



MINUTES OF THE PROCEEDINGS OF A MEETING OF THE POLICY AND GOVERNANCE COMMITTEE HELD IN ANTRIM CIVIC CENTRE ON TUESDAY 4 OCTOBER 2016 AT 6.30PM

- In the Chair** : Councillor B Duffin
- Members Present** : Aldermen - F Agnew, P Barr and W DeCourcy
Councillors - J Bingham, P Brett, M Goodman, P Hamill,
D Hollis, N Kells, A Logue, M Maguire and B Webb
- Non-Committee Members Present** : Alderman J Smyth
- Officers Present** : Chief Executive - Mrs J Dixon
Director of Organisation Development - Mrs A McCooke
Head of Communications & Customer Service - Mrs T White
Head of Governance - Mrs L Johnston
Head of Finance & ICT - Mr J Balmer
Legal Advisor - Mr P Casey
ICT Officer - Mr C Bell
Senior Mayor and Member Services Officer - Mrs K Smyth
- In attendance** : PPANI Representatives -
Sgt I Baxter
Mr P Thompson

CHAIRMAN'S REMARKS

The Chairman welcomed everyone to the September Meeting of the Policy and Governance Committee and reminded all present of recording requirements.

On behalf of the Committee, the Chairman conveyed condolences to the Mayor, Councillor John Scott, and family on the death of his brother and lead the meeting in a minute's silence.

1 APOLOGIES

Councillor N McClelland.

2 DECLARATIONS OF INTEREST

None.

3.1 PRESENTATION - PUBLIC PROTECTION ARRANGEMENTS NORTHERN IRELAND

It was agreed at the June Council Meeting to receive a presentation from Public Protection Arrangements Northern Ireland (PPANI) on the work undertaken by the organisation.

The Chairman welcomed Sergeant Ian Baxter (PPANI Links Team) and Mr Paul Thompson (PBNI Area Manager) who were in attendance.

The representatives spoke to their powerpoint presentation outlining relevant background information, legislative arrangements in Northern Ireland, organisational structure, partnership working with Agencies, multi-agency forums, local area public protection panel processes and structures, risk management, enforcement, categorisations of offenders and statistics.

The representatives responded to a number of enquiries from Members on agency management, managing risks, community concerns, victims, information sharing, partnership working, Justice System, prisoner releases and offender placements/enforcements/relationships.

Leaflets were tabled and Members were also advised that further information and statistics could be obtained from the website - www.publicprotectionni.com

There being no further questions, the Chairman thanked the representatives for addressing Committee and they withdrew from the meeting.

3.2 CCS/REG/4; CCS/REG/10; CCS/REG/8; CCS/REG/9; CCS/REG/5 APPLICATION FOR RENEWAL OF PLACE APPROVAL

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.

Applications had been received from the following:

- Barnabys , Ballyrobert
- Dunadry Hotel, Antrim
- Corrs Corner Hotel, Newtownabbey

- Hilton Hotel, Templepatrick
- Sentry Hill, Newtownabbey

For the re-approval of a specific area within the premises to hold Civil Ceremonies.

Part of the process required that a Notice of Interest be 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.

- Barnabys , Ballyrobert
 - The Turret Suite and The Garden Suite
- Dunadry Hotel, Antrim
 - Linen Mill Room, Ballroom and Garden
- Corrs Corner Hotel, Newtownabbey
 - Mulberry Suite, Maple Suite and Cedar Suite
- Hilton Hotel, Templepatrick
 - Castle Upton Suite, Patio and Lylehill Suite
- Sentry Hill, Newtownabbey
 - Audio Visual Room and Garden

Proposed by Councillor Bingham
 Seconded by Councillor Kells and agreed that

Approval of the above noted venues be reaffirmed as suitable venues to hold a Civil Ceremonies under the terms of the Marriage (NI) Order 2003 and Civil Partnership Act (2004).

ACTION BY: Emma Thompson, Registrar

3.3 CE/STC/SC/101 COUNCIL BRANDING - BOUNDARY SIGNAGE

Members were reminded that following an audit of boundary signage across the Borough and a report to Committee in May 2016 it was agreed to erect new boundary signs at 18 agreed locations.

