



27 February 2020

Committee Chair: Councillor P Dunlop

Committee Vice-Chair: Alderman D Kinahan

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

Dear Member

MEETING OF THE POLICY & GOVERNANCE COMMITTEE

A meeting of the Policy & Governance Committee will be held in the **Round Tower Chamber, Antrim Civic Centre on Tuesday 3 March 2020 at 6.30pm.**

You are requested to attend.

Yours sincerely

A handwritten signature in black ink that reads "Jacqui Dixon".

Jacqui Dixon, BSc MBA
Chief Executive, Antrim & Newtownabbey Borough Council

For any queries please contact Member Services:

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4.2 Department for Infrastructure - The Private Streets (Northern Ireland) Order 1980 Developments at Rathfern Estate, Newtownabbey; and Carmeen Drive, Rathcoole

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REPORT ON BUSINESS TO BE CONSIDERED AT THE POLICY AND GOVERNANCE COMMITTEE MEETING ON TUESDAY 3 MARCH 2020

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 is **enclosed**.

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.

RECOMMENDATION: 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.**

Prepared by: Helen McBride, Information Governance Manager

Agreed by: Liz Johnston, Head of Governance

Approved by: Sandra Cole, Director of Finance and Governance

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 **enclosed** maps highlight 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.

RECOMMENDATION: 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 of 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.**

Prepared by: Deirdre Nelson, Paralegal

Approved by: Paul Casey, Borough Lawyer and Head of Legal Services

4. ITEMS FOR NOTING

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

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

RECOMMENDATION: that the correspondence be noted.

Prepared by: Deirdre Nelson, Paralegal

Agreed by: Elaine Keenan, Legal Services Officer (Solicitor)

Approved by: Paul Casey, Borough Lawyer & Head of Legal Services

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

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

RECOMMENDATION: that the correspondence be noted.

Prepared by: Deirdre Nelson, Paralegal

Agreed by: Elaine Keenan, Legal Services Officer (Solicitor)

Approved by: Paul Casey, Borough Lawyer & Head of Legal Services

4.3 HR/HR/019 AGENCY STAFF UPDATE

Members are 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).

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

The cost of agency staff has 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.

RECOMMENDATION: that the report be noted.

Prepared by: Victoria Stewart, Human Resources Administrator

Agreed by: Jennifer Close, Human Resources Manager

Approved by: Andrea McCooke, Director of Organisation Development

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 are 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.

RECOMMENDATION: that the report be noted.

Prepared by: Ellen Boyd, Customer Accessibility and Equality Officer

Approved by: Andrea McCooke, Director of Organisational Development

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

Members are advised that correspondence has 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 (**enclosed**).

RECOMMENDATION: that the correspondence be noted.

Prepared by: Member Services

Approved by: Sandra Cole, Director of Finance and Governance