

**A**

**Minutes of Meeting of Mid Ulster District Council held on Thursday 27 November 2014 in the Council Offices, Circular Road, Dungannon**

**Members Present:** Councillor Mallaghan, Chair (Presiding Councillor)

Councillors Ashton, Bateson, Bell, Burton, Clarke, Cuddy, Cuthbertson, Dillon, Elattar, Forde, Gildernew, Gillespie, Glasgow, Kearney, McAleer, McEldowney, McFlynn, McGinley, B McGuigan, S McGuigan, McKinney, McLean, McNamee, McPeake, Molloy, Monteith, Mullen, Mulligan, C O'Neill, J O'Neill, T Quinn, M Quinn, Reid, Robinson, G Shiels, Totten and Wilson (8.15 pm)

**Officers in Attendance:** Mr A Tohill, Chief Executive  
Ms Campbell, Director of Policy and Development (MDC)  
Mrs Canavan, Lead HR Officer  
Mrs Mezza, Marketing Communications Manager  
Mr Moffett, Change Management Officer  
Mr McLaughlin, Chief Executive (MDC)  
Mr O'Hagan, ICT Manager  
Mrs Kerr, Director of Finance (D&STBC)  
Mr JJ Tohill, Lead Finance Officer  
Mrs Smith, Council Business Manager (D&STBC)

**In Attendance:** Mr Tom Frawley, CBE, NI Ombudsman  
Ms Marie Anderson, Deputy NI Ombudsman  
Ms Jacqueline O'Brien, Director, NI Ombudsman's Office

The meeting commenced at 7 pm.

**C91/14 Apologies**

Councillors Buchanan and J Shiels

**C92/14 Declarations of Interest**

The Chair reminded members of their responsibility with regard to declarations of interest.

**C93/14 Chair's Remarks**

The Chair, Councillor Mallaghan, advised that at very short notice the Council was asked to give evidence to the DRD Stormont Committee which met in Enniskillen. Along with himself, the Vice Chair, Chief Executive and Adrian McCreesh, Chief Executive of Cookstown District Council attended the meeting. Omagh and Fermanagh Council was also invited to give evidence.

The assumption from the committee was that in relation to off street parking the Council would have an opportunity to increase revenue and it was news to the Committee that the Department of the Environment proposed to top slice from

central grants to local authorities an amount equal to the income received from off street car parking.

## **Matters for Decision**

### **C94/14      Receive and consider minutes of matters transacted in “Open Business” at Council meeting held on Thursday 23 October 2014**

Item C77/14 – Notice of Motion

Councillor Dillon asked if the DUP wanted to change their stance in relation to living wage given the recent comments made by party colleague S Wilson MP.

Councillor Ashton advised that as previously stated the Party’s issue was with regard to the actual process within the motion rather than the living wage itself.

Proposed by Councillor S McGuigan  
Seconded by Councillor Mulligan and

**Resolved**      That the Minutes of the Meeting of the Council held on Thursday 23 October 2014 (C74/14 – C85/14 and C90/14), transacted in “Open Business” having been printed and circulated were considered and signed as accurate and correct.

### **C95/14      Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Planning Committee meeting held on Monday 3 November 2014**

Proposed by Councillor Clarke  
Seconded by Councillor T Quinn and

**Resolved**      That the Minutes and recommendations of the Planning Committee meeting held on Monday 3 November 2014 (P19/14 – P25/14) transacted in “Open Business”, having been printed and circulated were considered and adopted.

### **C96/14      Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Policy and Resources Committee meeting held on Tuesday 4 November 2014**

Item PR61/14 - Charters and Borough Status Consultation

Councillor Glasgow stated that his comments related to those who have received the Freedom of the Borough being insulted if that status was taken away from them and asked for the minutes to be amended to reflect this

Remove the words ‘party colleagues’ and insert ‘those who have received the award’

Proposed by Councillor McLean  
Seconded by Councillor McPeake and

**Resolved** That the Minutes and recommendations of the Policy and Resources Committee meeting held on Tuesday 4 November 2014 (PR50/14 – PR61/14 and PR63/14), transacted in “Open Business”, having been printed and circulated, and subject to the foregoing amendment, were considered and adopted.

**C97/14 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Environment Committee meeting held on Wednesday 5 November 2014**

Proposed by Councillor B McGuigan  
Seconded by Councillor Cuddy and

**Resolved** That the Minutes and recommendations of the Environment Committee meeting held on Wednesday 5 November 2014, (E28/14 – E38/14 and E40/14) transacted in “Open Business”, having been printed and circulated were considered and adopted.

Councillor S McGuigan in referring to the presentations provided by the Amenity Council and Lough Neagh Partnership asked when the Council would be considering and making a decision on the requests contained within these presentations.

The Chief Executive stated that these matters will be considered and form part of the rates estimate process for 2015-16.

**C98/14 Receive and consider the minutes and recommendations of matters transacted in “Open Business” at the Development Committee meeting held on Thursday 6 November 2014**

Item D38/14 - Mid Ulster Good Relations Strategy and Plan

Councillor T Quinn asked for the undernoted amendments to the minutes: Date should read 1998 and quote ‘racism and sectarianism hinders growth and destroys the human spirit’.

Proposed by Councillor McNamee  
Seconded by Councillor C O’Neill and

**Resolved** That the Minutes and recommendation of the Development Committee meeting held on Thursday 6 November 2014, (D33/14 – D43/14 and D51/14) transacted in “Open Business”, having been printed and circulated and subject to the foregoing amendments, were considered and adopted.

**C99/14 Rural Development Programme**

The Chief Executive presented a report seeking members’ approval on the temporary appointment of councillors to the Mid Ulster Rural Development Programme Local Action Group.

The Chief Executive stated that Members would be aware of the recent announcement by the Minister for Agriculture and Rural Development on the NI Rural Development Programme 2014-2020, in which Mid Ulster would be allocated £10.6m. A timetable for Local Action Group (LAG) animation, application and appointment was prepared by DARD suggesting agreement of the LAG membership by 19 December with the LAG Board formed in early January. Under the Local Government Act 2011, the appointment of Elected Members to the LAG Board would be considered as positions of responsibility and nominated at the AGM in March 2015.

To deal with the interim period from January until 31 March 2015, Councils are requested to form a sub group of councillors to fill the positions on the LAG temporarily. DARD initially advised that the total numbers on the LAG Board should total between 12 and 18. At a previous meeting of the Development Committee Members suggested that the LAG Board for Mid Ulster should comprise of 25 giving councillors 12 positions on the LAG Board. DARD has advised that this is allowed. DARD has also asked that as far as is possible, the councillor positions on LAG Boards are filled in recognition that this is a rural group addressing local rural issues and that in as far as possible the overall composition of the group should be representative of the section 75 groupings in the rural area. Temporary appointments to a sub group would not be positions of responsibility and it is therefore recommended that Council agrees to form a sub group of 12 councillors by d'Hondt as follows:-

Sinn Féin 6; DUP 2; UUP 2; SDLP 2

Councillors appointed to these temporary positions would then be replaced on the 1 April 2015 by those appointed at the AGM through the normal council nomination process.

Proposed by Councillor Gillespie  
Seconded by Councillor McGinley and

**Resolved** That the Council accept the recommendation of the formation of a temporary sub group of 12 Councillors, selected by d'Hondt to fill positions on the LAG until 31 March 2015.

The Chair, Councillor Mallaghan, in turn sought nominations from party nominating officers to fill the required number of positions, following which the undernoted were nominated:

Sinn Féin 6;  
Councillors Clarke, Gildernew, McEldowney, S McGuigan, McPeake and J O'Neill

DUP 2;  
Councillors Burton and Forde  
UUP 2  
Councillors G Shiels and Reid

SDLP 2  
To be advised by nominating officer following the meeting

## **C100/14      Seminars and Conferences**

The Change Management Officer presented details of the undernoted conferences and sought approval for the attendance of members and officers, the payment of attendance fees and associated costs as incurred.

Equality & Diversity in Councils Conference on Tuesday 11 November 2014 in La Mon Hotel & Country Club, Belfast, 9am - 3pm, fee £40

Proposed by Councillor Clarke  
Seconded by Councillor B McGuigan and

**Resolved**      That retrospective approval be granted for attendance of one member and that the payment of attendance fees and associated costs as incurred be approved.

Agriculture & Food Conference: Implementing Going for Growth, Thursday 4 December 2014, Dunadry Hotel, Templepatrick, Antrim, 9am - 1pm, fee £125

Proposed by Councillor McLean  
Seconded by Councillor McEldowney and

**Resolved**      That the attendance of members and officers, the payment of attendance fees and associated costs as incurred be approved and that anyone wishing to attend to contact officers.

Spatial Planning Capacity Building Visit to Leitrim County Council: All Island Local Authority Forum, Friday 12 December 2014, Leitrim County Council, Carrick-on-Shannon, 10am - 3pm, according to numbers transport will be arranged

The Change Management Officer advised that event was organised for Fermanagh & Omagh and Mid Ulster District Councils only, with 10 places available per council. This will be delivered by Planners and Elected Members from Leitrim County Council.

Proposed by Councillor Glasgow  
Seconded by Councillor McGinley and

**Resolved**      That this issue be delegated to the Planning Committee.

## **Notices of Motion**

### **C101/14      Councillor McAleer – Funding FE Colleges**

Councillor McAleer in proposing the undernoted notice of motion expressed concern at major cuts to the Department of Employment and Learning's budget which may threaten funding to South West College. The Councillor stated that the Council should be speaking with one voice to ensure the funding cuts do not impact on the services provided to students, to industry and to those most at risk of social

exclusion. The College along with its campus in Cookstown and the service it has provided over the years to the district was something that we should all be proud of.

Councillor M Quinn in seconding the motion stated that the South West College provides a valuable service to many in the Dungannon and Coalisland areas. It has had a massive impact for those young people failed by the education system and is a way back in and provides an opportunity to get training and a job. Local businesses, particularly engineering, depend on the skill of those coming out of the college. We need to protect this asset.

*“That the Mid Ulster Council, given the vital contribution that Further Education Colleges make to the local and regional economy, liaise with the DEL minister and the Executive in a bid to ensure that proposed funding cuts do not impact on the services provided to students, to industry and to those most at risk of social exclusion.”*

Councillor McPeake spoke in support of the motion and the change in the downturn in the economy which was traditionally focused on construction. Now more effort needs to be put into manufacturing and should support anything that can lend itself to up-skilling to enhance the workforce.

Councillor Ashton agreed with the comments and said the college provides a great service for all of our young people and should be supported. The Councillor further stated that it was important to be realistic on all matters pointing to what was currently happening in the Executive, central government Departments being under extreme pressure and the announcement on the proposed closure of Loane House, which is now to go ahead. She added it was important the education section does not face the same cuts.

Councillor Reid supported the motion and stated that the college was important to all communities in the area and also to companies working with the college so that there is a wide variety of skills.

Councillor G Shiels stated that in Magherafelt there has been discussion around an engineering centre of excellence linked to universities and this avenue needs to be developed further.

Councillor Monteith commended the motion coming forward and stated that one aspect of the importance of the college to Dungannon and Cookstown is that it is a vital contributor to the local economy as it brings hundreds of young people into the towns and anything that the Council can do to support the retention of the capacity, students and staff should be done.

The Chair, Councillor Mallaghan, asked for clarification if ‘liaise’ meant write to or for a delegation to meet with the Minister.

Councillor McAleer stated that she would like a cross party delegation to meet with the Minister for Employment and Learning.

The proposal was put to the meeting and unanimously adopted.

## **IN COMMITTEE**

Proposed by Councillor Clarke  
Seconded by Councillor Bell and

**Resolved** That items C102/14 to C108/14 be taken in committee.

The press left the meeting at 7.30 pm.

### **C109/14 Duration of Meeting**

The meeting was called for 7 pm and ended at 9.15 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_



**B**

**Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Monday 1 December 2014 at 7 pm, in Cookstown District Council Offices**

<b>Members Present:</b>	In the Chair, Councillor Kearney (Chair)  Councillors Bell, Clarke, Cuthbertson, Gildernew, Glasgow, McKinney, Mallaghan, Mullen, T Quinn, Reid, Robinson
<b>Officers in Attendance:</b>	Mr Tohill, Chief Executive Mr Boomer, Area Planning Manager Mr O'Hagan, ICT Manager Mrs Grogan, Committee Services/ Senior Admin Officer (D&STBC)
<b>Others in Attendance:</b>	Ms Hilda Clements, Senior Planning Officer Ms Sinead McEvoy, Principal Planning Officer

The meeting commenced at 7.00 pm.

**P26/14      Apologies**

Councillors McEldowney and McPeake.

**P27/14      Declarations of Interest**

The Chair reminded members of their responsibility with regard to declarations of interest.

**Matters for Decision**

**P28/14      Receive and Confirm Minutes of the Planning Committee Meeting held on Monday 3 November 2014**

Proposed by Councillor Cuthbertson  
Seconded by Councillor T Quinn and

**Resolved:** That the minutes of the meeting of the Planning Committee held on Monday 3 November 2014, (P19/14 – P25/14) were considered and signed as accurate and correct.

**P29/14      Transfer of Planning Accommodation and Related Costs**

The ICT Manager presented a report on the cost of transferring planning functions and sought approval to procure the necessary ICT equipment in line with Planning Service requirements. The Officer stated that planning is transferring little or no ICT equipment as their current equipment is owned by IT Assist.

The ICT Officer added that Council will be required to provide Planning Officers with fit for purpose equipment and resources to deliver the planning function for Mid Ulster. This will include computers and associated equipment for staff to logon to council

network as of April 2015. It is proposed to build the new infrastructure in the New Year and test the same in conjunction with planning staff to avoid disruption to service on transfer. The process will tease out anomalies and all the requirements for Council to deliver planning from an ICT perspective.

The cost of accommodating and making the necessary provision for planning within the Magherafelt Offices is estimated to be £100,000.

Councillor Gildernew enquired if this took into account equipment for Dungannon and Cookstown offices.

Councillor Mallaghan enquired how much financial assistance DOE would be giving.

The ICT Manager stated that once installed operators will be able to access programmes from any Council site.

Councillor T Quinn advised that he would be meeting the Minister for the Environment tomorrow and, if the opportunity arises, would bring up the questions raised.

Councillor Reid enquired if funding was being ring-fenced from the ICT Convergence expenditure.

The Chief Executive advised that DOE would provide some support for the setting up of offices, but this would most likely be a minimal amount and that the £100,000 is additional to the £760,000 leaving it a total of £860,000 for ICT overall. The Chief Executive stated that a request for a meeting to discuss funding is with the Minister and officers will continue to lobby for a meeting. The recommendation was for consideration at this stage, but a decision would need to be made by the 15<sup>th</sup> December.

Councillor Glasgow asked it to be recorded that himself, Councillors McKinney and Reid were totally against this cost and that the Ulster Unionist Party would be sticking by their decision of opposing such costs.

Proposed by Councillor Mallaghan  
Seconded by Councillor Gildernew

Resolved That it is recommended to the Council to grant approval to procure, through a competitive process, the necessary ICT resources for the delivery of the planning function.