Members were asked to consider the design options, copies of which were circulated.

Proposed by Councillor Webb
 Seconded by Councillor Brett and agreed that

that Council adopts Option 1.

ACTION BY: Tracey White, Head of Communications and Customer Services

3.4 G/LEG/LEGAL SOCIETY LOTTERY RENEWAL APPLICATION

An application from Aldergrove/Crumlin Apostolic Society to hold a Society Lottery at St. Josephs School, Crumlin on 20 November 2016 had been received. The application meets all statutory requirements and there were no objections from the PSNI.

Proposed by Councillor Logue
Seconded by Councillor Brett and agreed that

the above society lottery application be approved.

ACTION BY: Paul Casey, Legal Advisor

3.5 CE/OA/10 BOUNDARY COMMISSION GUIDE TO THE 2018 REVIEW

Members were reminded that at the September Policy & Governance Committee meeting it was agreed that the Council would formulate a corporate response to the provisional proposals from the Boundary Commission

Council may wish to respond indicating -

"that the division of the Borough into so many parliamentary constituencies would be detrimental. The Council believes that the proposed boundary changes would weaken its position to engage with the Northern Ireland Assembly and Westminster on issues of concern to the Borough. Specifically the Council would draw attention to the division of urban Newtownabbey into multiple Parliamentary areas, and the specific example of Glengormley which would now be divided into four. These changes if enacted would cause confusion for local residents and their ability and willingness to engage."

Other matters could be raised by individual Members or party groups as they saw fit.

Proposed by Councillor Kells
Seconded by Councillor Logue and agreed that

the above be approved for inclusion in the corporate response.

ACTION BY: Denise Lynn, PA to the Director of Finance and Governance

3.6 FI/ICT/38 ROLLING ICT REPLACEMENT PROGRAMME 2016/17

The ICT Replacement programme would help to provide robust and reliable computer and network infrastructure hardware.

The replacement programme of both legacy Councils was approximately 3 years.

Old computer hardware does not provide the high levels of service and reliability to the ICT users required to meet customer expectations. The ICT replacement programme would provide robust and reliable computer hardware and without this rolling replacement programme, service levels, would diminish and business continuity, would be is put at a higher risk.

The life expectancy of new PC hardware is much longer and new equipment would be purchased with a 5 year warranty, extending the life span of a PC by 2 years against the current model. The new hardware would be bought at a higher specification to ensure its effectiveness over the 5 year period.

If approved, the ICT replacement programme capital cost were as follows:

PC / Laptop Replacement - £60,000
Associated PC Costs – Security / Encryption - £20,000

Members were advised that £80,000 was included in the current capital budget.

Proposed by Councillor Webb
Seconded by Councillor Bingham and agreed that

Council approves the capital expenditure for the rolling ICT replacement programme for 16/17 including a request from Councillor Webb for replacement of the sound system in the Antrim Civic Centre Chamber.

ACTION BY: Graham Smyth, ICT Manager

3.7 G/MSMO/18 SINGLE JURISDICTION IN NORTHERN IRELAND

An update had been received from the Northern Ireland Courts and Tribunals Service on the plans for Single Jurisdiction.

Following the consultation on the proposed Direction for the allocation of business the Lord Chief Justice had taken into account requests from some key stakeholders for a brief extension to the implementation date in order to help them plan for these changes. The Department of Justice had agreed that the revised date for Single Jurisdiction would now take effect from **31 October 2016**. The extension was to facilitate partners and stakeholders as they considered changes needed to make and to explain the revised arrangements for allocating business and transferring cases to their staff and clients.

The Office of the Lord Chief Justice is preparing a final version of the Direction on Single Jurisdiction. As a result of representations it was intended to amend the three Administrative Court Divisions (ACDs). In the map of ACDs attached to the earlier correspondence, Lisburn and Castlereagh Local Government

District was included within the North Eastern ACD. However the revised proposal is to leave Lisburn and Castlereagh within South Eastern ACD and a revised map was circulated. This would mean that the current arrangements for listing business from these areas would be preserved for the time being.

