in April 2015. Officers have undertaken a review of this Policy (circulated) in order to bring it up to date.

The Council is committed to the prevention of fraud and corruption and the promotion of an anti-fraud culture. The Council operates a zero tolerance attitude to fraud and corruption, whether from internal or external sources and requires staff and individuals / organisations to act with honesty and integrity, to safeguard public resources and to report all suspicions of fraud and corruption.

The Anti-Fraud and Corruption Policy defines the three main offences of fraud, as set out in the Fraud Act 2006. These are:

- Fraud by false representation
- Fraud by failing to disclose information
- Fraud by abuse of position

The Policy also provides details of the anti-fraud and corruption roles and responsibilities of all levels throughout the Council. It provides detailed guidance on fraud prevention, detection and investigation as well as a guideline for reporting suspicions of fraud or corruption.

The Anti-Fraud and Corruption Policy has been screened for the need for an Equality Impact Assessment (EQIA) and a Data Protection Impact Assessment (DPIA). Both an EQIA and a DPIA are not recommended.

In addition to the Anti-Fraud and Corruption Policy, Officers had also reviewed and updated the Fraud Response Plan which accompanies the Policy (circulated). The Plan enables Council to ensure that where instances of fraud are suspected, they are appropriately and adequately investigated, in a consistent manner, in line with the relevant legislation and best practice. The Fraud Response Plan defines the authority levels and responsibilities for action and the reporting lines to be followed in the event of suspected fraud, theft or other irregularity. It also provides detailed guidance for planning and undertaking a formal investigation.

The objectives of the Fraud Response Plan are to ensure:

- Each instance of suspected fraud or corruption is treated in a consistent manner with appropriate action taken against those who are suspected of fraud;
- Management of the Council deal with suspicions of fraud and corruption firmly and quickly in compliance with applicable legislation;

- Losses are minimised or recovered and / or further loss to the Council is prevented; and
- Investigations are carried out appropriately to enable the evidence to be used (where considered appropriate) for the purposes of:
 - disciplinary action;
 - criminal action via referral to the Police Services of Northern Ireland (PSNI); and/or
 - legal action taken against a third party.

Proposed by Councillor Goodman
 Seconded by Councillor Girvan and agreed that

the Committee approves the Anti-Fraud and Corruption Policy and Fraud Response Plan.

ACTION BY: Paul Caulcutt, Head of Internal Audit

3.4 G/MSMO/1 SCHEME OF ALLOWANCES PAYABLE TO COUNCILLORS 2019-20

Members were reminded that the Council agreed a Scheme of Allowances Payable to Councillors for 2019-20 in March 2019. The Scheme was based on Circular LG 12/2018 which was the latest Circular issued by the Department for Communities at the time of preparation of the Scheme for 2019-20.

Circular LG 07/2019 (circulated), has subsequently been issued by the Department for Communities, providing a consolidated record of all councillor allowances and reflects an increase in maximum rates for Dependants' Carers' Allowance from 1 April 2019.

All other allowances remain unchanged.

Proposed by Councillor Magill
 Seconded by Councillor Goodman and agreed that

the Scheme of Allowances Payable to Councillors for 2019-20 be amended to reflect the increase in the maximum rates for Dependants' Carers' Allowances.

ACTION BY: Richard Murray, Management Accountant

3.5 G/MSMO/17 LINEN HALL LIBRARY

Members were advised of receipt of correspondence from the Linen Hall Library, a copy of which was circulated, advising that the Council's Corporate Membership subscription is due for renewal.

Corporate Membership of this historical library permits staff and Members to access the library and its facilities and to borrow up to 8 books for up to a month upon presentation of the corporate library ticket. Any member wishing to use the Linen Hall library can obtain the corporate library ticket from Mayor and Member Services.

The Library had advised that the annual membership rate will remain the same as the previous year and will be £325.

Proposed by Alderman Agnew
Seconded by Alderman DeCourcy and agreed that

payment of the annual subscription of £325 for the Corporate Membership of the Linen Hall Library be approved.

ACTION BY: Liz Johnston, Head of Governance

3.6 ST/T/268 CHARTERED INSTITUTE OF PERSONNEL & DEVELOPMENT AWARDS

CIPD NI Awards 2019

Members were advised that all three entries that the Council submitted this year in the Chartered Institute of Personnel Development (CIPD) NI Awards 2019 have been shortlisted.

The three entries are for the categories,

- **Team of the Year – HR**
- **Learning and Development Initiative**
- **Health and Wellbeing Initiative**

CIPD is the professional body for Human Resource Management and we should be extremely proud that our three entries are shortlisted again this year and look forward to representing Council at the Awards Ceremony.

Category winners will be announced at the Awards Dinner that will take place on Thursday 16th May 2019 in Titanic Belfast.

Members considered the following options:-

- (a) a table of ten at the CIPD Awards Ceremony at a cost of £750 plus VAT
- (b) a half table of four places at a cost of £400 plus VAT
- (c) For the following Nominees - the Mayor, the Deputy Mayor, the Chair and Vice Chair of the Policy and Governance Committee, or their nominees, attend the event as an approved duty, together with the appropriate officers.