The proposal was put to the meeting 9 (nine) members voted in favour and 3 (three) members voted against.

The Chair declared the proposal carried.

The ICT Manager left the meeting at 7.20 pm.

**P30/14 Paper on Housing Provision Requirements to inform Mid Ulster Local Development Plan Preparations**

Ms Clements presented a paper which provided an overview of the current housing situation in Mid Ulster Council area and to consider the housing requirements to 2030.

The paper provided:

- (i) the regional policy context for formulating Local Development Plan housing strategies and policies;
- (ii) a profile of the housing stock of Mid Ulster;
- (iii) an overview of the Housing Growth Indicators and how these can be notionally allocated; and
- (iv) an understanding of housing allocations, existing housing supply and the need for additional zoning.

The Area Planning Manager updated the Committee on affordability of housing and what best suits individuals. It was added that due to the economic downturn, particularly in the construction sector, people are finding it harder to get onto the property ladder.

The Area Planning Manager advised that in relation to tenure, type, affordability, occupancy and unfitness it can be concluded that:

- there is a need to provide a mix of housing types to meet the needs of smaller households (1-2 persons) as well as families;
- the private rented sector is primarily outside the scope of planning intervention other than through the control of Houses of Multiple Occupation;
- social housing can be addressed through the development management process provided there is a strategic policy on the development plan to facilitate this; and
- unfitness can be addressed through the provision of policies on renovation and improvement of dwellings.

Councillor Reid stated that there is a huge problem with zero hour contracts which is currently affecting a lot of people.

Councillor Clarke stated that in the rural area, when new builds and farmhouses were being constructed, it was usually family members in the construction trade that carried out the work which made homes more affordable. Over the years occupancy has dropped dramatically due to the economic downturn.

The Area Planning Manager advised that since 2008 there has been a dramatic decrease in people gaining employment with a high number migrating to try and get work across the water.

Councillor Gildernew expressed concern about how PPS21 has resulted in rural families having no option but to move into towns. He added that members of rural families cannot avail of sites being offered to them.

Councillor Bell felt it was encouraging to hear that there is room for scope as things can change. This Council needs to take into consideration social housing or areas for social housing, which in turn could result in the revival of the construction industry.

Councillor Mallaghan left the meeting at 7.45 pm.

The Chief Executive left the meeting at 7.45 pm and returned at 7.48 pm.

Ms Clements referred to the section on Accommodating Housing Growth and advised the allocation of housing growth to specific locations in a district is a matter for decision through the development plan process. In the allocation process, account must be taken of the roles and functions of each settlement, hubs should be given the primary focus for growth, the need to sustain rural communities living in smaller settlements and the open countryside should be recognised and small towns and villages should be consolidated and revitalised in their role as local service centres.

Councillor Bell referred to the demographics of Mid Ulster and the approach to date has been pushing rural communities to live in towns. PPS21 has failed the rural community who would need to be given the same respect as people living in towns.

Councillor Clarke agreed with Councillor Bell, the rural community will not be able to maintain schools, shops, post offices etc. Rural schools are being closed as people are not able to build in the rural area. The member further stated that during the building boom, people from urban areas built houses in the countryside but did not contribute to the rural way of living as they still sent their children to town schools and shopped in urban areas. Any policy being developed needs to look at and address such issues.

Councillor Robinson stated that there were a lot of facts and figures, really surprising that 50% of households only have 1 or 2 occupants therefore there should be flexibility, with smaller dwellings being built to accommodate everyone's needs. Councillor Robinson highlighted the attraction of people going to live where employment opportunities were coupled with better transport facilities.

The Area Planning Manager advised that there is a lot of zoned land in Dungannon, which has still yet to be utilised which will be very useful if the need for land arises.

Councillor Cuthbertson stated that developers are having problems building houses in villages due to the lack of investment in infrastructure such as water and sewerage.

Councillor Reid advised that people are downsizing through no fault of their own with some still living in the family home because they cannot get onto the property ladder. He added that smaller constructed houses would be an opportunity for such people. There is a need for a balance between rural and urban areas.

Councillor T Quinn stated that there was still 2,100 people waiting on social housing over the three areas and this issue needs to be addressed. The Member continued to say that it was most welcome that 58 new town houses were being constructed as social housing in Cookstown, but this was only a drop in the ocean as more needed to be done in urban and rural areas.

Councillor Bell advised that social housing needs to be in the same league as private developments as we do not want differences to be made.

Councillor T Quinn left the meeting at 8.30 pm.

In response to a query about statistics from NISRA, it was

Proposed by Councillor Bell  
Seconded by Councillor Reid and

**Resolved** That it be recommended to the Council that the Chief Executive liaise with the Chief Executive of NISRA on gaining up to date figures on Population statistics.

The Area Planning Manager advised that he would get a general consensus from Council members before it was finalised.

#### **P31/14 Planning Visit to Ayrshire Council**

The Area Planning Manager updated members on Planning visit to North Ayrshire Council and advised that it was very productive, even though in his opinion the DOE were equally as good.

The Area Planning Manager advised that he was very impressed with the paperless office as everything was approved online and felt that work completed by paper leads to endless errors and that he would like to investigate some options for the paperless office and bring back to a future Planning Committee.

Councillor Reid stated that he found the trip very beneficial and to experience the way members conduct planning in North Ayrshire was very impressive. He was disappointed by the bad publicity in the Belfast Telegraph relating to the trip and stressed that a message should be sent back to the Belfast Telegraph for publication on how productive the whole experience was.

The Chief Executive advised that a strong letter had been drafted and issued to the Editor of the Belfast Telegraph from the Chair.

Members asked that the Committee be kept informed of any outcome.

Councillor Glasgow wanted to pass on his thanks to the staff who arranged the successful study visit and members agreed that credit be issued to all staff involved.

#### **P32/14 Open Consultation List – Planning Reform and Transfer to Local Government – Proposals for Subordinate Legislation Phase 2: Closes on 31 December 2014**

The Chief Executive advised that after careful consideration, he was satisfied that no response be issued.

#### **P33/14 Co-operational Ireland – All Island Local Authority Forum Spatial Planning – Capacity Building Visit to Leitrim County Council 12<sup>th</sup> December 2014**

The Chief Executive advised that an invitation had been received from Leitrim County Council for 10 members to attend the capacity building event on 12<sup>th</sup> December 2014.

It was agreed that Louise Hall, Business Support Officer would seek availability of members to attend and in their absence another member could be nominated from their party.

**P33/14      Duration of Meeting**

The meeting was called for 7.00 pm and ended at 9.00 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

C



**Minutes of Meeting of Policy & Resources Committee of Mid Ulster District Council held on Tuesday 2 December 2014 in Cookstown District Council Offices**

**Members Present:** In the Chair, Councillor McPeake (Chair)

Councillors Ashton, Buchanan, Forde, Glasgow, McFlynn, McGinley, McLean, Molloy, M Quinn, Reid and Totten

**Members in Attendance:** Councillor G Shiels

**Officers in Attendance:** Mr A Tohill, Chief Executive  
Mrs Canavan, Lead HR Officer  
Mrs Mezza, Marketing Communications Manager  
Mr Moffett, Change Management Officer  
Mr O'Hagan, ICT Manager  
Mr JJ Tohill, Lead Finance Officer  
Mrs Smith, Council Business Manager (D&STBC)

The meeting commenced at 7.00 pm

**PR64/14 Apologies**

Councillors Elattar, S McGuigan and Mallaghan

**PR65/14 Declarations of Interest**

The Chair reminded members of their responsibility with regard to declarations of interest.

**PR66/14 Receive and confirm minutes of the Policy & Resources Committee held on Tuesday 4 November 2014**

Proposed by Councillor Molloy  
Seconded by Councillor McLean and

**Resolved** That the Minutes of the Meeting of the Policy & Resources Committee held on Tuesday 4 November 2014 (PR50/14 – PR61/14 & PR63/14) were considered and signed as accurate and correct.

**Matters for Decision**

**PR66/14 Occupational Health Services**

The Lead HR Officer stated that a report was brought to the Policy & Resources Meeting held on 4 November 2014 and Members requested further clarity and breakdown of use and purpose of the current Occupational Health Services in place within the existing Councils. The Officer presented a further report setting out the information and sought Member approval for the procurement of Occupational Health Services for Mid Ulster District Council.

Proposed by Councillor McFlynn  
Seconded by Councillor McGinley and

**Resolved** That it be recommended to the Council to approve the procurement of an Occupational Health Services for the Council.

#### **PR67/14 Integrated HR and Payroll System**

The Lead HR Officer presented a report the purpose of which was to seek approval to carry out a procurement exercise to purchase an integrated Time and Attendance, HR and Payroll software solution. The officer stated that moving forward to a single organisation across multiple sites the realisation of improvements in processes and integrated solutions where possible. The officer added that the continued operation of 8 stand-alone systems would prove difficult to manage and whilst the convergence of existing systems to three is being explored as a short term option, the strategic longer term objective would be to establish a single solution.

The Officer referred to a series of advantages for such a system with research showing that it could be deployed as a modular methodology through integrated components in order to meet the ongoing and future needs of the Council. The initial software costs of £50,000 have been budgeted within the ICT convergence budget for Mid Ulster District Council. Annual software and support fees are likely to be in the region of £15,000 per annum based on a 5 year agreement for the council. The support costs for maintaining the existing software systems currently cost £25,000 per annum.

Councillor McLean noted that research has shown that systems have the facility to add modules as things develop and stated that this was an important element.

In response to a question from Councillor Reid the Lead HR Officer stated that the cost has been budgeted for within the ICT convergence budget

Councillor McFlynn noted the reduction in annual maintenance costs, asked if the workforce would continue to clock in and if there would there be any reduction in the human resource element to operate the system.

The Lead HR Officer stated that a swipe system would be used and when staff swipe in or out it would automatically generate information needed. She added that given the increase in staff numbers from transferring services existing resources would continue to be required.

Proposed by Councillor McLean  
Seconded by Councillor McFlynn and

**Resolved** That it be recommended to the Council to approve the procurement of an integrated Time and Attendance, Payroll and HR software system.

#### **PR68/14 Conference and Seminar Attendance Policy**

The Chief Executive advised that this item was premature coming to the Committee and would be brought back to committee when following further discussions.

## **PR69/14      Transferred Functions Grant Regulations – Consultation Response**

The Lead Finance Officer presented a report seeking comment on the proposed Mid Ulster District Council response to The Department of Environment on the proposed methodology and associated draft regulations for the distribution to councils of funding to support the transfer of functions from central to local government as part of the Review of Public Administration. The consultation sought commentary on two questions; a rates neutral budget for transferring functions and proposed methodology for future funding. The officer recommended adoption of the draft response.

Councillor Reid asked if this included all transferring services. The Member made reference to a deputation, which he was part of, from the Council to the NI Assembly Regional Development Committee to provide evidence on functions transferring from DRD and the lack of member knowledge on the process.

The Lead Finance Officer stated that all services will be funded through the proposed mechanism.

The Chair, Councillor McPeake stated that he had attended the first meeting of the Partnership Panel and this consultation document was the main subject discussed. He indicated that all 11 councils represented at the meeting had the same concerns in relation to receiving adequate funding for transferring functions. The Member also referred to the due diligence review being undertaken by Deloitte on the proposed transferring functions grant.

The Chief Executive confirmed that the consultation is about the mechanism for how money will be transferred to councils. He confirmed that correspondence has been provided to the Minister seeking a delegation to meet with him on adequate funding and rates neutrality for transferring functions. He indicated that a response was outstanding but a meeting will continue to be sought.

Councillor McLean stated that everyone was aware for some time of the pending Review of Public Administration and the functions transferring. He added that what affects ratepayers and local government also affects MLAs. It was important for every political party to make representation to their MLAs to get situation resolved.

Proposed by Councillor McGinley  
Seconded by Councillor M Quinn and

**Resolved**      That it be recommended to the Council that response to the Department's consultation on the proposed Local Government (Transferring Functions Grant) Regulations (NI) 2015 is approved.

## **PR70/14      Website and Social Media Convergence**

The Marketing Communications Manager presented a report the purpose of which was to seek endorsement to the approach of converging existing digital media channels. The Officer highlighted that currently across the three councils there were 26 sites in operation. By establishing and applying a new, strong brand across the organisation, the Council would seek to minimise brand dilution and optimise positive

associations and impact on its reputation which can be derived from its complete range of services, functions and responsibilities. A reduction in the number of sites was required to allow a strategic approach for the management of the new Council's web and social media presence. The new approach proposes that, with the exception of a number of sites, all existing web based sites will be replaced by the new council web site and existing social media sites phased out as the council's new social media channels become live and gains momentum.

Recognised exceptions to this corporate approach would include local authority run commercial theatre and arts spaces and distinct visitor attractions. The suggested approach, therefore, would allow the Burnavon, Ranfurly House and, in the future, the Heaney Centre, to maintain separate web and social media channels, but with the creation and maintenance of clear linkages to Mid Ulster District Council through appropriate textual and graphic branding and content planning. Guth, the existing Irish language site, should remain in place and be considered in the context of the Council's development and implementation of a language policy.

Councillor Ashton expressed concern that if all sites merged together users could have difficulty sourcing the information required.

Councillor McLean agreed and stated that the website should have ease of navigation. The Member also referred to automatic answering services which was a faceless and very inappropriate system and expressed the need to have efficient, effective and user friendly systems.

The Marketing Communications Manager stated that with the clever use of URLs the public would be signposted to the information required. The Officer also stated that the web site structure has commenced and will be coming to Council in the New Year and that automation would not be an advocated approach.

Councillor McGinley agreed with the concerns expressed but felt if the website was managed effectively there are a lot of benefits in having a standard approach and overall mother brand.

Proposed by Councillor McGinley  
Seconded by Councillor M Quinn and

**Resolved** That it be recommended to the Council that the approach to the convergence of digital media channels is endorsed.

The Chair, Councillor McPeake, spoke in relation to the need for standardised approach for receiving, capturing and retrieval of Council minutes and papers.

The ICT Manager stated that there had been some initial discussion around the provision of a committee management and a document management paperless solution but this has not been prioritised. The Officer agreed to look at options and bring report to Council at the earliest opportunity.

In response to queries from Councillor Molloy it was agreed to streamline the naming of council and committee papers, inclusive of minutes and documents, being circulated to members by email.

Councillor McLean concurred with the remarks that there was a need for a system to retrieve, access and review council and committee document papers issued to members.

#### **PR71/14      Customer Services Policy**

The Marketing Communications Manager presented a report on the introduction of a Customer Service Policy for Mid Ulster District Council. As an organisation committed to a customer-focused approach to its work, the Council requires a Customer Service Policy and associated procedures, including those for handling complaints, which supports this commitment and communicates the standards expected from both staff and customers.

The Policy has been created to reflect key elements contained in the Customer Service Excellence Standard and the 'framework for effective complaint handling' which is recommended by the Northern Ireland Ombudsman. The policy seeks to create an organisational culture which focuses on the needs of customers, both internal and external, in the design and delivery of services, which values customer views and will listen to and act upon them.