Further information and detail would be available once the Lord Chief Justice's Direction had been finalised.

Proposed by Councillor Kells
Seconded by Councillor Hollis and agreed that

the correspondence be noted.

NO ACTION

3.8 ST/HS/207 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 and temporary and permanent vacancies due to restructuring.

The table below provided an update for Members on the use of agency staff as at August 2016.

Reason for Agency Worker	Number of Agency Workers	Position Covered
Additional Resource	46	28 x Seasonal Grounds Maintenance 4 x Operatives, Bruslee & O'Neill Road Sites IT System Support Officer Cleaner, Sentry Hill Community Development Assistant Events Assistant Graphic Designer Pavilion Attendant Financial Accounting Officer Environmental Health Officer Admin Assistant, Antrim CC Leisure Attendant HR Officer Admin Assistant (Accounts)*
Filling Funded Posts	4	Clerical Assistant Affordable Warmth Project Affordable Warmth Project Officer x4* Grange Community Project Officer
Covering Sickness/Maternity	11	Environmental Health Officer x3* Accounts Assistant x2

		Finance Assistant Receptionist/Administrator IT Systems Assistant Customer Services Assistant Central Services Supervisor Household Recycling Attendant
Covering vacancies until structures filled	6	Clerical Officer, Environment & Leisure Enforcement Officer Facilities Officer, Property & Building Property Asset Management Assistant Conferencing Administrator Leisure Interim Support Manager
Covering career breaks/ secondments	7	Heritage Assistant Playzone Assistant Environmental Health Officer Technical Officer (Building Control) Specialist Driver, Parks IT System Support Assistant Borough Warden
TOTAL	74	

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

A report setting out expenditure on agency workers in the period under review was circulated.

Proposed by Councillor Maguire
Seconded by Councillor Hollis and agreed that

the report be noted.

NOTED: Councillor Maguire welcomed the additional schedule and asked management to provide 'year to date' expenditure for agency staff in future reports. The Director of Organisation Development agreed to provide Councillor Maguire with additional comparative information regarding the terms of the Agency contracts.

ACTION BY: Joan Cowan / Andrea McCooke

3.9 FC/G/25 PAYMENTS REPORT

The schedule of payments for Antrim and Newtownabbey Borough Council dated 19th August to 16th September 2016 and schedule of manual payments for August 2016 were circulated with any payments over £5,000 having been analysed in more detail, also circulated.

Proposed by Councillor Maguire
Seconded by Councillor Brett and agreed that

the report be noted.

NOTED: request from Councillor Maguire for management to consider the provision of an exceptions report in advance of the meeting.

ACTION BY: John Balmer, Head of Finance

3.10 FI/FIN/4 BUDGET REPORT - APRIL 2016 TO AUGUST 2016

A budget report for the period April 2016 to August 2016 was circulated for Members information.

In response to budgetary enquiries from Councillors Maguire and Bingham the Chief Executive confirmed that detailed information on the current financial position would be part of the Corporate Workshop Agenda on 13 October 2016. The Head of Finance added that a full policy in line with legislation (Minimum Revenue Provision Policy) would be presented to Committee in January and he also responded to Members' queries.

Proposed by Councillor Maguire
Seconded by Councillor Hamill and agreed that

the report be noted.

NO ACTION

3.11 MEMBER DEVELOPMENT WORKING GROUP - MINUTES OF MEETING OF MONDAY 5 SEPTEMBER 2016

Members were advised that a meeting of the Member Development Working Group took place on Monday 5 September 2016.

A copy of the Minutes of the meeting were circulated for Members' information.

Proposed by Councillor Brett
Seconded by Councillor Goodman and agreed that

the Minutes of the Member Development Working Group Meeting held on Monday 5 September 2016 be noted.

NO ACTION

3.12 CE/GEN/42 ROADS AND STREET LIGHTING MAINTENANCE

Members were reminded that an update on TransportNI's roads maintenance plans and initial proposals for schemes to be undertaken in the year 2016/2017, were presented to the Council in June 2016.