Proposed by Councillor McWilliam
Seconded by Councillor Magill and agreed that

Option (b) be approved with one additional place, which would be for an Officer, and that the individuals listed in option (c) be approached first to attend, principally the Mayor and Deputy Mayor.

ACTION BY: Fiona Gunning, Organisation Development Officer

3.7 CCS/REG/021 APPLICATION FOR TEMPORARY APPROVAL OF PREMISES FOR CIVIL MARRIAGE

Under the terms of the Marriage (NI) Order 2003 and the Civil Partnership Act (2004), the Council has the responsibility to approve appropriate applications for Place Approvals for Civil Marriages and Civil Partnerships.

An application had been received from the owner of Ash Farm, 121 Ahoghill Road, Randalstown for a temporary approval of an area at the specified premises for a civil marriage ceremony on 15th June 2019

Part of the process requires that a Notice of Interest is displayed for a three week period in a prominent place at the complex to allow for public objection.

No objections had been received to any of the notifications to apply for Place Approval and the premises had been formally inspected and no problems had been found with regard to the application.

Proposed by Councillor Girvan

Seconded by Councillor Goodman and agreed that

Ash Farm, Randalstown be temporarily approved to hold a Civil Marriage on 15th June 2019 under the terms of the Marriage (NI) Order 2003.

- a) Ash Farm, Randalstown**
- i) Garden**

ACTION BY: Emma Thompson, Registrar of Births, Deaths, Marriages and Civil Partnerships

3.8 CCS/REG/022 CEMETERY CHARGES

Members were reminded that ongoing reports had been made in relation to the review of Cemetery Rules and Regulations and burial charges. Following the implementation of these, and based on the practical application of a few related matters, it is proposed that Members give consideration to the following:

Resident Status

Members are reminded that, common across UK Councils, different charges are applied to Residents and Non Residents (i.e. a higher charge is applied to Non Residents). Under our current policy, proof of residency must be

provided to claim resident status and this can be granted if a person can prove residency in the Borough in the preceding 7 years of any transaction.

In practical terms it has come to light that some former residents, who have often lived in the Borough for a long period/most of their life, have had no choice but to relocate outside the Borough for reasons beyond their control relating to their healthcare.

In these circumstances, it is proposed that resident status is granted following receipt of confirmation that the former resident had no choice but to relocate outside the Borough. It is envisaged that confirmation would be received from a suitable professional from the relevant Health Trust.

Duplicate Burial Lease

Currently a charge of £50 is applied to residents and non residents for a duplicate burial lease and it is proposed to remove this fee so as to encourage individuals and families to seek a duplicate lease where the original one can no longer be found. The administrative costs of processing a duplicate is negligible, and it is in the interests of all to have a copy of the burial lease because it greatly assists the family and the Council during the process of arranging burials.

Transfer of Burial Lease

Once a burial lease is purchased, only the registered owner can authorise the opening of the grave for burial. Only one person can be registered as the owner of the burial lease.

Burial leases can be transferred by a resident or a non resident of the Borough and the effective fees at the time of purchase will apply (currently free for residents that are the spouse/child/sibling of the owner and a £60 charge is applied where residents do not fall into any of these categories. A charge of £670 is applied for non residents).

It is proposed to remove the charge of £60 so as to actively encourage all residents to consider if a burial lease transfer is required.

In the absence of a Will, and at the time of arranging a burial, those concerned often experience a lengthy and stressful process before a burial lease transfer can be properly confirmed in order to open the grave they wish to use.

Again, the administrative cost of processing a burial lease transfer is negligible and it is in the interests of families to consider if a burial lease transfer is needed because often the burial lease owner has deceased and not bequeathed, in a Will, the lease to a specific person.

It is envisaged that all residents would be encouraged to consider and action (where applicable) the transfer of burial leases if it was free of charge, along with active promotion via the Council's Registration Team.

Councillor Hamill requested an update on Carnmoney Cemetery, about the current burial capacity. The Director of Organisation Development advised that a report would soon be made to include an update relating to the next phase of the subterranean system.

Proposed by Councillor Goodman
Seconded by Councillor Webb and agreed that

- a) for the purposes of applying burial charges, resident status be granted to former residents who had no choice but to relocate outside the borough for reasons beyond their control, related to their care, following receipt of confirmation from a suitable Care Supplier that this is the case;**
- b) to remove the £50 fee for duplicate burial leases;**
- c) to remove the burial lease transfer fee of £60 applied to residents (who are not the spouse/child/sibling of a burial lease owner).**

ACTION BY: Andrea McCooke, Director of Organisation Development

4. ITEMS FOR NOTING

4.1 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.

There is budgetary provision for the majority of posts filled via departmental salary budgets, salary contingency and grant funding.

The table below provided an update for Members on the use of agency staff as at February 2019 as compared to February 2018.