Proposed by Councillor Molloy  
Seconded by Councillor McGinley and

**Resolved**      That it be recommended to the Council that the Customer Service Policy is adopted.

#### **PR71/14      Residents' Magazine and Marketing Activity**

The Marketing Communications Manager presented a report seeking the endorsement of arrangements for a residents' magazine and to consider wider marketing activity to support the Council's operational launch.

Distribution of the first Mid Ulster District Council magazine will take place to some 47,000 households during the week beginning Monday 30 March 2015. The distribution of the magazine has been timed to coincide with the Council assuming full operational responsibility for service delivery to take the opportunity to introduce and build awareness of the Council's brand.

Content will range from information on the Council and Councillors, together with new responsibilities, specifically planning, the 2015-2016 rate and the new corporate plan to the new telephone number, web site, events and stories around key, current and relevant services, highlighting changes, and confirming no change where appropriate. Planned media and social media activity will support the Council's launch, contributing to brand building and the communication of key messages in this initial period.

Design, print and distribution costs for a 16 page magazine delivered direct to all Mid Ulster District Council households will be approximately £12,000, which is within current budgets. To provide some modest additional marketing activity an additional £8,000 budget would be required.

Councillor Ashton stated that this was a very modest budget and asked what type of promotion would be used.

Councillor McLean expressed concern that bill boards would only target people in specific urban catchment areas whilst there was a large rural hinterland to be covered and queried how messages would be communicated to the most vulnerable in our society who do not necessarily come into contact with such marketing. The Member also spoke of the possibility of having business sponsorship in the magazine and asked if £12,000 will cover the cost of distribution.

The Chair, Councillor McPeake, declared support for the need to use bill boards in high usage areas to portray a positive image and the budget, as requested, would be acceptable.

Councillor Reid asked if a month of the billboards, only in main areas, was long enough to catch the public eye. The Member suggested using screen trailers and asked if this had been considered.

In response to Members question the Marketing Communications Manager stated that a combination of methods would be used to keep costs to a minimum. Different messages would focus on the new name, the telephone number and the new website, and with access to 60 bill boards across combined with press activity this would be adequate. Bill board advertising works within two week cycle blocks and the needs of rural area dwellers.

Proposed by Councillor McGinley  
Seconded by Councillor McLean and

**Resolved** That it be recommended to the Council that the arrangements for a residents' magazine are endorsed and that additional £8,000 is allocated to allow supporting marketing activity to take place.

**PR74/14      Data and System Convergence of Environmental, Regulatory and Building Control Services**

The IT Manager presented a report updating members on the convergence of ICT systems affecting Environmental Health (EH), Building Control (BC) and other Licensing and Regulatory functions and to seek approval for the convergence and recurring costs of Information systems within the referred functions.

The Officer advised that each council had its own management information systems (MIS) to maintain the EH, BC and Regulatory and licensing functions, and the new council would need to converge the systems and data from each into a single accessible solution. The Officer confirmed that the vast majority of the service's functions were covered by Tascomi as Councils have already aligned their MIS systems to ease the burden and complexity of migration when the new council establishes on 1 April 2015.

The Officer indicated that Building Control data was now within a single database, segregated with built in security features which will become one solution accessible by all officers at an agreed time when the appropriate staff are appointed. He added

that EH and Licensing has now commenced, and a proposed solution will permit online licensing.

The ICT Officer referred to a series costs which will be incurred as part of the convergence of systems which included:

Service	Cumulative Software Maintenance costs (£)	Transition
Building Control & property cert	£26,500	0
Dog Licensing	£3,075	1500
Environmental Health & LPS	£25,975	5150
Regulatory Licensing	£2,000	0
Online provision	£1500	0
Net Costs	£59,050	6650

The total recurring costs for Mid Ulster District Council in 2015-16 for software maintenance will be reduced by 5% from £59,050 to £57422.50.

Proposed by Councillor McLean  
Seconded by Councillor McFlynn and

**Resolved** That it be recommended to the Council to approve the convergence of Information systems and recurring costs within the Environmental, Building Control and Regulatory functions.

### **Matters for Information**

#### **PR74/14 Proposed New Non-Geographic Mid Ulster District Council Telephone Number**

The Marketing Communications Manager presented a report informing members of the new telephone number for Mid Ulster District Council. The Council agreed in October 2014 to introduce a single non-geographic contact telephone number from the 03 range, specifically intended for use by the public sector and not for profit organisations.

The Officer added that key to the successful implementation of any new telephone number would be its memorability and from the current 03 Gold range the most memorable is considered to be 03000 132 132 and as such has been reserved as the new number for Mid Ulster District Council.

As previously reported and agreed, the cost of purchasing the proposed 03 number is £3,000.

#### **PR75/14 Draft Local Government Reorganisation (Compensation for Loss of Employment) Regulations (Northern Ireland) – Consultation Response**

The Lead HR Officer presented a report informing members of a response to the “Draft Local Government Reorganisation (Compensation for Loss of Employment) Regulations (Northern Ireland) 2015” and indicated that the closing date for submissions was 5 January 2015.

The Officer indicated that the response would be forwarded to Unions for their views/ commentary prior to submission with the DoE

**PR76/14      Open Consultation List**

Executive Arrangements Guidance and Draft Constitution Framework	Closes: 19 December 2014
The Proposed Revocation and Remaking of the Local Government (Accounts and Audit) Regulations (Northern Ireland) 2006	Closes: 12 January 2015
Local Government Pension Scheme (NI) 2015 - Consultation on cost control arrangements	Closes: 30 January 2015
Commissioner's Guidance on the NI Local Government Code of Conduct for Councillors	Closes: 30 January 2015

**IN COMMITTEE**

Proposed by Councillor McGinley  
Seconded by Councillor McFlynn and

**Resolved** That items PR77/14 and PR78/14 are taken in committee.

**PR79/14      Duration of Meeting**

The meeting was called for 7.00 pm and ended at 8.00 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_



**D**

**Minutes of Meeting of Environment Committee of Mid Ulster District Council  
held on Wednesday 3 December 2014 in Cookstown District Council Offices**

<b>Members Present:</b>	In the Chair, Councillor B McGuigan (Vice Chair)  Councillors Buchanan, Burton, Cuddy (7.17 pm), Cuthbertson, Gillespie, Mallaghan, McAleer (7.08 pm), McFlynn, McGinley, S McGuigan, McNamee, Mullen (7.08 pm), Mulligan, J O'Neill
<b>Officers in Attendance:</b>	Mr Tohill, Chief Executive Mrs Caldwell, Head of Environmental Health (CDC) Mr Cassells, Director of Technical Services and Leisure Services (MDC) Mr Hall, Head of Audit, Risk and Governance (CDC) Mr Kelso, Director of Environmental Health and Building Control (CDC) Mr McAdoo, Head of Waste and Contracts Management (CDC) Mrs McClements, Director of Environmental Services (DSTBC) Mr Scullion, Head of Technical Services (CDC) Mr Wilkinson, Head of Building Control (CDC)  Miss Thompson, Committee Services/ Senior Admin Officer (DSTBC)

The meeting commenced at 7.02 pm

In the absence of Councillor Cuddy (Chairman), Councillor B McGuigan (Vice  
Chairman) took the Chair

**E41/14      Apologies**

None.

**E42/14      Declarations of Interest**

The Chair reminded members of their responsibility with regard to declarations of  
interest.

**E43/14      Receive and confirm minutes of the Environment Committee  
meeting held on Wednesday 5 November 2014**

Councillor J O'Neill requested that the minute be amended to read:

Item E36/14 Receive and consider paper on status of Building Control Service  
Convergence across existing Councils

Councillor O'Neill made reference to the hand delivering of documents by Council officers and representatives of other agencies.

Proposed by Councillor Mulligan  
Seconded by Councillor S McGuigan and

**Resolved** That the Minutes of the Meeting of the Environment Committee held on Wednesday 5 November 2014 (E28/14 – E38/14 and E40/14) were considered and subject to the foregoing amendment were signed as accurate and correct.

## **Matters for Decision**

### **E44/14      Eco-Schools Programme**

The Chief Executive asked that Members note the content of the report being presented tonight as the request for financial support contained within it is only one of many received from outside bodies and will be considered collectively when setting budgets.

Mr McAdoo presented a report on the Eco Schools Programme which was developed in 1994 on the basis of the need for involving young people in finding solutions to environmental and sustainable development challenges at a local level. Currently across two of the three Council areas all schools are registered on Programme with 98% of schools registered in the remaining Council area.

Mr McAdoo advised that the Eco Schools Programme is requesting support for 2015/16 at a cost of £1500 plus VAT.

*Councillors McAleer and Mullen entered the meeting at 7.08 pm*

Councillors B McGuigan and McFlynn spoke in support of the Programme and its benefits not only to schools but the wider community.

Councillor Burton enquired as to what the outcomes of the Eco School Programme were and how the current Recycling Officers will be designated in future.

Mr McAdoo advised that the outcomes of the Programme are difficult to measure but the response to the programme has been very positive. Designation of officers is still to be addressed and will be decided in the coming months.

Councillor Mulligan expressed concern that the level of support being requested from Mid Ulster District Council is double what is currently being provided to the Eco Schools Programme.

Proposed by Councillor S McGuigan  
Seconded by Councillor Mulligan and

**Resolved** That it be recommended to Council to note the content of the report and the request for financial support.

## **E45/14      Cyclical Fleet Replacement Programme**

Mr Scullion provided a report on the proposals for a rolling replacement programme for Mid Ulster District Council's vehicle fleet and associated diverse machinery.

Currently, the existing Councils operate a fleet of approximately 128 vehicles (excluding diverse machinery, plant and equipment). The fleet profile includes refuse vehicles, mechanical sweepers, tipper lorries, light commercial vehicles, 4x4s and items of diverse plant from ride-on mowers to diggers, mechanical dumpers and telescopic handlers. Refuse collection vehicles are the most expensive fleet assets, while the remaining fleet is utilised supporting service delivery within grounds maintenance/ parks, cemeteries, street cleansing, building maintenance, dog enforcement and other direct Council services.

Mr Scullion informed Members that the existing Councils do not have a scheduled fleet replacement programme and vehicles were replaced based on service need and availability of annual budgets. It is proposed to develop a rolling fleet replacement plan to replace vehicles at a stage in their lifecycle when maintenance costs increase significantly, vehicle efficiency decreases and the condition of the vehicle deteriorates. The criteria used for replacements has been determined by fleet age. For Heavy Goods Vehicles the replacement cycle would be eight years old, and for Light Goods Vehicles every six years in a rolling programme of replacements.

The proposed rolling programme requires a capital investment of approximately £5.5million over the next five years. Mr Scullion referred to previously circulated figures illustrating a breakdown of the anticipated spend per year based on the Net Present Value of vehicles:

	<b>Year1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
HGV's (£)	1,125,000	1,023,000	765,000	545,000	513,000
LGV's (£)	124,000	104,000	150,000	165,000	74,000
Diverse Machinery (£)	12,000	131,000	87,000	291,000	411,000
<b>Total per annum (£)</b>	<b>1,261,000</b>	<b>1,258,000</b>	<b>1,002,000</b>	<b>1,001,000</b>	<b>998,000</b>
<b>Total Capital profiled (£)</b>	<b>5,520,000</b>				

Due to the high average age of the current fleet and to realise the replacement cycle on a rolling basis it is necessary to phase the implementation through the service. From year four HGV's would be replaced every six years, whilst from year five LGV's would be replaced every eight years. From year three approximately £1million capital will be required per annum to cyclically replace and maintain the current fleet at the present level of service demand and vehicle mix.

It is proposed that fleet replacement be based on outright purchase financed through a central government loan charges paid off over the life of the fleet to realise the planned cyclical replacement programme.

*Councillor Cuddy entered the meeting at 7.17 pm*

Councillors B McGuigan and McNamee felt that details of future fleet replacement should be brought before this committee in the first instance.

The Chief Executive advised that procurement procedures are still being developed.

Councillor McNamee added that vehicles due to be taken out of service should not be replaced purely because of age and that consideration should be given to other relevant factors.

Councillor S McGuigan enquired as to whether there is opportunity for links with other Councils when purchasing vehicles.

The Chief Executive advised that there are options to explore this idea and that Members will be informed of any preferred method of procurement.

Councillors J O'Neill and Cuddy expressed concern that two of the three current Councils have taken steps to update their fleet.

Councillor Mulligan felt it is important to try to minimise the burden on the rates.

The Chief Executive advised that the Council is trying to avoid a dramatic rise in Rates in any one year by proposing this rolling replacement programme.

Councillor B McGuigan enquired whether maintenance of vehicles is currently outsourced or done in house.

Mr Scullion advised that two Councils currently complete this work in house while the other Council outsources the work.

The Chief Executive added that Council was currently in a transitional phase with existing arrangements to continue until such times as alternatives are put in place.

Proposed by Councillor Buchanan  
Seconded by Councillor McFlynn and

**Resolved** That it be recommended to the Council to endorse a rolling replacement programme for the Council vehicle fleet, subject to budget confirmation during the annual rates setting process.

**E46/14 Building Control and Land and Property Services Joint Working Programme**

Mr Wilkinson provided Members with an update in relation to the work of the Building Control and Land and Property Services Joint Working Programme. He said that, currently on a monthly basis each Council's Building Control Service provides information on new build/ construction for their council area to Land and Property Service on;

- Commencement Lists
- Completion Notices – Ready List

- Address Details
- Property Data Set and Occupancy Information

A Mid Ulster Building Control / Land & Property Services Working Group was established in June 2014, to ensure a consistent and structured approach was taken to refine the Pointer Database and to update the general address dataset for Mid Ulster District. The Working Group identified a number of key action points:

- Data Referencing / Land & Property Services
- Commercial Database Review
- 'New Build' Notifications
- Road / Street Name Standardisation
- Unverified Address Lists - Refinement
- Boundary Changes – Dungannon and South Tyrone

As part of the programme, each Council's Address Database is being reviewed and verified to enable redundant and historical information to be removed. A special focus has been placed on 'data cleansing', for each of the existing address databases in preparation for 1 April 2015.

Mr Wilkinson also advised that Land & Property Service has requested constituent councils to assist with the Non-Domestic Vacancy Control Programme focussed on ensuring all commercial business activities are 'Valued and Rated' for the purposes of rates collection, including dormant commercial properties which are re-occupied.

A number of Council's are currently working closely with Land & Property Services to deliver this programme. At the moment five of the eleven new cluster areas are currently undertaking non-domestic vacancy checks. As part of the process Land & Property Services identify a summary list of premises for review and then Building Control Services, in conjunction with other programmed work, complete a Premises Check List for the properties concerned. The completed reviews are returned to Land & Property Services to enable the commercial Rate Register to be updated and so provide additional Rate Revenue for Council, as additional contribution to the Local Penny Product.

The Non-Domestic Vacancy Control Programme is being piloted in Cookstown Council area. If Members are in agreement, it is proposed that the Vacancy Control Programme be further developed and rolled-out across Mid Ulster, to take effect from 1 April 2015, as part of new arrangements for Mid Ulster District Council.