Members were further reminded that at the Policy & Governance Committee in May 2016 they requested an update on plans for the maintenance and enhancement of roads and street lighting in the Borough.

A response had been received from TransportNI, a copy of which was circulated.

Proposed by Councillor Brett
Seconded by Councillor Kells and agreed that

the report be noted.

NO ACTION

3.13 CCS/EDP/8 EUROPEAN CHARTER FOR REGIONAL AND MINORITY LANGUAGES PROGRESS REPORT

Members were reminded that correspondence was received from the Department of Culture, Arts and Leisure (DCAL) in May 2016 in relation to the European Charter for Regional and Minority Languages. The purpose of this report was to provide an update, as requested on the European Charter for Regional and Minority Languages.

The European Charter is an international agreement designed to protect and promote regional and minority languages; it places emphasis on the cultural dimension of the language in all aspects of the life of its speakers and in Northern Ireland relates to Irish and Ulster-Scots.

In the context of delivering services across the borough, the Council has a responsibility to respond appropriately to its citizens and customers.

In Northern Ireland the Charter applies to Irish and Ulster-Scots and does not cover sign language or the languages of minority ethnic communities. For Member's information a number of practical arrangements are in place in respect of compliance with the European Charter for Regional or Minority Languages detailed in Appendix 1, a copy of which was circulated. Arrangements are also in place for other minority languages and for customers with specific auditory or communication related needs detailed in Appendix 2, a copy of which was circulated.

Proposed by Councillor Logue
Seconded by Councillor Goodman and agreed that

the report be noted.

NO ACTION

3.14 CCS/EDP/9 EQUALITY SCHEME - PROGRESS REPORT

Members were reminded that Section 75 required public authorities to have due regard for the need to promote equality of opportunity between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation, men and women generally persons with a disability and persons without and persons with dependants and persons without.

The Council's Equality Scheme decides certain arrangements that as a public authority Council has set-up and is obliged to apply and follow as a means of fulfilling the duties imposed on it by Section 75 (1) and (2) i.e. the duties to have due regard to the need to promote equality of opportunity, and regard to the desirability of promoting good relations.

This includes arrangements for training staff, assessing and consulting on the likely impact of policies adopted or proposed to be adopted by the Council in the promotion of equality of opportunity, and monitoring any adverse impact of those policies that have been adopted.

Members are also reminded that a policy screening audit is ongoing to ensure the completion of all formal screening exercises across the Council.

A summary of the remaining formal screening exercises, which have now been completed was provided in Appendix 1 (circulated) and the screening exercises (circulated) in Appendix 2.

As previously reported, all completed screening exercises would be reported on a quarterly basis, effective from January 2017.

Proposed by Councillor Hollis
Seconded by Councillor Maguire and agreed that

the report be noted.

NO ACTION

3.15 CE/GEN/60 BUSINESS PLANS - UPDATE

Members were reminded that departmental Business Plans were approved in June this year.

Progress updates as at quarter one for Finance, ICT, Governance, Human Resources, Customer Services and Communications, Change Management and Corporate Objectives were circulated for Members' attention.

Proposed by Councillor Maguire
Seconded by Councillor Hamill and agreed that

the updated Business Plans for Finance, ICT, Governance, Human Resources, Customer Services and Communications, Change Management and Corporate Objectives be noted

NO ACTION

3.16 G-LEG-80/68 IN CONFIDENCE REPORTING

Members were aware that certain items at full Council and Committee meetings are dealt with "In Committee." The following were some examples of matters which Officers recommend are dealt with in confidence. Please note that the following examples were not exhaustive as there may be other matters which may arise which are required to be dealt with in confidence.