Reason for Agency Worker	Feb 2019	Position Covered	Feb 2018	Comments
Additional Resource	6	3 x Grounds Maintenance Operative Clerical Officer, Waste 2 x On Call Recreation Assistant/Leisure Attendant, Sixmile	7	Reduction in additional resource requirement

Filling Funded Posts	3	2 x Affordable Warmth Project Officer Project Implementation Officer		5	Reduction in cover for funded posts
Covering Sickness/ Maternity Leave/ Shared Parental Leave	6	Graphic Designer Accounts Assistant 2 x Household Recycling Attendant Heritage Gardener Facilities Officer		6	
Covering vacancies until structures filled	25	Receptionist, Clotworthy Good Relations Officer 2 x Conferencing Administrator Ranger Leisure Attendant, Crumlin Relief Attendant Community Centre Coordinator HRC Attendant Driver Site Operative, HRC Central Services Supervisor Waste Management Operative, CSD 4 x Waste Management Operatives, ESD 6 x Waste Management Op/Driver, ESD 2 x Driver Site Operatives, Recycling	Recruitment to commence	30	Reduction in requirement within this category. Ongoing cover due to categorisation
			March 19 Apr/May 19 March 19 Feb 19 Feb 19 March 19 March 19 March 19		
Covering career breaks/ secondments	7	2 x Grounds Maintenance Operative Admin Assistant, Planning Admin Assistant, Marketing Media and Marketing Officer Senior Leisure Attendant Tourism, Town Centre and Regeneration Officer		6	
TOTAL	47			54	

The table above excludes limited ad-hoc agency cover, which is necessary to provide operational cover, at short notice.

Appendix 1 (circulated) set out expenditure on agency workers in February 2019.

The cost of agency staff had reduced for the period of 1 April 2018 to 28 February 2019 at 6.09% of all staffing costs compared to 6.81% for the same period last year.

The table below shows the continued percentage reduction in agency costs over the past financial year:

Month	2017/18	2018/19
April	6.66%	3.51%
May	6.94%	3.74%
June	7.09%	4.61%
July	6.12%	4.71%
August	6.96%	4.66%
September	7.76%	6.06%
October	8.00%	5.85%
November	7.63%	6.51%
December	7.30%	6.49%
January	7.28%	6.16%
February	6.81%	6.09%

Councillor Wilson sought and was provided with clarity from the Director of Organisation Development relating to the benefits afforded to agency workers.

Proposed by Councillor Wilson

Seconded by Councillor Goodman and agreed that

the report be noted.

NO ACTION

6. ANY OTHER RELEVANT BUSINESS

Councillor Webb read a statement from Alderman Barr who expressed her thanks to Members and Officers for their hard work and commitment to the Policy and Governance Committee.

A number of Members then paid tribute to Alderman Barr as Chair and Councillor McClelland as Vice Chair, Committee Members and Officers. This being Alderman DeCourcy and Councillor Girvan's last Policy and Governance Committee meeting, Members thanked them and wished them all the best for the future.

The undernoted supplementary item was taken at this point.

PROPOSAL TO PROCEED 'IN CONFIDENCE'

Proposed by Councillor Girvan

Seconded by Councillor Goodman and agreed that

the following Committee business be taken In Confidence.

5.1 **IN CONFIDENCE** - G/LAN/18 – LETTING OF LANDS FOR GRAZING / CUTTING 2019

Members recalled that in previous years, lands have been advertised through an agent to seek appropriate bids on behalf of Council for letting of lands for grazing/cutting. However, the agent has advised that on this occasion the lands for grazing/cutting for the 2019 season should instead be let to the previous tenants because of the uncertainty in the agriculture/foods sector around Brexit. The agent has also confirmed that all of the previous tenants for the 2018 season have already expressed an interest in letting the lands for this season but he is recommending that the price for letting should be held at 2018 prices. The agent's recommendations are as follows:

Land	Tenant	Fee (pro-rata)
Lands at Ballylurgan Road, Randalstown 17 acres grazing	██████████	£██████
Lands at Church Road, Randalstown 4.4 acres	██████████	£██████
Lands at Ballyearl, Newtownabbey Approx. 9 acres cutting (part year)	██████████	£██████
Lands at O'Neill Road, Newtownabbey South side land let for cutting	██████████	£██████
Lands at Sentry Hill, Newtownabbey 17.5 acres cutting and grazing	██████████	£██████

Total rent for the lands for grazing/cutting for the 2019 season is £██████ less ██████████ fee. A small saving is made on the fees because there will be no advertising costs.

Lands at Doagh Road, Newtownabbey

This 1.5 acre site was not let for the 2018 season as no interest was shown and the agent received no offers for letting. The situation remains unchanged for the 2019 season and the site is still unlet.

Proposed by Councillor McWilliam
Seconded by Councillor Goodman and agreed that

Members approve the letting of lands for grazing/cutting as outlined for the 2019 season.

ACTION BY: Liz Johnston, Head of Governance

PROPOSAL TO PROCEED OUT OF 'IN CONFIDENCE'

Proposed by Councillor Hamill
Seconded by Councillor Wilson and agreed that

the remainder of Committee business be taken in Open Session.

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

There being no further committee business the Chair thanked everyone for their attendance. The meeting concluded at 7.20 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.