In response to Councillor McNamee's question as to whether Councils are reimbursed for work undertaken on behalf of Land and Property Services Mr Wilkinson advised that Councils are not reimbursed. Councillor McNamee felt that Council should seek reimbursement for the work completed.

Councillor S McGuigan enquired as to the pitfalls and benefits to Council in undertaking the additional work being requested by Land and Property Services in relation to non-domestic vacancy checks.

Mr Wilkinson advised that the additional work will create an extra workload but will also provide for extra rateable income. Mr Wilkinson envisaged that more Councils are likely to undertake the non-domestic vacancy control checks in the coming months.

Councillor Mallaghan expressed concern in relation to the issuing of rates bills to homes that are deemed 'watertight' but are in reality uninhabitable and the additional pressure this puts on families trying to complete their homes which happens when a Completion Ready Notice is issued. Councillor Mallaghan felt that Council should be selective in the information being provided to Land and Property Services to enable a rates bill to be issued, Councillor McNamee concurred with these comments stating that as these houses are not habitable exceptions should be allowed.

Councillor Cuddy felt that the Building Control Service should be paying for itself or aiming to in the future and that going forward this should be a key performance indicator.

**Resolved** That it be recommended to the Council that a report be brought to the next Environment Committee on Completion Ready Notices.

**E47/14 Private Water Sampling taken by Environmental Health staff on behalf of Drinking Water Inspectorate**

Mrs McClements presented a paper seeking approval for existing working arrangements between the three Mid Ulster cluster of councils Environmental Health departments and the Drinking Water Inspectorate to continue in Mid Ulster District Council.

The Officer added that Environmental Health staff currently, through a voluntary agreement with the Drinking Water Inspectorate, collect water samples and undertake risk assessments of private water supplies. Councils are then reimbursed for undertaking these duties

Proposed by Councillor Gillespie  
Seconded by Councillor Buchanan and

**Resolved** That it be recommended to Council that the current voluntary agreement between the three Mid Ulster cluster of councils and the Drinking Water Inspectorate continue in Mid Ulster District Council.

**E48/14 Street Trading Fees**

Mrs McClements presented a paper in relation to establishing fees for Street Trading licence applications.

The Officer advised that Council is permitted to charge maximum fees sufficient to recover the full costs of administering the scheme but not including enforcement against illegal traders. Where the Council decide to charge a fee there is a legislative process that must be carried through:

- Proposed fees must be publicised in two or more newspapers circulating in the district.
- Council must give notice of the proposed fees to licence holders affected by the proposal.
- 28 days must be permitted for anyone to make a written representation concerning the proposed fees.
- Council must consider any such representations made and determine the fees.
- Having reached such a decision the Council must again publicise the fees in two or more newspapers in the district and notify all licence holders affected by the decision.

In setting the Street Trading fee the decision is made based on a cost recovery basis, designation procedure fees, review/ calculation of fees and the number of newspapers used for advertising.

Proposed fee calculations have made the assumption that it is year zero in relation to administration costs of the scheme as a new council and as such there are no outstanding deficits or surpluses which need to be taken into account from predecessor council administration of the Street Trading regime. The proposed fees can be summarised as:

<b>STATIONARY TRADERS</b>	Advertising in 2 papers	Advertising in 8 papers
Fee advertising costs, Application and Regulation costs	£173.47	£213.39
Advertising costs for designation of street	£23.45	£85.99
<b>Total Cost Per Licence (excluding designation costs)</b>	<b>£173.47</b>	<b>£213.39</b>
<b>Total Cost Per Licence (including designation costs)</b>	<b>£196.92</b>	<b>£299.38</b>

<b>MOBILE TRADERS</b>	2 papers	8 papers
Advertising costs – Fees/Application/Regulation	£173.47	£213.39
<b>Total Cost Per Licence</b>	<b>£173.47</b>	<b>£213.39</b>

<b>TEMPORARY TRADERS</b>	
Administration & Regulation Costs	£54.40
<b>Total Cost Per Licence</b>	<b>£54.40</b>

As the number of temporary traders to be licensed is currently not known and that an exact figure for corporate costs has not been included, but that the Council can recoup enough money (but not make profit) from licence fees to cover the cost of administering under the 2001 Act, it is proposed that, subject to a Council decision



on the number of newspapers to be used for advertising purposes the fees for Street Trading Licences for 2015 - 2016 be:

	<b>MUDC (2 papers used)</b>	<b>MUDC (8 papers used)</b>
<b>STATIONARY TRADER</b>	<b>£175</b>	<b>£215</b>
<b>MOBILE TRADER</b>	<b>£175</b>	<b>£215</b>
<b>TEMPORARY TRADER</b>	<b>£55</b>	<b>£55</b>
<b>VARIATION OF LICENCE</b>	<b>£70</b>	<b>£70</b>

Councillor Mullen enquired what the eight papers are which Council proposes to advertise in.

Mrs McClements advised that she would be aware of some of the eight newspapers but did not have a complete list available tonight.

On this basis Councillor Mullen felt that the committee would be unable to make a decision tonight on how many newspapers to advertise in until Members are aware of what the newspapers are. Councillor Mullen added that she is aware of thirteen papers circulating in the area.

Councillor Mallaghan expressed the need for an advertising policy to address issues such as this and in particular going forward to deal with planning issues.

**Resolved** That it be recommended to the Council to bring a list of papers in circulation across the Mid Ulster District Council area to a future Council meeting and defer decision on Street Trading fees until this has been considered.

## **Matters for Information**

### **E49/14 Health and Safety Audit on Waste and Technical Services**

Mr Hall provided Members with the outcome of an initial gap analysis on occupational health and safety management systems across waste and technical services within the existing councils and referred to a series of issues contained within a previously circulated report.

#### **Risk Assessment Processes**

In carrying out the risk assessment process some sources of information or inputs need to be considered, for example legal requirements, records of incidents and visitors to the workplace. The following issues were identified:

- All Councils had in place a fairly extensive suite of general risk assessments as regards Technical based operations; these did go a long way towards significantly addressing the high risk activities.

- Two Councils already use same General risk assessment format.
- Two Councils had extensive procedural documents in place to guide the risk assessment process across the spectrum of risks (*General, Manual Handling, Control of Substances and Hazards to Health (CoSHH) and DSE*)
- Some review and updating of existing procedural documents is required
- Some issues are yet to be addressed in all three Councils, for example noise
- Significant gaps were identified in not meeting legal requirements in one Council in there not being documented risk assessments for Manual Handling, COSHH

Mr Hall advised that it would be relatively easy to achieve alignment if Mid Ulster District Council adopts the processes, format and common documentation already in use within two of the Councils. He added that there was an opportunity to disseminate the completed assessments across Mid Ulster District Council as work practices are broadly common in these areas.

**It is recommended that the common documentation is put in place for Mid Ulster District Council.**

#### **Organisational Arrangements:**

Mr Hall advised that it is a legal requirement that a Health and Safety Policy exists and all three Councils do have in place a policy.

Two of the Councils had formal reporting structures in place to ensure that elected members, senior management and trade unions were kept informed about the suitability and adequacy of health and safety performance. One Council did not have in place a Health and Safety Committee which is a legal requirement if requested by unions.

Reporting arrangements for health and safety to elected members within Mid Ulster District Council has already been broadly outlined. There will be a need to establish the Terms of Reference and membership of a Mid Ulster Health and Safety Committee at an early stage.

**It is recommended that Terms of Reference for a Mid Ulster Safety Committee is prepared and a Committee put in place at an early stage.**

#### **Monitoring, Inspection and Review**

Inspections and reviews are a vital element of any safety management system to determine whether the standards set for the work activities are being met and to allow the identification of problems before they become more serious or result in an incident or accident. They also provide essential evidence to enforcers and as a claims defence that safety management is actively taking place. Some inspections are required by law such as lifting equipment, local exhaust ventilation and pressure vessels.

All of the Councils had inspection systems of one kind or another in place. Two of the Councils have a formal audit and inspection regime.

There is a need to agree and align the documentation used and the frequency rates of inspection increased in moving forward to Mid Ulster District Council.

**It is recommended that this be put in place.**

### **Training**

It is a statutory requirement that employees receive adequate training to allow them to do their job safely. Two of the Councils had in place a formalised training programme and while the other was more ad hoc the training in high risk activities was mostly evident. There was a gap in training in high risk activities in one Council as regards mobile and static street works and the reversing of refuse vehicles.

All of the Councils were fortunate to have managers in the Technical Services disciplines who had received formalised manager's safety training to an accredited standard.

While it is envisaged that the capacity training programme will contain elements of health and safety related training the opportunity exists immediately for greater use of an offer to cluster partners of safety related training and this should be built on.

There is a need for all of the Councils to identify the essential safety training requirements for each job role and to ensure the consistent delivery of the same.

**It is recommended that a role specific, health and safety related, training needs analysis is undertaken as soon as structures are embedded in Mid Ulster District Council.**

### **Measurement**

It was relatively easy for two of the Councils to measure their performance in relation to numbers of accidents and trends as they are using an IT system for the reporting and recording of accidents. While the system used is relatively simple in the short to medium term it is adequate and could be expanded out for use in Mid Ulster District Council.

**It is recommended to expand the existing IT system for use in Mid Ulster District Council in the short to medium term, and in the longer term a more comprehensive IT based Health and Safety system be introduced.**

Councillor McGinley enquired if one of the Councils appeared to be less progressive in relation to health and safety than the other two.

Mr Hall advised that as there was a past partnership in health and safety arrangements with two of the councils which is why their processes are similar however this is not to the detriment of the other council, which has in place different processes and procedures. Additionally the health and safety officer at this council is only part time.

*Councillor Buchanan left the meeting at 8.25 pm*  
*Councillor Mallaghan left the meeting at 8.27 pm*

Councillor McGinley asked if Council anticipates any barriers in carrying out a similar health and safety gap analysis across leisure related facilities as one is privately owned.

Mr Cassells advised that there have been no issues in the past at this particular site with regards to health and safety visits and that all required access has been given.

The Chief Executive stressed the importance of health and safety and advised that the Health and Safety Executive will be invited to present at a future meeting of committee.

*Councillors McAleer and Mullen left the meeting at 8.33 pm*

Proposed by Councillor McNamee  
Seconded by Councillor Cuddy and

**Resolved:** That it be recommended to Council to adopt recommendations as set out above. In addition, an examination of occupational health arrangements relating to health surveillance be carried out, a similar health and safety analysis be carried out across leisure related facilities and that existing health and safety policies be reviewed and a format developed for Mid Ulster District Council health and safety policy.

### **IN COMMITTEE**

Proposed by Councillor McGinley  
Seconded by Councillor J O'Neill and

**Resolved** That item E50/14 be taken 'in committee'.

### **E51/14 Duration of Meeting**

The meeting was called for 7.00 pm and ended at 8.37 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

**E**

**Minutes of Meeting of the Development Committee of Mid Ulster District Council held on Thursday 4 December 2014 in Cookstown District Council Offices**

**Members Present:** In the Chair, Councillor Burton(Chair)  
  
Councillors Forde, Mallaghan, McAleer, McNamee, Molloy, Monteith, C O'Neill, T Quinn, G Shiels and Wilson

**Officers in Attendance:** Mr Tohill, Chief Executive  
Ms Campbell Director of Policy & Development (MDC)  
Mr Cassells, Director of Technical Services and Leisure Services (MDC)  
Mr Glavin, Head of Leisure Services (CDC)  
Mr McCreesh, Acting Chief Executive (CDC)  
Mr McCrory, Head of Community Engagement (MDC)  
Mr McShane, Sports Services Manager(CDC)  
Mrs Forde, Mayor's PA/Member Support Officer (DSTBC)

The meeting commenced at 7pm

**D52/14 Apologies**

Apologies were received for Councillor McEldowney, Dillon and Reid. The Chief Executive advised that the Chairperson, Councillor Burton would be late.

**D53/14 Election of Chair for Meeting**

The Chief Executive sought nomination for a member to chair the meeting until the arrival of Councillor Burton.

Proposed by Councillor Wilson  
Seconded by Councillor Mallaghan and

**Resolved** That Councillor Forde Chair the meeting of the Development Committee of 4 December 2014 until arrival of Councillor Burton.

Councillor Forde took the Chair.

**D54/14 Declarations of Interest**

The Chair reminded members of their responsibility with regards to declarations of interest.

**D55/14 Deputation P Glasgow, Glasgowbury**

The Chair welcomed Paddy and Stella Glasgow, representatives of Glasgowbury to the meeting. The representatives showed a series of three video clips showcasing

their achievements and highlighting a rock festival at the top of Sperrins, which since inception had grown from 1000 participants at a cost of £1k to £250k with access of 5000 participants.

Video clips also showcased the Cornstore facility, highlighting workshops with children and adults with special needs. They explained they had worked with Autism NI and Downs Syndrom groups to deliver projects with special needs groups. They further highlighted that they had received funding in conjunction with BT to deliver Internet Confidence courses designed to encourage older generations to devices such as ipads. The representatives emphasising that the organisation was on a learning curve recognised that arts was a rapid growing industry in Northern Ireland, and organisations such as Glasgobury: Small but Massive needed investment to expand and continue delivering arts in rural communities.

The representatives tabled a brochure and confirmed they:

- had delivered creative projects in rural Mid Ulster since 2000;
- were managed by a core of 2 staff supported by self employed creatives and volunteers;
- governed by a Board of 7 Directors officially constituted in 2003;
- became a company limited in 2010 with charitable status since 2011;
- relocated to a landmark heritage site building, the Cornstore, Draperstown in 2013;
- had presented to DCAL, DARD and now Council on financial support; and
- had achieved recognition in being awarded UK Promoter of the Year Award.

In conclusion, the representatives advised that in its final year Glasgobury was 80% sustained and 20% externally funded with many students had gained invaluable experience working at the event. They added that it was hoped to bring The Cornstore to the same level. Mr Glasgow also made reference to praise received from the Probation Board and local justice agencies for their work.

The Chair thanked the representatives for the presentation.

Councillor Molloy remarked that he had been sorry that Glasgobury had stopped as he had personally attended the event, had found it professionally run, camped 50 yards from the gate next to families and it was an extremely safe environment. He added that it would be nice to have it back.

Councillor C O'Neill commended the representatives on the creative hub work, in particular asking about engagement with schools. The representatives spoke of their work during the Derry City of Culture year which involved visiting schools.

They also commented that they would like to become further engaged with schools and to have them use the centre, together with expanding work with special needs groups and those with behavioural issues. They further emphasised the wealth of experience students had gained in working on the Glasgobury event such as setting stages and sound systems.

Councillor Burton entered the meeting at 7.30pm

Councillor G Shiels remarked on the workshops designed for people with autism stating he had attended three different meetings during the week at which autism projects would be of great interest. In response the representatives spoke of the benefit of music therapy and lessons advising that they hadn't been pre trained but what they had engaged in had succeeded.

Councillor Forde thanked the representatives for the presentation following which they withdrew from the meeting at 7.35pm

#### **D56/14      Exchange of Chair**

Councillor Forde vacated the Chair and Councillor Burton assumed the Chair.