Commercially Sensitive Information

One example was in relation to information about procurement processes. Officers would provide reports to Members outlining the procurement process and outcome for numerous works and services, and ask Members to approve the successful tenderer and associated costs. Those reports contain details of the unsuccessful tenderers bids and scores. The Council have to be minded that the disclosure of the unsuccessful tenderers information may be commercially damaging to them. Disclosure of such information could damage their reputation and disclosure of their tendered figures could put them at a disadvantage in the market. Therefore such information is dealt with in confidence. Thereafter in the Council/Committee minutes the full report would be made available to the public which would contain the details of the successful tenderer and the cost of the contract, however the details relating to the unsuccessful tenderers are redacted. The only information which the public would not be aware of is the details of the unsuccessful tenderer. This would appear reasonable as the details of the successful tenderer and the associated costs are the only relevant matters for public consideration.

Another example is in relation to reports containing approval to carry out works or services. A report would be presented to Members seeking approval to carry out works or services and the report would contain an estimation of the costs involved. At that stage Officers would not have commenced the tender process as they would only be seeking the outline permission of Members to proceed to carry out the works or services for an estimated cost. If Members approve then Officers would go out to tender. If the estimated cost of the work is disclosed prior to inviting tenders this would prejudice the commercial position of the Council to try to obtain the most economically beneficial cost as possible. When the procurement process is complete a report is brought to the Council informing Members of the successful tenderer and details of the actual costs would then be before Members for approval and thereafter available in the minutes to the public. However having regard to the above details of the unsuccessful tenderer would not be disclosed to the public.

If the Council had a request for information about unsuccessful tenderers the Council may refuse to disclose this information. Section 43 of the Freedom of Information Act 2000 allows the Council to refuse to disclose information if it deems it to be commercially sensitive. Where a public authority is satisfied that the information requested is a trade secret or that its release would prejudice someone's commercial interests or that of itself, it can only refuse to provide the information if it is satisfied that the public interest in withholding the information outweighs the public interest in disclosing it. In relation to the above examples the Council is justified in not disclosing the details of unsuccessful tenderers as the information about a successful tenderer and the associated costs are the only relevant information which should be in the public domain. Also disclosure of an estimation of costs for works or services prior to going out to tender would not be in the public interest as it is in the public interest for the Council to be prudent when spending rate payers money.

Personal Information

The Council has to have regard to the Data Protection Act 1998 which prevents personal data from being disclosed without a fair and lawful reason for doing so. Personal data is any recorded information about a living individual that can be identified from that data and other information, which is in the possession of the Council. To disclose personal information without a fair and lawful reason could constitute a breach of the Data Protection Act, and the Council could be subjected to an investigation by the Information Commissioners Office. Therefore certain items involving personal information would be dealt with in confidence and redacted from Council minutes where appropriate.

If an individual breaches the Data Protection Act they can be subject to a criminal prosecution.

Legal and Land

Matters involving court proceedings or legal challenges should be dealt with in confidence to avoid prejudicing the Councils or another party's position in respect of those matters. Matters may also be subject to legal professional privilege which would prevent disclosure.

Matters involving the sale and purchase of land should also be dealt with in confidence as the premature disclosure of such information could prejudice the Councils interests in securing the best commercial outcome.

Conclusion

Any items which are recommended by Officers to be dealt with "In Committee" are thereafter available to the public with relevant redactions to ensure no information is included that would ordinarily be exempt under the Freedom of Information Act or the Data Protection Act. Therefore the majority of the information dealt with in confidence is available to the public.

Wrongful or negligent disclosure of information by the Council can expose the Council to legal challenges, adverse publicity, and an investigation by the Information Commissioners Officer who can fine an organisation up to £500,000 for any breaches.

Where Members wish to have any Officer recommended "In Committee" matters dealt with in open session they should state the fair and lawful reasons for their request.

Proposed by Councillor Brett
Seconded by Councillor Webb and agreed that

the report be noted.

NOTED: request for the report to be circulated to all Elected Members.

ACTION BY: Member Services

SUPPLEMENTARY ITEMS

3.21 G/MSMO/38 ROYAL BRITISH LEGION (BALLYCLARE BRANCH)

Correspondence was received, a copy of which was circulated, from the Royal British Legion (Ballyclare Branch) inviting members to the Annual Remembrance Day Service and Parade on Sunday 13 November.

The Service would be held at the Royal British Legion on Avondale Drive at 10.20am followed by a parade to the War Memorial where an act of remembrance would take place.

Following the parade light refreshments would be served in the Royal British Legion.

Proposed by Councillor Webb
Seconded by Councillor Bingham and agreed that

that any member wishing to attend do so as an approved duty.

ACTION BY: Member Services

3.22 G/MSMO/38 ROYAL BRITISH LEGION (WHITEABBEY BRANCH)

Correspondence was received, a copy of which was circulated, from the Royal British Legion (Whiteabbey Branch) inviting members to the Annual Remembrance Day Service and Parade on Sunday 13 November.

The parade would assemble at Abbeyville Street next to the Royal British Legion premises at 2.20pm and the Service would be held at Whiteabbey

Presbyterian Church at 3pm followed by a parade to the War Memorial where an act of remembrance would take place.

Following the parade light refreshments would be served in the club rooms.

Proposed by Councillor Webb

Seconded by Councillor Bingham and agreed that

that any member wishing to attend do so as an approved duty.

ACTION BY: Member Services

PROPOSAL TO PROCEED 'IN CONFIDENCE'

Proposed by Councillor Maguire

Seconded by Councillor Hamill and agreed that

the following Committee business be conducted 'In Confidence'.

The Chairman advised that audio-recording would cease at this point.

Councillor Logue left the meeting.

IN CONFIDENCE ITEMS

3.17 'IN-CONFIDENCE' WM/FM/3 CORPORATE CAPITAL FLEET (VEHICLE & MOBILE PLANT) REPLACEMENT 2016/17

Antrim and Newtownabbey Borough Council currently operate a fleet of **112 vehicles** and **380 mobile plant** items. These vehicles and mobile plant items are employed in a diverse range of statutory and essential services for the residents of the Borough including waste and recycling, burials, parks maintenance and winter gritting.

The Fleet function has worked with Heads of Service and key managers to develop a fleet and mobile plant replacement programme for 2016/17, in line with the Council's Fleet Replacement Policy. The proposed replacement programme recognises business critical needs of the Council and requires value for money to be achieved.

It is essential that the Council continues with its annual replacement programme and a framework is now in place to ensure this.

Members are advised that the current provision in 2016/17 Capital Programme for fleet is £[REDACTED]. Officers have assessed the immediate fleet and

mobile plant needs and estimate the cost of replacement at £ [REDACTED] (see details below).

Vehicles

Waste Management	7 vehicles	£ [REDACTED]
Environmental Health	3 vehicles	£ [REDACTED]
Parks & Cemeteries	9 vehicles	£ [REDACTED]
Total Estimated Vehicles Cost		£ [REDACTED]

Mobile Plant Items

Parks & Cemeteries	42 mobile plant items	£ [REDACTED]
Total Estimated Mobile Plant Items		£ [REDACTED]

TOTAL ESTIMATED REPLACEMENT COSTS 2016/17 £ [REDACTED]

Officers have futureproofed this list and are satisfied through business case assessments that all vehicles and mobile plant are required to meet current and future needs.

The replacement schedule for 2017-19 would be reviewed and an assessment of the Council's position at that point would be brought to the Committee.

Additional Efficiency and Safety Features

Officers have examined high value fleet in other organisations and have found that it is good practice to protect such a valuable asset through the use of a Global Positioning System (GPS) and all round vision cameras.

The Council's fleet is currently valued at approximately £6M and to better safeguard and utilise this asset, it is proposed that the Council use this technology.

The technology is designed to preserve the safety of the asset and to facilitate enhanced vehicle management.

The implementation of both systems would result in:

- Improved vehicle asset protection and security,
- Maximisation of the utilisation and deployment of the council's fleet of vehicles,
- Reduced operating costs, such as wear and tear and fuel, insurance premiums and legal fees and claims from both employees and third parties,
- Informed decisions regarding driver training, vehicle purchase and identify where health and safety improvements can be made,
- Strengthen safety compliance and mobile workforce security,
- Improved customer service,
- It is proposed that all new and relevant vehicles would be purchased /leased with this technology and that the pertinent technology is fitted to existing fleet,
- Monitor and develop driving skills.