#### **Matters for Decision**

#### **D57/14      Receive and confirm minutes of the Development Committee meeting held on Thursday 6 November 2014**

Councillor Wilson asked for the undernoted amendments:

Page 5 of 'In Committee' minute item D48/14 that 10<sup>th</sup> paragraph meeting venue be amended from Greenvale Hotel to Mid Ulster Sports Arena. Also that in the 6<sup>th</sup> paragraph 'The Chair, Councillor Forde' be amended to read 'Councillor Reid' and noted that the statement was inaccurate.

Councillor Quinn clarified he had requested an amendment at the Council meeting on 27 November.

Proposed by Councillor Quinn  
Seconded by Councillor Forde and

**Resolved**      That the minutes of the meeting of the Development Committee held on Thursday 6 November (items D33/14-D43/14 and D51/14), were considered and, subject to the forgoing amendments, were signed as accurate and correct.

#### **D58/14      Consultation response to strategy for the delivery of Generalist Advise Services in Northern Ireland 2015-2020**

Ms Campbell advised that the purpose of the report was to consider a draft response to the Consultation Document, Advising, Supporting, Empowering - A Strategy for the Delivery of Generalist Advise Services in Northern Ireland 2015-2020. Ms Campbell highlighted the key issues noted in the response and asked members to consider the response for submission to the Department for Social Development covering a series of issues:

- The need to have an Advice Service that is accessible and of high quality;
- Individuals should be empowered to allow them to help themselves. However the use of self service and technological systems should not be introduced if the approach has a detrimental impact on the people within the district who



are in most need of generalist advice. The Council would strongly urge that resources should be focused on face to face and telephone service provision.

- Delivery approach for advice services should be aligned to avoid duplication and conflict;
- Advice to the most vulnerable must be free. Council would have concerns about advice providers being put under additional pressure to identify other sources of funding detracting from the quality of advice provision;
- Advice quality standard should be introduced across the Advice Sector; and
- The role of volunteers within the sector is essential. The Council agrees that their contribution to the sector must be fully recognised and their skills are used to full effect.

Councillor Monteith expressed concerns that there was no thought in the consultation document around specialist advice, stating people may need to obtain general advice on issues such as housing rights, mortgage issues, employment rights and as such they needed to be signposted to specialist advisers such as the Labour Relations Agency which were all Belfast based. He further stated that these questions had not been raised in the consultation document but Council should find a means of incorporating them into the response.

Councillor Monteith added that a mechanism was required to ensure those charities providing advice were not then involved with forming the policies surrounding it stating that the dynamics of one would dictate the other. Emphasis was made that funding and policy needed to be separated and policy makers needed the freedom to view with a critical eye.

The Chair, Councillor Burton, concurred with issue of specialised and quality advice.

Councillor Wilson in referring to specialised advice said it was very important and that as it was not included in consultation document it meant if services were tendered for in the future it could not form part of it. He stated that factors concerning specialised advice should be highlighted in the response.

Responding Ms Campbell stated that there was a box for any other comments in which she would include issues raised concerning specialised advice.

**Resolved** That it be recommended to Council that the response presented be submitted to DSD with the inclusion of concerns on specialised advice.

#### **D59/14      Development and Regeneration Forward Work Plan**

Ms Campbell presented a report giving a development and regeneration update. She drew attention to key issues included in the report and advised that the Local Economic Development Plan 2014-2016 was to date not fully developed and would be presented to a future meeting. With regard to a Good Relations Strategy and plan for Mid Ulster she advised that OFMDFM letters are to be issued to Mid Ulster in January 2015 and a draft plan would be subsequently prepared in the New Year for it to be finalised by February 2015.

## **D60/14      PEACE IV**

Ms Campbell presented a report giving an up on Peace IV and advised that to date no guidance on Peace IV had been issued but that Special EU Programmes Body (SEUPB) anticipates that the Programme will be approved by the Commission in May 2015. They therefore expect that Local Action Plans to be developed by May 2015, and submitted to SEUPB following this date.

In response to the Chair's question on the level of funding Ms Campbell advised that it is likely that SEUPB will be inviting Local Authorities, on behalf of a PEACE Partnership, to submit proposals for up to 100% funding under three areas:

- Children and Young People
- Shared Space and
- Building Positive Relations at a Local Level

Ms Campbell advised that Officers had requested a meeting with SEUPB to discuss a number of matters including partnership makeup, delivery mechanisms, budgets and new arrangements regarding vouching requirements but the body appeared reluctant to meet until after guidance had been issued. She further advised that until more information becomes available from SEUPB, the process of developing the PEACE IV plan will be agreed through Council.

Ms Campbell stated that information being gathered through the community planning consultation could be used to inform the Mid Ulster PEACE IV Action Plan. She emphasised that it was essential that the PEACE IV Action Plan be integrated with and compliment the Good Relations Action Plan.

## **IN COMMITTEE**

Proposed by Councillor Monteith  
Seconded by Councillor T Quinn and

**Resolved**      That item D61/14 – D67/14 be taken in committee.

## **D68/14      Duration of Meeting**

The meeting was called for 7pm and ended at 9.05pm in closing the meeting the Chair Councillor Burton on behalf of both the Chief Executive and herself wished everyone a Happy Christmas and prosperous New Year.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_

**F**

<b>Subject</b>	Attendance at Seminars & Conferences
<b>Reporting Officer</b>	Change Manager

<b>1</b>	<b>Purpose of Report</b>
1.1	To provide an update on seminars and conferences of relevance to members and officers of Mid Ulster District Council.
1.2	To seek approval for the attendance of members and officers, the payment of attendance fees and associated costs, as incurred.

<b>2</b>	<b>Background</b>
2.1	Three conference sessions are presented for consideration to agree member and/ or officer representation from Mid Ulster District Council. Details are provided at 2.1.1 - 2.1.3
2.1.1	<p><b>Guidance on the Code of Conduct: Elected Member Development Event</b></p> <ul style="list-style-type: none"> <li>Tuesday 16 December, Oxford Island Craigavon, 9.30am - 12.45pm</li> <li>Tuesday 13 January, Mossley Mill, Newtownabbey, 9.30am - 12.45pm</li> <li>Wednesday 28 January, Silverbirch Hotel, Omagh, 9.30am - 12.45pm</li> </ul> <p>Limited to 6 members per session from Mid Ulster DC</p>
2.1.2	<p><b>Performance Improvement – are you ready?</b></p> <ul style="list-style-type: none"> <li>Friday 30 January, Lagan Valley Island Complex, Lisburn, full day</li> </ul>
2.1.3	<p><b>Creative Service Delivery: Elected Member Development Event</b></p> <ul style="list-style-type: none"> <li>Wednesday 14 January, La Mon Hotel &amp; Country Club Castlereagh 10am – 1pm</li> <li>Thursday 15 January, Lough Neagh Discovery Centre Craigavon 10am – 1pm</li> </ul> <p>Limited to 6 members per session from Mid Ulster DC</p>

<b>3</b>	<b>Key Issues</b>
3.1	N/A

<b>4</b>	<b>Resources</b>
4.1	<b><u>Financial</u></b>
4.1.1	<b>Guidance on the Code of Conduct: Elected Member Development Event</b> No registration fee. Travel and subsistence expenses only
4.1.2	<b>Performance Improvement – are you ready?</b> £99 registration fee for shadow councils. Travel and subsistence expenses
4.1.3	<b>Creative Service Delivery: Elected Member Development Event</b> No registration fee. Travel and subsistence expenses only
4.2	<b><u>Human</u> – N/A</b>
4.3	<b><u>Basis for Professional/ Consultancy Support</u> – N/A</b>
4.4	<b><u>Other</u> – N/A</b>

<b>5</b>	<b>Other Considerations</b>
5.1	N/A

<b>6</b>	<b>Recommendations</b>
6.1	Consideration for approval is given to member and officer representation from Mid Ulster District Council

<b>7</b>	<b>List of Documents Attached</b>
7.1	Appendix 1: Guidance on the Code of Conduct: Elected Member Development Event (LGTG, NILGA and NAC)  Appendix 2: Performance Improvement - are you ready? (APSE)  Appendix 3: Creative Service Delivery: Elected Member Development Event (LGTG, NILGA and NAC)



## **REGIONAL ELECTED MEMBER DEVELOPMENT EVENTS**

# ***“Guidance on the Code of Conduct”***

**16th December 2014 - Lough Neagh Discovery Centre**  
**13th January 2015 - Newtownabbey (Mossley Mill)**  
**28th January 2015 - Omagh (Silverbirch Hotel, TBC - as part of a special NILGA Full Members Meeting)**

**Registration for all events - 9.30am**

Hosted by NILGA and NAC with support from the LGTG (Local Government Training Group), these events will build on the introductory training that members have received during their council induction programme.

We will look at the development of the regime of standards in public life that has underpinned the development of the Code of Conduct for Councillors, together with the role of the Northern Ireland Ombudsman in relation to the Code (draft Guidance just published) and how the Ombudsman's office sees that role being carried forward. The events will also draw on the experience from other jurisdictions, including Wales, where councillors have been operating under statutory codes for over twelve years.

### **DRAFT AGENDA**

<b>10.00am</b>	<b>Introduction - the development of the public sector standards regime</b>
<b>10.20am</b>	<b>Session 1 – Code of Conduct and role of the Ombudsman - <i>Northern Ireland Ombudsman</i></b>
<b>10.50am</b>	<b><i>Tea and coffee</i></b>
<b>11.00am</b>	<b>Session 2 - The Draft Guidance on the Code (<i>interactive</i>) - <i>Northern Ireland Ombudsman and attendees</i></b>
<b>12.00noon</b>	<b>Session 3 - Experience of Statutory Codes from other jurisdictions— Adjudication Panel for Wales</b>
<b>12.35pm</b>	<b>Concluding statements</b>
<b>12.45pm</b>	<b>Close and light lunch</b>

This **FREE** event is open to all Elected Members and Officers, but numbers are limited. For guidance, we ask each Shadow Council to nominate up to six representatives to attend. NILGA will also try to accommodate attendance from Members of the existing 26 Councils. Councils should complete the booking form on the reverse and return it to NILGA by emailing [m.newell@nilga.org](mailto:m.newell@nilga.org), at least **5 working days** before your chosen event.

# **“Guidance on the Code of Conduct”**

16th December 2014 - Lough Neagh Discovery Centre

13th January 2015 - Newtownabbey (Mossley Mill)

28th January 2015 - Omagh (Silverbirch Hotel, TBC - as part of a special NILGA Full Members Meeting)

## **Registration for all events - 9.30am**

### **BOOKING FORM**

#### **PLEASE NOTE:**

Places at this event are limited so early booking is recommended.

Contact name of person responsible for bookings \_\_\_\_\_

Council: \_\_\_\_\_

Email: \_\_\_\_\_

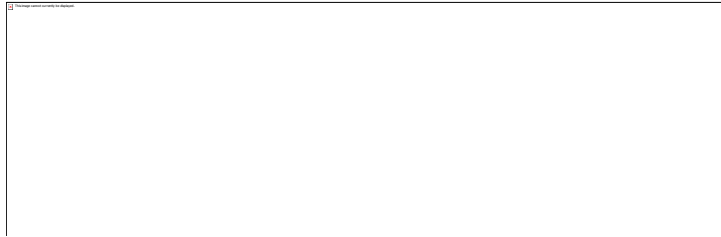
Contact telephone number: \_\_\_\_\_

#### **Council nominations**

Full Name	Title	Venue	Dietary / Special requirements

Please return to Michelle Newell at the NILGA offices at least **5 working days** before your chosen event, email: [m.newell@nilga.org](mailto:m.newell@nilga.org) or by post:

Michelle Newell  
NILGA  
Unit 5B Castlereagh Business Park  
478 Castlereagh Road  
Belfast  
BT5 6BQ  
Tel: (028) 9079 8972



Dear colleague

**Diary Notification - 'Performance Improvement – are you ready?' – APSE**  
Seminar in Lisburn on 30<sup>th</sup> January 2015.

Performance Improvement is one of the duties that the new local authorities will have to take on in April 2015. Although this is a council wide responsibility, performance improvement can only be delivered if everyone in the organisation understands it and is signed up to working towards it. The subject is further complicated by the fact that performance improvement can mean different things to different people and different organisations, so it is important to provide an organisational definition and message.

Chapter 12 of the Local Government Act introduces the duty and highlights the responsibilities of central and local government in broad terms. Clearly there is a lot of detail to be added to this both from the perspective of the Department and the new councils. There are a range of elements to a performance framework from the strategic definition, message and vision through to individual performance measures; from elected members asking the right questions of their senior officers to performance information being shared with partners and published on websites; and from performance data being fed into the annual budget exercise through to performance information being used as part of a business case for a specific investment, and much more. Networking, process benchmarking and the management of subsequent service improvements are further elements. All of these need to be in place to ensure a performance framework that is effective and that supports performance improvement.

Many local authorities in Northern Ireland have parts of such a framework in place and many individual officers and councillors understand what is needed. However some are more advanced than others and for some it will be a new topic. Bringing 2 ,3 or 4 councils together adds a further challenge.

The new councils and DoE have enough to do without the added stress of starting from scratch and setting up a performance framework. It is clearly more beneficial to learn from how others have gone about the process, the successes and mistakes they have experienced and the detailed work they have undertaken.

In order to support councils and education boards in Northern Ireland, APSE will be holding a seminar on 30<sup>th</sup> January 2015 in Lisburn addressing the following:-

- How performance improvement fits with the ethos of local government reform



- The role of elected members
- Benefits for members, staff and service users
- The role of the DoE
- The practicalities of data, targets, standards...
- What is an effective performance framework?
- Performance improvement at the service level

Workshops will highlight the role of performance management and benchmarking in a service context focussing on the specific nature of the service, some of the main elements of the service that should be monitored and how to use the data in service planning and improvement. They will look at the established models used within Performance Networks, created with input from service managers and used for 15 years by nearly 200 councils including some in Northern Ireland. The workshops will be run by experienced APSE associates and local authority managers who are experts in the service area, have applied the principles of performance improvement and are knowledgeable in the use of Performance Networks.

Workshops will run for the following services

Refuse and Street Cleansing	Facilities Management/ Catering/Cleaning	Planning / Building Control
Environmental Health	Cemeteries and crematoria	Transport and vehicle maintenance
Leisure / Cultural Services	Corporate performance	Grounds Maintenance and Parks

This is a must attend event for chief executives, senior managers and all involved in the development of a corporate performance framework. It is also vital training for service managers looking to embed performance management and benchmarking into their services and extend the culture to all officers.

A full agenda will be issued shortly. There will be a charge to attend this event. Please contact Phil Brennan at [pbrennan@apse.org.uk](mailto:pbrennan@apse.org.uk) if you have any questions

Kind regards

Phil Brennan  
Principal Advisor



## REGIONAL ELECTED MEMBER DEVELOPMENT SERIES

# “Creative Service Delivery”

**14th January 2015**

***La Mon Hotel & Country Club, Castlereagh***

**15th January 2015**

***Lough Neagh Discovery Centre, Craigavon***

**Registration for both events - 10.00am**

The pressure is on! The public sector is struggling to meet expectations and needs with shrinking budgets. Councils face reform costs beyond their control. Grants to councils are under threat and the public are told that new councils will deliver greater efficiencies.