It is proposed that GPS be installed in all 112 Council vehicles and that the all-round vision camera be installed in the 30 Council vehicles which are over 12 tonnes.

The estimated cost to purchase and maintain the GPS and all round vision cameras is approximately £[REDACTED].

Budgetary Provision

As set out above there is £[REDACTED] in the Capital Programme in the current year. Officers are currently working on 2017/18 estimates including a budget for fleet replacement.

The total cost of vehicles plus GPS and all round vision cameras exceeds the annual budget, however it is anticipated that procurement would straddle the 2016/17 and 2017/18 financial years and costs can therefore be met over this period.

If approved, it is proposed that the procurement exercise would include leasing and procurement options to replace vehicles, including some mobile plant items, and the normal tender report would be brought before Members for consideration.

The Director of Organisation Development responded to queries and confirmed that the tender report would be brought to Committee for consideration and approval.

Proposed by Councillor Brett
Seconded by Councillor Webb and agreed that

approval be given to the Capital Fleet Replacement Programme for 2016/17 at an estimated cost of £[REDACTED] and that, subject to consultation with the Trade Unions, GPS and all round vision cameras be purchased at an estimated cost of £[REDACTED] as outlined in the above budgetary provision, and that the normal tender report be brought to Committee.

ACTION BY: Liz Johnston, Head of Governance

3.18 G-LEG-14/35 IN CONFIDENCE LAND AT 65 O'NEILL ROAD, NEWTOWNABBEY

In August 2015 the Council received a letter from a solicitors firm on behalf of their client who owns land at 65 O'Neill Road, Newtownabbey. This land is on the site of the business known as Robert Hart Memorials. Their client and their successors in title have been in exclusive occupation of the lands since 1988.

It has transpired that part of the lands comprised in the above property are registered in the name of Newtownabbey Borough Council. The solicitor states that the boundary of the land has not been altered in any way and that the owners have been in exclusive occupation of the lands for in excess of twenty years without knowledge of the Councils title.

The solicitor intends to make an application under Section 53 of the Land Registration Act (NI) 1970 for the acquisition of the Councils title by possession. However in order to avoid such an application they have asked if the Council would consent to the transfer of its title to their clients.

Map 1 outlines the Council registered land within the site and was marked as "NBC" in red. Map 2 showed the area where the site was located. (maps circulated).

Officers looked into the possibility of purchasing the site as a potential extension to the nearby Carnmoney Cemetery but following testing the land was deemed not to be appropriate for burials. Therefore the site and the Council registered land within the site is of no usable value to the Council.

Land and Property Services valued the Council registered land at £[REDACTED].

As the said land has no usable value Officers recommend that the Council agrees to enter into negotiations with the landowner's solicitors to sell the Council registered land for no less than £[REDACTED] on the grounds that the Council would agree to the rectification of title.

This would be dealt with in-house by the Councils legal advisor.

Following enquiries from Members it was

Proposed by Councillor Brett
Seconded by Councillor Webb and agreed that

the item be deferred to the Council meeting to afford Officers the opportunity to consider additional information.

ACTION BY: Paul Casey, Legal Advisor

Councillor Logue returned to the meeting.

3.19 IN CONFIDENCE PD/180 ANTRIM AND NEWTOWNABBEY BOROUGH COUNCIL CEMETERY FEES

Background

Members are reminded that following an update to Council last month about Carnmoney Cemetery provision, it was agreed to review the Cemetery Fees pricing policy through a report to the October Policy & Governance Committee.

Current Capacity for Burials – By Cemetery

For information, the following table outlines the estimated remaining capacity for new burial plots by cemetery:

Cemetery	Est. Remaining Capacity
Belmont/Sixmilewater (ext. at Belmont)	15 years
Crumlin	12 years
Ballyclare	12 years
Rashee	20 years

As previously reported, Carnmoney has the least burial capacity with 10 traditional plots remaining and 6 plots provided for within the pilot subterranean system, giving a total of 16 plots.