***Can any or all of these circles be squared?***

Hosted by NILGA & NAC with support from the LGTG (Local Government Training Group), these two sessions give real examples of what councils have done to innovatively reduce costs yet deliver better services by looking at delivery in new ways - designing in customer services that continue to meet the public's needs within totally barren funding environments.

The programme is designed for council elected members, but will also be of major interest to:

- Council chief executives
- Council directors and other strategic managers
- Members of the Northern Ireland Assembly
- Senior managers in central government departments

### DRAFT AGENDA

10.00 am	<b><i>Registration and tea / coffee</i></b>
10.20am	<b><i>Introduction</i></b> By the National Association of Councillors
10.30am	<b><i>Innovation in England and Wales</i></b> Nigel Carruthers/ Adam Barker – Local Government Association
11.00am	<b><i>Social enterprises and out-sourcing</i></b> Councillor Colin Noble (Suffolk County Council)
11.30am	<b><i>Refreshment Break</i></b>
11.45am	<b><i>Innovative commissioning models</i></b> Richard Selwyn (Assistant Director Commissioning, Suffolk County Council)
12.45pm	<b><i>Panel - Questions and Answers Session</i></b>
1.00pm	<b><i>Close / Lunch</i></b>

This ***FREE*** event is open to all Elected Members and Officers. Councils should complete the booking form on the reverse and return it to NILGA by emailing [m.newell@nilga.org](mailto:m.newell@nilga.org), at least 5 working days before your chosen event.

# ***“Creative Service Delivery”***

***14th January 2015***

***La Mon Hotel & Country Club, Castlereagh***

***15th January 2015***

***Lough Neagh Discovery Centre, Craigavon***

***Registration for all events - 10.00am***

## **BOOKING FORM**

### **PLEASE NOTE:**

**Places at these events are limited so early booking is recommended.**

Contact name of person responsible for bookings \_\_\_\_\_

Council: \_\_\_\_\_

Email: \_\_\_\_\_

Contact telephone number: \_\_\_\_\_

### **Council nominations**

Full Name	Title	Venue	Dietary / Special requirements

**Please return to Michelle Newell at the NILGA offices at least 5 working days before your chosen event, email: [m.newell@nilga.org](mailto:m.newell@nilga.org) or by post:**

**Michelle Newell  
NILGA  
Unit 5B Castlereagh Business Park  
478 Castlereagh Road  
Belfast  
BT5 6BQ**

**G**

**Subject** Outcome of consultation on Equality Scheme & Disability Action Plan

**Reporting Officer** Dominic McCanny, Claire Linney, Anne Marie Campbell

<b>1</b>	<b>Purpose of Report</b>
1.1	To update Members on the outcome of the consultation on Mid Ulster District Council's draft Equality Scheme and Disability Action Plan.
1.2	To reflect on commentary received from consultees and consider for adoption the Equality Scheme and Disability Action Plan

<b>2</b>	<b>Background</b>
2.1	Mid Ulster Council has a statutory requirement to develop and implement an Equality Scheme under the auspices of Sec. 75 of the Northern Ireland Act 1998. Council also has obligations under Sec. 49a of the Disability Discrimination Act 1995, as amended by the Disability Discrimination (NI) Order 2006, to have a Disability Action Plan in place.
2.2	Council at its meeting on Thursday 28 August 2014 approved the commencement of a 12 week consultation period on its draft Equality Scheme and Disability Action Plan. This consultation period commenced in August and closed in November.

<b>3</b>	<b>Key Issues</b>
3.1	A series of measures were taken to maximise public engagement on the draft Scheme and Plan. Measures included; three consultation events within Cookstown, Dungannon and Magherafelt; accessibility of the scheme and plan on council's website; electronic communication with organisations on the scheme and plan consultee list; and postal communication with organisations which have opted not to receive electronic communication.
3.2	Submissions were received from 10 organisations as detailed within Appendix 1 some of which act as 'umbrella' organisations with extensive membership bases. Members of the public also attended the three engagement events held in Cookstown, Dungannon and Magherafelt in September 2014.
3.3	Commentary received on aspects of the Scheme and Plan complete with a recommended response on the same is detailed in Appendix 1.

<b>4</b>	<b>Resources</b>
4.1	<b><u>Financial</u></b> – N/A
4.2	<b><u>Human</u></b> – N/A
4.3	<b><u>Basis for Professional/ Consultancy Support</u></b> – N/A
4.4	<b><u>Other</u></b> – N/A

<b>5</b>	<b>Other Considerations</b>
5.1	N/A

<b>6</b>	<b>Recommendations</b>
6.1	That review the commentary received on the draft Scheme and Plan; the recommended responses on same; and consider for approval the draft Equality Scheme and Disability Plan, subject to acceptance of recommendations accepted by Council.

<b>7</b>	<b>List of Documents Attached</b>
7.1	Appendix 1: Comments received on Draft Equality and Disability Duties Scheme & Action Plan



### **Mid Ulster Council – Comments received to Draft Equality and Disability Duties Scheme and Action Plan**

The following report provides an overview of the comments received to the above consultations undertaken in relation to the Council's Equality and Disability Duties Schemes. This report is divided into three parts to aid dissemination.

#### **Part I – Good Relations Issues:**

A range of issues were expressed as to the position of Good Relations and its juxtaposition with the requirements of delivering the Equality Scheme Duties. The comments received from the various organisations are as follows:

Item No	Organisation	Page No
1	The Committee on the Administration of Justice ('CAJ')	3
2	Equality Coalition	3
3	Dungannon Equality Consultation Event	3
4	Equality Commission	4
5	Stakeholder Event held by LGSC on	6

#### **Part II – Responses to Equality Consultation**

The comments received from a range of organisations more specifically relating to the Equality Scheme are as follows:

Item No	Organisation	Page No
6	NIACRO	8
7	Cookstown Youth Committee	8
8	Dungannon Equality Consultation Event	9
9	Equality Commission	11
10	Committee on the Administration of Justice ('CAJ')	14



### **Part III – Responses to Disability Consultation**

The comments received from a range of organisations more specifically relating to the Disability Duties and Action Plan Scheme are as follows:

Item No	Organisation	Page No
11	Equality Commission	16
12	Cookstown Disability Forum & RNIB	17
13	Equality Consultation in Dungannon Council	20
14	Guide Dogs	21
15	British Deaf Association	22
16	Disability Action	23

### **Council held the following consultations or meetings**

Magherafelt Council Offices, 24<sup>th</sup> September 2014 – No one attended

Dungannon & STBC Offices, 24<sup>th</sup> September 2014 – In attendance; Cllr Sean McGuigan, Catherine McCrory LARG, Marina Sloane LARG, Loraine Griffin COSTA and Oliver Morgan GR Officer Council

Cookstown Council Offices, 25<sup>th</sup> September 2014 – In attendance; Mark Farquhar Shop Mobility, Jackie Cotton RNIB

Cookstown Council staff also met with the Chairs of the Super Stars Club, Cookstown (Disability), Cookstown Disability Forum and Cookstown Youth Forum, who had requested meetings.

Council also received feedback from a regional meeting sponsored by LGSC on 16 November 2014 and met with members of the Equality Commission on 20<sup>th</sup> November 2014.

## Part 1 - Comments received on Good Relations Issues:

No	Summary of Main Issues	Defining some of the issues for Mid Ulster Council	Issues to be considered for Mid Ulster Council
1	<p><b>The Committee on the Administration of Justice ('CAJ')</b></p> <p><b>Two main issues raised</b></p> <p>1: Define 'good relations' in the Equality Scheme (taking definition from s149(5) Equality Act 2010)</p> <p>2: Separate 'good relations' from EQIAs and screening (consistent with the existing legislation)</p>	<p>The debate on Good Relations splits into two key areas:</p> <ul style="list-style-type: none"> <li>i. Defining 'good relations' taking the definition from s149 (5) Equality Act 2010. This is GB legislation.</li> <li>ii. Separating 'good relations' from EQIAs and screening</li> </ul> <p>The CAJ and Equality Coalition are generally proposing that the Mid Ulster Council undertake this. In essence their views are that 'good relations' is being used to limit 'Equality of Opportunity' as outlined in the legislation.</p>	<p>As will be seen from defining the issues there are two views, the CAJ / Equality Coalition and the requirements to meet current S75 Duties, as required by the Equality Commission.</p> <p>If the Council are to adopt the CAJ and Equality Coalition's position the following should be noted.</p>
2	<p><b>Equality Coalition</b></p> <p><b>Two main issues raised</b></p> <p>1: Define 'good relations' in the Equality Scheme (taking definition from s149(5) Equality Act 2010)</p> <p>2: Separate 'good relations' from EQIAs and screening (consistent with the existing legislation)</p>	<p>The Equality Commission's position is that the ECNI model Equality Scheme is based on 2007 Good Relation's guide. The Commission has proposed a definition in legislation in the context of Together Building a United Community. However, it is up to the Council to decide if it wishes to change the current definition, as outlined in the Draft Equality Scheme.</p>	<p>The definition of 'good relations' as defined under the GB Equality Act 2010 means, "Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—</p> <ul style="list-style-type: none"> <li>(a) tackle prejudice, and</li> <li>(b) promote understanding.</li> </ul>
3	<p><b>Dungannon Equality Consultation 24<sup>th</sup> September 2014</b></p> <p>Equality and importance of this in relation to precedence of Good Relations and decoupling. Disability is a key example of this where action is targeted on equality and this is the precedent focus.</p>	<p>The Equality Commission will though review alternative arrangements, if the Council decide to decouple Good Relations from screening questions; however they point out under the current S75 legislation there is an interdependence of the duties to be</p>	<p><b>The relevant protected characteristics are—</b></p> <p>age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation."</p> <p>Good Relations as outlined under Section 75 of the N I Act, 1998 is "...without prejudice to this obligation, Public Authorities are also required to have regard to the desirability of</p>
4	<p><b>Equality Commission – Consultation event</b></p>		

	<p><b>24<sup>th</sup> September 2014</b></p> <p>A number of Councils raised with the Commission the response to the consultation that they had received from CAJ/Equality Coalition and asked the Commission position regarding this.</p> <p>Commission officers advised that the Commission's position remains the same: i.e. in summary that</p> <ul style="list-style-type: none"> <li>i. Definition of GR – there is one in ECNI model scheme based on 2007 Good Relations guide. Commission in context of TBUC is recommending a definition in legislation. Up to Council to decide if it wishes to change definition in current context or await legislative definition, if brought forward in TBUC.</li> <li>ii. Decoupling GR from screening questions – Commission's position remains the same as per model screening and EQIA guidance. Should an authority decide to present alternative arrangements the Commission will review it and determine if it sufficient equivalent to meet the duties. Interdependence of the duties to be remembered and may be cumbersome to decouple and introduce alternative GR arrangements. However completely up to authority to determine.</li> </ul>	<p>remembered, i.e. Equality considerations and Good Relations considerations.</p>	<p>promoting good relations between persons of different religious belief, political opinion, and racial group.”</p> <p>You will note the difference between the legislation in both jurisdictions, i.e. in Great Britain, Good Relations has a legal definition, (tackle prejudice and promote understanding) whereas it is not under NI legislation.</p> <p><b>However the Equality Commission's working definition is:</b>  “the growth of relationships and structures for Northern Ireland that acknowledge the religious, political and racial context of this society, and that seek to promote respect, equity and trust, and embrace diversity in all its forms.”</p> <p><b>If Mid Ulster Council wish to adopt the GB definition of 'Good Relations' there are the following to note:</b></p> <p>It is not possible to say, if the Council were challenged at law, whether the N I Judiciary would see parity between the two jurisdictions, particularly in light of 'the troubles'.</p> <p>Does the GB definition reflect the NI issues? What about 'reconciliation' being included in the definition or 'dealing with the past'.</p> <p>Should the Council also extend the Good</p>
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			<p>Relations Duty to include the entire GB 'Relevant Protected Characteristics' as outlined above?</p> <p>In order to establish a new definition of Good Relations some form of additional consultation framework is likely as the Council must still highlight the interdependence of the respective duties.</p> <p><b>Does Good Relations limit 'Equality of Opportunity?'</b></p> <p>Under the current legislation individuals have a right to make a complaint as to whether or not the public authority is meeting its Equality Duties. This has been done in the past, for example, in Omagh District Council in relation to the erection of a monument on Council property to 'Bobby Sands' (without permission) with a flag pole which at various times had the Irish National Flag on display. The Secretary of State at the time instructed the Council to conduct an Equality Impact Assessment. This was a Good Relations issue primarily, although it did impact on staff required to maintain the Council's property from an 'equality of opportunity' perspective.</p> <p>Therefore under current legislation there exists a procedure to 'challenge' the Council on whether or not it is promoting 'equality of opportunity'</p>
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			<p>The example above therefore shows evidence against the argument that Good Relations limits Equality of Opportunity.</p> <p><b>Other issues to consider:</b></p> <p>It is seen by many that the current guidelines may well need revising, however with no legal definition the Council must consider whether it wishes to define a new one as:</p> <ul style="list-style-type: none"> <li>• the definition will have to be agreed to by the Equality Commission</li> <li>• someone may issue a legal challenge to any definition</li> <li>• further ongoing consultation may be required so as to reflect the views of the various communities and to what extent should this apply</li> </ul>
5	<p><b>Stakeholder Event Consultation – held on 16<sup>th</sup> Nov 2014 by LGSC</b></p> <p>Good relations are of considerable importance as racism and sectarianism have potential to ‘erupt’. There is a need to look at Good Relations strategically.</p> <p>TBUC seen as providing opportunity for engagement.</p> <p>Importance of consistency of implementation across councils</p> <p>Importance of civic leadership and role of elected members.</p>	<p>A lot of the views expressed at the Stakeholder event are ‘strategically’ important. However, in implementing policy at this level, the TBUC strategy and defining what is meant by Good Relations will require further clarification.</p>	<p>Council will have to decide what pathway it wishes to follow in light of the views expressed.</p>

	<p>Uncertainty regarding proposed changes to impact assessments to assess Good Relations.</p> <p>Desire for a clear definition of Good Relations.</p> <p>Importance of properly defined Good Relations duty on public authorities.</p> <p>Any new definition is about 'shaping behaviours'</p> <p>A definition would give Councils clarity of actions.</p> <p>Support expressed for GB definition but include consideration of 'reconciliation'.</p> <p>Measures of Good Relations socio-economic not community issues</p> <p>Powers vested in an Equality and Good Relations Commission to promote Good Relations without a change to S75(2)</p>		
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## Part II – Comments Received as part of the Equality Consultation

6	NIACRO Submission	Officers View	Adoption by Council
6.1	<b>People with a Police Record</b> We recommend that the Council considers the additional barriers faced by people with a police record.	Council recognises the large number of people who have convictions.	<b>Noted</b>
6.2	<b>People with Conflict Related Convictions</b> NIACRO would recommend that Councils give due consideration to making decisions about suitability of those with conflict related convictions.	Council will as part of its recruitment procedures insert: “a conviction should not bar an applicant from obtaining employment, facilities, and goods or services unless that conviction is manifestly incompatible with the job, facility or service in question”	<b>Adopt</b>
6.3	<b>Disclosures and Checks</b> NIACRO recommends that, for the purposes of confidentiality, applicants should be able to disclose conviction related information confidentially; similar to the process used for equal opportunities monitoring	Council will deal with ‘Disclosures and Checks’ in a sensitive and confidential manner. Clear guidance will be provided to applicants that a criminal record check, or an AccessNI disclosure check, is a requirement before appointment.	<b>Adopt</b>
6.4	<b>NIACRO Disclosure Support</b> NIACRO offers support to organisations to address structural, legislative and attitudinal barriers faced by people with a police or criminal record and provides education and training.	Council will use the services of NIACRO in raising awareness of these issues, if required.	<b>Adopt</b>
7	Cookstown Youth Council	Officers View	Adoption by Council
7.1	Work experience is needed for young people / low achievers in addition to people with disabilities.	Council realises the issues that young people face particularly with today’s high unemployment rates. Council will consider this issue after conducting its Audit of Inequalities.	<b>Adopt</b>
7.2	Leisure services offer their facilities at a reduced	It is not possible to say at this time what discounts will be	<b>Adopt</b>

	rate to encourage using facilities. Is it possible to have free swimming lessons for a set period of time – (6 – 8) weeks?	made available. However, if concessions are granted they will operate across the Mid Ulster Council region at all relevant facilities.	
<b>7.3</b>	Appoint a champion to hear the views of S75 groupings	It is the intention to appoint a 'Diversity' champion so as to listen to the views and concerns of S75 categories, including young people.	<b>Adopt</b>
<b>8</b>	<b>Dungannon Equality Consultation Event</b>	<b>Officers View</b>	<b>Adoption by Council</b>
<b>8.1</b>	Consultation 3 times per year is good; ensure it is not at key holiday times.	Screening of policy documents and consultation will be done 3 times per year. The Council will avoid as far as is possible that no consultation will be undertaken during key holiday times.	<b>Adopt</b>
<b>8.2</b>	Consultation on the audit of inequalities important.	Council will consult on the audit of inequalities	<b>Adopt</b>
<b>8.3</b>	Screening and reviews Send email to inform that screening reports have been posted onto the website.	Council will communicate with consultees and will do so 3 times per year. We will do so normally by e-mail unless requested otherwise.	<b>Adopt</b>
<b>8.4</b>	Rural proofing should to be given consideration in relation to future equality and issues impacting on S75 in rural location specific.	Council is aware of the issues facing people living in a rural location and will be mindful of this in developing policies.	<b>Adopt</b>
<b>8.5</b>	Consultation and engagement should take account of rural locations.	Council is aware of the rural area it will now serve and is mindful of these aspects.	<b>Adopt</b>
<b>8.6</b>	Screening – important when screening policies for people with disabilities that different categories are addressed for example a Fire Evacuation policy should take account of needs of physical disability versus sensory. Someone who is blind should be able to self-evacuate and should not have to wait on assistance as their sensory leaves them capable of getting out of the building.	Council staff will be made aware of the different disability categories and the various specific needs of disabled people.	<b>Adopt</b>



<b>8.7</b>	Access to information Need to provide 15 days extension at end period if accessible format is requested to allow sufficient time.	Council will extend period when extension requested to allow sufficient time, apart from exceptional circumstances.	<b>Adopt</b>
<b>8.8</b>	Complaints; Re equality complaints important to keep people updated regarding the issue, if takes time to address remedial action keep updated on progress e.g. every few weeks	Council will enact its complaints procedure and keep individuals up-to-date on progress.	<b>Adopt</b>
<b>8.9</b>	Informal complaints should also be recorded as many people will not use the formal system but may say to a receptionist or an employee. Take responsibility within each service area to follow up.	Council will operate within its complaints procedures.	<b>Adopt</b>
<b>8.10</b>	Consultees Willowbank needs to be added to list and Sperrinview, Beacon Centre, Parkanaur, same as previous whilst the regional organisational representation is fine, it is the local users using the services and they are critical	Council recognises the importance of local users who uses Council services and that they have a critical role in consultations. The organisations as mentioned will be added to the Consultee list.	<b>Adopt</b>
<b>8.11</b>	Publicity Important strapline is on all publications that can obtain in alternative format.	Council will insert this on publications.	<b>Adopt</b>
<b>8.12</b>	Equality and Disability plans should be integrated into one with clearly DDA and DDO stipulated strongly within. Current practice of separation is weakening DDA and DD) compliance as often they are only within the Disability plan due to linkages of both and not therefore in the Equality Plan.	Currently the legislation is different for Equality and Disability Duties and Action Plan. Therefore the Council has to reflect the legislative process. Council has to meet the requirements of the different legislation and will continue to do so. However, we will hold Annual engagement events which should address any issues for people with disabilities.	<b>Adopt</b>

9	Equality Commission	Officers View	Adoption by Council
9.1	<b>General Comments</b> The Commission recommends that the Council reviews its consultee list on an annual basis to ensure that an up to date list is maintained.	The Council will wish to do this and will do so on an ongoing basis as any notifications for inclusion are made.	<b>Adopt</b>
9.2	The Council's equality scheme states at section 4.15 that, 'screening reports are published twice yearly' and at section 4.20 the scheme states that screening reports are 'published three times per year'. Either of these timescales may render the commitment at section 4.15 ineffective as policies may be implemented before consultees become aware of them and the associated screening decision. The Commission therefore recommends that the Mid Ulster Council equality scheme includes a commitment to <b><i>publish screening reports on a quarterly basis</i></b> as opposed to biannually or three times per year to ensure that section 4.15 can be implemented effectively where necessary.	<p>The Council has considered the time frame for issuing Screening Reports and following comments from the consultation process consultee's were satisfied with producing 'Screening' reports 3 times per year. It is the intention of the Council to make available 'Screened Policies' once they have been completed.</p> <p>The Council believes that producing 4 reports per annum creates a burden on consultees and this was reflected in their views.</p>	<b>Adopt</b>
9.3	<b>Section 4.31</b> The Commission recommends that the Council's equality scheme includes a commitment that, 'other information', is reviewed on at least an annual basis.	The Council will review 'other information on an annual basis.	<b>Adopt</b>
9.4	<b>Chapter 6</b>  <b>Section 6.3</b> The Commission recommends that the Mid Ulster Council equality scheme includes a commitment	The Council is committed to take account of existing and developing good practice. We will outline arrangements in our Equality Scheme for providing information to children and young people, people with learning disabilities and minority ethnic communities.	<b>Adopt</b>

	to take account of existing and developing good practice and an outline of the arrangements for providing information to children and young people, people with learning disabilities and minority ethnic communities.		
<b>9.5</b>	<b>Section 6.7</b> The Commission recommends that the Council provides more detailed information on its arrangements for ensuring public access to information.	Council is committed to ensuring that all of our services are fully accessible to everyone in the community across the S75 categories. The Council will produce information in alternative formats on request. In addition the website will be 'AAA' compliant. The Council will also detail arrangements for accessing information in its Publication Scheme.	<b>Adopt</b>
<b>9.6</b>	<b>Section 6.8</b> The Commission recommends that the Mid Ulster Council equality scheme includes a timeline for monitoring across all functions which should be at least on an annual basis in order to ensure that this monitoring is effective.	Council will ensure monitoring is effective on an annual basis.	<b>Adopt</b>
<b>9.7</b>	<b>Appendix 4</b> <b>Audit of Inequalities / Action Plan</b> Given the likely programme of work that will be required initially on mainstreaming the Section 75 duties using Screening and EQIA the Commission acknowledges that an action plan may be more usefully developed by the new Councils, post scheme submission. In these circumstances therefore a reasonable date for completion of this work should be noted in the equality scheme timetable of measures e.g. within 6 months of 1 <sup>st</sup> April 2015, post the 11 Councils taking on full functions.	It is the Council's intention to complete its Audit of Inequalities /Action Plan, however a 6 month timeline is restrictive in producing meaningful outcomes. Officers will complete this by 31 <sup>st</sup> December 2015 and have it adopted and implemented by 1 April 2016.	<b>Adopt</b>

9.8	<p><b>Screening / EQIA timetable</b></p> <p>The Council will need to develop all new policies which must be screened and subject to EQIA where appropriate. The Commission recommends that a timetable for screening policies is developed to ensure that this process is completed at the earliest opportunity and as effectively and efficiently as possible. If it is not possible to identify specific policy areas at this stage, the Commission recommends that the Council identifies broad functional areas to include a relevant timeline.</p>	<p>As there will be a large number of 'policies' developed these will be 'screened' and an EQIA timetable developed. These will be prioritised and those with greatest impact undertaken first. The number of policies requiring EQIAs will be reviewed on a monthly basis.</p>	<p><b>Adopt</b></p>
9.9	<p><b>Other consultee views</b></p> <p>We understand that all Councils have received the Committee for the Administration of Justice's (CAJ) submission to the 11 new District Councils in relation to draft equality schemes, and the Equality Coalition's paper on the same. As previously communicated, the Commission's position on this remains as follows:</p> <p>i. Definition of Good Relations</p> <p>There is a definition of good relations in the Commission's model equality scheme, based on our Good Relations Guide (2007). The Commission, in the context of Together Building a United Community (TBUC), will be recommending a definition in legislation. It is up to the Council to decide if it wishes to change the definition of good relations in the</p>	<p><b>See Part 1 of this document.</b></p>	

	<p>current context or await legislative definition if this is brought forward by TBUC.</p> <p>i. Decoupling Good Relations from screening questions</p> <p>The Commission's position remains the same as per our model screening and EQIA guidance. However, should a public authority decide to present alternative assessment arrangements the Commission will review these arrangements and determine if they are sufficiently equivalent to meet the requirements of the Section 75 duties. The interdependence of the duties needs to be remembered and it may be cumbersome to decouple and introduce alternative good relations arrangements. However, it is up to the Council how it wishes to proceed in this regard.</p>		
<b>10</b>	<b>Committee on Administration of Justice</b>	<b>Officers View</b>	<b>Adoption by Council</b>
<b>10.1</b>	CAJ would also recommend that the new equality schemes contain commitments to: publish Council screening templates online; take reasonable steps to inform consultees of same; and that audits of inequalities will be consulted on and also published.	Council will publish Council Screening templates online; inform consultees of same, either by email or post and that the audit of inequalities will be consulted on and published.	<b>Adopt</b>
<b>10.2</b>	Highlight need for training	Council will implement training of Equality and Disability Scheme Duties across the Council	<b>Adopt</b>
<b>10.3</b>	Ensure that consultation documents are easy to find on council website (put link on home page)	Council will ensure that consultation documents are easy to find and will have a separate Equality / Disability page for such aspects.	<b>Adopt</b>

<b>10.4</b>	Consultation over holiday periods is very difficult	Council is aware of this and will avoid consultation over holiday periods, except for exceptional issues.	<b>Adopt</b>
<b>10.5</b>	Complaints procedure – make it clear whether response times refer to working days or calendar days	Council's complaints procedures will refer to working days.	<b>Adopt</b>
<b>10.6</b>	Try to include deadline for turn round for accessible formats (though we appreciate that this can be difficult	We will include an indication of deadlines for people who require alternative formats once a request has been made.	<b>Adopt</b>

### **Part III – Consultation Responses Received Relating to Disability Duties and Action Plan**

11	Equality Commission	Officers View	Adoption by Council
<p><b>11.1</b></p> <p><b>11.2</b></p> <p><b>11.3</b></p>	<p><b>Draft Disability Action Plan (DAP)</b> There appears to have been some misunderstanding across many of the Councils about the need to include action measures in their Disability Action Plan. This may have arisen from our separate advice that a Section 75 action plan may be more usefully developed by new Councils, post scheme submission, and our advice that a reasonable date for completion of this work should be within 6 months of the new Councils taking on full functions. However this advice cannot apply to the action measures in a Disability Action Plan, as action measures in a Disability Action Plan are an integral part of the plan and it is a statutory requirement that these are included.</p> <p>In order to address this we would advise that you develop action measures for the new Council's plan by reviewing any outstanding or continuing actions in Councils' existing Disability Action Plans and then include any additional actions e.g. in relation to the collation and review of monitoring data, scoping out issues that could be addressed in the new Council's DAP. The action plan could be a short one covering the next 12 months and a more comprehensive plan developed once the new Council is established.</p> <p>The Commission strongly recommends that the Council consults on a Disability Action Plan which</p>	<p>The Council will adopt an action plan covering the first 12 months of the Council's operation and then consult further on a further plan extending to 2020.</p> <p>See above.</p> <p>See above</p>	<p><b>Adopt</b></p>

	includes action measures. We also advise that you supplement the current consultation with further information on action measures and submit a revised DAP. You can continue the consultation post submission and then re-submit another DAP once the consultation is complete.		
<b>12</b>	<b>Cookstown Disability Forum &amp; RNIB Mid Ulster</b>	<b>Officers View</b>	Adoption by Council
12.1	Inclusivity and accessibility are key aspects for people with disabilities. It is important that the Mid Ulster Council sets as a minimum standard BS8300:2009 +A1:2010 to the “design of buildings and their approaches to meet the needs of people with disabilities”. The Forum wishes that this standard is adopted for all of Mid Ulster Council buildings rather than Part R of the Building Regulations, which is a lower standard.	<p>Part R of the Building Regulations is the legal minimum standard for Building Control approval. BS:8300:2009 is a higher standard and provides additional benefits for people with disabilities in the access and egress of buildings.</p> <p>Council will endeavour to adopt BS:8300:2009 in its buildings and facilities, subject to practical implementation.</p>	<b>Adopt</b>
<b>12.2</b>	<b>Cookstown Disability Forum and RNIB:</b> To ensure inclusivity the Forum wishes to see that the Mid Ulster Equality Officer has specific training in universal accessibility provided by for example the University of Ulster.	Council will source this training for the appointed Equality Officer.	<b>Adopt</b>
<b>12.3</b>	<b>Cookstown Disability Forum and RNIB:</b> All Elected Members and staff including temporary or casual staff should be trained in disability awareness. In addition front line staff should also receive training in specific disability related practice from specialist	Council will wish to continue with training on disability and providing the training is sufficiently high quality will utilise the services of local disability trainers subject to procurement requirements.	<b>Adopt</b>



	disability providers. We would wish that in the first instance that this training should be resourced from disability organisations located in the Mid Ulster area. This would mean that local disability organisations can continue to employ people from the local area and that the local economy will also benefit.		
<b>12.4</b>	<b>RNIB</b> would want all front line staff to undertake Visual Awareness Training	Council will continue with this training.	<b>Adopt</b>
<b>12.5</b>	<b>Cookstown Disability Forum and RNIB:</b> Advocacy on behalf of the disabled constituency has been well developed with the Elected Members of Cookstown District Council and officers. We would wish this level of engagement to be continued and further developed, so that the issues impacting on disabled people remain high on agendas.	Council will wish to engage with the Forum and RNIB and any other locally based disability organisations on a regular basis.	<b>Adopt</b>
<b>12.6</b>	<b>Cookstown Disability Forum and RNIB:</b> Cookstown District Council currently holds an annual event not only to gather the views of people with disabilities but also to report publicly on the progress on meeting the actions contained in its Disability Duties and Action Plan. It is important that this is continued so that issues impacting on disabled people can be actioned.	Council will continue with this engagement process and hold 3 events in Cookstown, Dungannon and Magherafelt areas to facilitate people with disabilities.	<b>Adopt</b>