Subject to planning, and other considerations, the potential for a further 15 plots (possibly 20) will be created, by the removal of a small number of trees and this is being explored.

On completion of the work underway, Carnmoney north east will provide approximately 6 months of new burial space under current projections (by April /May 2017).

The new cemetery at Ashley Road is projected to open late in 2018 and is subject to planning, land purchase etc. and the council has decided to address the anticipated gap period by using land at Carnmoney south west (unsuitable for traditional burials), through the acquisition of the subterranean system currently being piloted at Carnmoney to gain additional plots. Approximately 200 plots will be created through this system and the estimated cost is in the region of £ [REDACTED] (including fees and contingencies, removal of excavated materials off site, farmac surface paths, headstone plinths and turfing of top surface). Detailed site investigations will be required which may reveal unforeseen site conditions.

Members are reminded that in normal conditions this system costs two to three times that of a traditional system. However as the ground conditions are poor in Carnmoney south west a traditional grave system is not feasible.

Sale and Cost of Burial Rights

In March 2015 the Council considered the issue of:

- (a) Selling burial rights to Residents and Non-Residents and agreed that burial rights should continue to be sold to both.
- (b) whether to sell burial rights on demand (one plot only per person) or on death only and decided that, linked to the remaining capacity within each cemetery and provided that capacity is above 5 years, burial rights may be purchased on demand.

Members considered a number of options related to the alignment of cemetery fees, including the cost of 'burial rights' and 'first openings'. The agreed fees are noted below:

	Current Burial Right Purchase	Current First Plot Opening	Current Each Subsequent Opening
Resident Fee	£300.00	£280.00	£170.00
Non-Resident Fee	£900.00	£870.00	£520.00

At this stage the Council is mindful of the need to maintain burial capacity for its residents, particularly in Carnmoney Cemetery. It is therefore timely for Members to consider going forward if they wish to continue the practice of, and costs for, selling burial rights across the Borough to both Residents and Non-Residents.

Members may wish to consider to amend the current policy and provide for the sale of burial rights to both Residents and Non-Residents were the capacity is less than 10 years.

Members may also wish to consider the following options:

Option 1: Leave 'as is' and make no changes to the fees for burial and the selling to residents and non-residents in line with the current policy.

Option 2: Continue to permit non-residents to purchase burial rights on demand and increase the costs for Non Residents, comparable to Belfast City Council, as follows:

	Current Burial Right Purchase	Current First Plot Opening	Current Each Subsequent Opening
Resident Fee	£300.00	£280.00	£170.00
Non-Resident Fee	£900.00	£870.00	£520.00
	Proposed Burial Right Purchase	Proposed First Plot Opening	Proposed Each Subsequent Opening
Non-Resident Fee	£1500.00	£1300.00	£1000.00

Proposed by Councillor Brett
Seconded by Councillor Maguire and agreed that

Council adopt Option 2 and it was agreed that the Council continues to sell burial rights on demand (one plot only per person) and amends the capacity element within the policy for each cemetery to 10 years, burial rights may be purchased on demand.

NOTED: request from Councillor Bingham for a copy of the Cemetery Bye-Laws.

ACTION BY: Andrea McCooke, Director of Organisation Development

PROPOSAL TO MOVE OUT OF 'IN CONFIDENCE'

Proposed by Councillor Kells
Seconded by Councillor Brett and agreed that

any remaining Committee business be conducted in 'Open Session'.

The Chairman advised that audio-recording would re-commence at this point.

ANY OTHER RELEVANT BUSINESS

In response to road safety concerns expressed by Councillor Kells in the Carnbeg area it was agreed that Officers would ascertain if any parking conditions were attached to the Planning Permission for the related facility and, if so, enforcement of same.

ACTION BY: John Linden, Head of Planning

There being no further Committee business the Chairman thanked everyone for their attendance and the meeting concluded at 7.53pm.

MAYOR

Council Minutes have been redacted in accordance with the Freedom of Information Act 2000, the Data Protection Act 1998 and legal advice.