12.7	<p><b>Cookstown Disability Forum &amp; RNIB</b> wishes to see a twice yearly update to the Mid Ulster Council prepared by the Equality Officer, mapping progress against the actions contained in the Mid Ulster Disability Action Plan. This should be published on the Equality section of the website.</p>	<p>The Equality Officer will prepare a yearly report and publish this on the website.</p>	<p><b>Adopt</b></p>
12.8	<p><b>Cookstown Disability Forum &amp; RNIB:</b> Communication is vital for people with disabilities. At present Cookstown District Council website is compliant to W3C WAI-AAA standard which is the standard we would expect from Mid Ulster Council. What concerns us at this time is that the Mid Ulster District Council website is not compliant to this standard. It is essential that all of the Mid Ulster websites meet the W3C WAI-AAA standard and that the current site is upgraded to the required standard with immediate effect. It is also important that alternative formats are quickly made available for people with disabilities.</p>	<p>Mid Ulster Council note your concerns that the current website is not W3C WAI-AAA compliant. This is only a temporary website. The new website will launch on 1 April 2015 and will operate to W3C WAI-AAA standard from an access perspective.</p>	<p><b>Adopt</b></p>
12.9	<p><b>RNIB</b> – To further discuss the importance of accessible communication RNIB would wish for all communication to be compliant with current clear print guidelines, Arial font, size 14 in upper and lower case. We would want alternative formats made available when required for all communication, i.e. Braille, Large Print, Audio formats, e-mail.</p>	<p>When the Mid Ulster website is operational then individuals with adaptive technology will be able to size their fonts to their own specific needs. In relation to ‘Correspondence to the Public’ in paper format then we will ensure that Arial, font 14 will be our default. The Council will also make provision for Braille, Large Print, and Audio formats upon request. In relation to email correspondence, individuals will be able to resize these to their own specific needs.</p>	<p><b>Adopt</b></p>

<b>12.10</b>	<b>Cookstown Disability Forum and RNIB:</b> Cookstown District Council must be congratulated in providing 5 work placements per year for individuals with disabilities. This has provided 'real' equality of opportunity. Cookstown Disability Forum would want this expanded within Mid Ulster District Council to 20 individuals per year. The Cookstown scheme has proved to positively impact on those who have participated.	Council will (based on need) wish to provide up to 10 work placements per year for individuals with disabilities. We would envisage this being for 1 or 2 days per week for a 13 week period. No payment will be made to the individual however, reasonable travel expenses will be reimbursed.	<b>Adopt</b>
<b>12.11</b>	<b>Cookstown Disability Forum and RNIB:</b> We would also wish to have any future play facilities meet the standard set at Cookstown District Council's facilities at Fairhill and Coagh. These are really inclusive areas that children and young adults can enjoy as fully as their able-bodied counterparts.	Any new or substantially renovated play areas will be designed to meet the highest possible standards of safety and disabled play.	<b>Adopt</b>
<b>12.12</b>	<b>Cookstown Disability Forum and RNIB</b> have actively engaged in Council consultations. Our early considerations on disability matters have assisted for example, in influencing public realm schemes, like the Burn Road project. We would ask that our views continue to be sought on the development of all policies, initiatives and community planning, at the earliest opportunity.	Council will be delighted to continue with the high level of engagement with your organisation and looks forward to receiving the views of your members in the work that we do.	<b>Adopt</b>
<b>13</b>	<b>Equality Consultation in Dungannon Council 24<sup>th</sup> September 2014</b>	<b>Officers View</b>	Adoption by Council
13.1	Future action for a disability action plan is for Council to encourage representation of people under S75 and disability into public life positions and forums and groups	Council will both welcome and advocate for people with disabilities to have a representative role in public life positions, forums and groups.	<b>Adopt</b>

13.2	The Disability Duties and plan as above should be incorporated but should have focused consultation and representation	Council will undertake focussed consultation with people with disabilities so as to understand their needs and requirements.	<b>Adopt</b>
13.3	Training for disability should specifically state and include equality disability training and not just awareness training.	Council accepts this point and will ensure that this is undertaken.	<b>Adopt</b>
13.4	Local representation of equality views and users are important and this should then sit alongside regional representation however the former should take precedence as they are the beneficiaries and users of services and policy implications.	Council will factor disability and equality into the decision making process.	<b>Adopt</b>
13.5	DDO should encourage positive images of people with disability in public life and publicity and marketing should take account of this.	Council will wish to portray the positive contribution of people with disabilities and this will be reflected in our publicity materials, etc.	<b>Adopt</b>
13.6	Affirmative action in relation to disability is important and Councils are well placed to provide placements for people with disabilities which are of critical importance in any future plan.	Council will (based on need) wish to provide up to 10 work placements per year for individuals with disabilities. We would envisage this being for 1 or 2 days per week for a 13 week period. No payment will be made to the individual however, reasonable travel expenses will be reimbursed.	<b>Adopt</b>
13.7	LARG would welcome regular interaction with the new Council on disability and meet minimum annually.	Council would also welcome this interaction and looks forward to meaningful engagement on the issues impacting on people with disabilities from LARGs perspective.	<b>Adopt</b>
13.8	LARG currently looking at issues of hate crime; Council compiling an App and will make linkages with Group on this.	Council looks forward to hearing more on LARGs work on issues of hate crime.	<b>Adopt</b>
<b>14</b>	<b>Guide Dogs (as part of LGSC Consultation Event – 16 November 2014)</b>	<b>Officers View</b>	Adoption by Council
14.1	Need to speak to local people with disabilities about how to improve their access to services rather than only representative groups (charities are often advocacy groups with no real first-hand experience)	Council will wish to seek the views of people with disabilities who use our services to ensure their needs are reflected in our service delivery work.	<b>Adopt</b>

14.2	Emphasis was on joined up thinking and the role that Council could have with community planning particularly in regard to transport issues, the public realm and general accessibility. This would not only benefit people with disabilities.	Council recognises the need to 'equality proof' our Community Planning functions and will wish to hear from people with disabilities as this area of responsibility is developed.	<b>Adopt</b>
14.3	9 categories encourages thinking of people in groups – individuals cross many groups. We need to think of them just as customers	Using the 'Equality and Disability Scheme Duties' provides useful business insights as to the needs of our customers.	<b>Adopt</b>
14.4	Problems with services being affected by boundaries e.g. there have been difficulties using DART rural transport service because it is restricted by boundaries. Leads to isolation of people in rural communities.	Council is aware of this issue and will wish to work closely with neighbouring Councils and other stakeholders to address this type of issue for customers.	<b>Adopt</b>
14.5	Demographic change – ageing population so more people with vision / hearing degeneration etc.	Council recognises this fact and will wish to engage with the disability and age sectors so as to understand and progress the issues that impact on them	<b>Adopt</b>
14.6	Service provision for people with disabilities will also benefit other users e.g. sloped kerbs help people with prams and buggies as well as wheelchair users.	Part R of the Building Regulations is the legal minimum standard for Building Control approval. BS:8300:2009 is a higher standard and provides additional benefits for people with disabilities in the access and egress of buildings.  Council will endeavour to adopt BS:8300:2009 in its buildings and facilities, subject to practical implementation.	<b>Adopt</b>
14.7	Lack of joined up thinking between agencies.	Council's new power of Community Planning will go some way to ensuring good 'joined up thinking' to the benefit to people with disabilities.	<b>Adopt</b>
<b>15</b>	<b>British Deaf Association (as part of LGSC Consultation Event – 16 November 2014)</b>	<b>Officers View</b>	Adoption by Council
15.1	Must focus on accessible use	Part R of the Building Regulations is the legal minimum standard for Building Control approval. BS:8300:2009 is a higher standard and provides additional benefits for	<b>Adopt</b>

		people with disabilities in the access and egress of buildings.  Council will endeavour to adopt BS:8300:2009 in its buildings and facilities, subject to practical implementation.	
15.2	For many deaf people sign is their first language and English their second	Council recognises that sign language is a language which deaf people communicate with. Council will wish to ensure training in sign language is provided on a regular basis in particular for front line staff.	<b>Adopt</b>
15.3	Councils can help by keeping in regular contact with BDA staff.	Council will wish to ensure good communication with the BDA and will keep in regular contact.	<b>Adopt</b>
15.4	Provide advice for deaf people when advertising events e.g. whether a signer will be available or can be requested.	Council will make this information available and that a signer can requested for events. We have though in the past had difficulty in having signers attend events and we would ask that this is noted by BDA.	<b>Adopt</b>
15.5	Have sign provision on websites – access to websites is key priority.	Council will investigate this as we develop our new website. We will though wish to have our website to an AAA standard as the first alternative.	<b>Adopt</b>
15.6	Provide deaf awareness training	Council will do this on a regular basis particularly with front line staff.	<b>Adopt</b>
15.7	It is important for the Deaf Community to be informed of the forthcoming changes and what the effect will be.	Council will have an active engagement with the public as it commences operation on 1 <sup>st</sup> April 2015 and will liaise with the BDA to ensure good communication of the role we will now play in society.	<b>Adopt</b>
15.8	Contact details should include a Text phone and SMS number	Contact details will include a Text phone facility, SMS and Email details.	<b>Adopt</b>
15.9	Websites should be AAA.	The Council's website will be AAA compliant as from 1 April 2015.	<b>Adopt</b>
<b>16</b>	<b>Disability Action</b>	<b>Officers View</b>	Adoption by Council
16.1	Disability Action supports the NI Executive strategic priority directive contained in the NI Disability Strategy 2012 to 2015, that 'people with disabilities	Council is aware of the Executive's strategic involvement of people with disabilities. Learning from the work of the existing Councils, now amalgamating,	<b>Adopt</b>

	must be actively involved in the decision making process across Government' to influence policies and programmes which reflects the requirements of the United Nations Convention on the Rights of Persons with Disabilities and the Disability (Northern Ireland) Order 2006.	we will wish to actively engage with local forums, both formally by means of an annual engagement event and on a regular informal basis. Our experience illustrates that this model works very well in addressing issues quickly but also allowing disability organisations the opportunity of monitoring policy implementation.	
16.2	Disability Action believes that Disability Action Plans must include a commitment to actively involve people with disabilities in their drafting, implementation and monitoring. However, to date, the DAPs we have received from the Councils do not provide evidence of the involvement of people with disabilities in drafting their plans.	Council has embarked on a wide ranging involvement on Community Planning and the disability sector has been actively engaged on this process. As part of this consultation, Council has also sought the views of local disability organisations and their suggestions have been fully considered with our views also expressed on providing outcomes.	<b>Adopt</b>
16.3	Disability Action believes that the most efficient and effective method to develop a DAP is with the active involvement of local people with disabilities in the policies and practices that impact on their lives.	Council would agree with this and has extensive contacts with local disability groups so as to reflect their specific needs and requirements. The Council will continue to engage in a proactive manner.	<b>Adopt</b>
16.4	Disability Action agrees with those Councils who have decided to delay their DAP until June 2015 as this provides the time to develop the plans with local disabled people. It is absolutely essential that the new Councils identify what has or hasn't worked to date and develop SMART actions. Paramount to this is including a specific action to effectively engage, from the beginning, with people with disabilities in the drafting, implementation and monitoring of the DAP.	Council notes your comments. However, on advice from the Equality Commission ( <b>see Item 11 in this document</b> ) there is a requirement to produce a list of 'Actions' as part of the Disability Action Plan. As a result of this consultation as an interim measure we are implementing these in our first year of operation. During this year we will proceed to further consultation on developing additional actions with the involvement with disability organisations and those with an interest in the area of inclusion for people with disabilities.	<b>Adopt</b>
16.5	To support Councils in drafting their DAP Disability Action will be hosting an event in October / November 2014 and will notify you when the date, venue etc. has been confirmed.	Council notes that this event has taken place and that Ursula Marshall of Cookstown Disability Forum provided an overview of the best practice disability work undertaken by Cookstown District Council over the past number of years.	<b>Adopt</b>

**H**



<b>Subject</b>	Initiation of procurement for Committee Management System
<b>Reporting Officer</b>	Change Manager

<b>1</b>	<b>Purpose of Report</b>
1.1	To seek approval for the procurement through a competitive process for the delivery installation and configuration of a committee management system for Mid Ulster Council.

<b>2</b>	<b>Background</b>
2.1	Members are currently receiving council and committee papers, inclusive of reports and minutes, through the utilisation of an in-house solution which allows papers to be compiled and configured into a single PDF document, following which it is distributed by email. Members and other users are then required to save it within an application/ app to maximise its full viewing functionality to permit easy navigation via the use of bookmarks.
2.2	Members have identified a need to address identified deficiencies in functionality within the existing process, to permit easier access to council papers and information by implementing a committee management information system to address the same. It is proposed the bringing forward and implementation of the same will bring about a standardisation and consistency on the transaction of business at council and committee meetings.

<b>3</b>	<b>Key Issues</b>
3.1	Any implemented solution must integrate with the existing deployment of iPads devices to members and build on the ability to do business in a 'paperless chamber'. It will provide greater accessibility to reports and meetings and improve the mobility of members and officers to access the system outside of the conventional workplace.
3.2	The system will bring efficiencies through automation of workflows for meetings, meeting management, distribution of papers, inclusive of minutes and reports, for committees and council within a secure and resilient user friendly system.

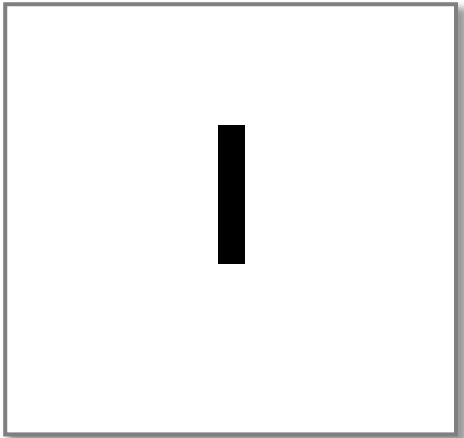
<b>4</b>	<b>Resources</b>
4.1	<b><u>Financial</u></b>
4.1.1	Cross referencing with existing examples in local government this would be costed at approximately £15k to £20k in year 1. Year 2 costs to be approximately £7- 10k recurring dependent on the number of users requiring access.

4.2	<b><u>Human resources</u></b>
4.2.1	All members and staff will require training in its use, deployment and maintenance and will form part of the procurement exercise within costs as referred.
4.3	<b><u>Basis for Professional/ Consultancy Support</u></b> – N/A
4.4	<b><u>Other</u></b> – N/A

<b>5</b>	<b>Other Considerations</b>
5.1	A system, once procured, will be implemented as soon as practical within the overall transition process to permit the efficient transaction of council business of Mid Ulster Council.
5.2	The bringing forward of a Committee Management system will allow for a better and efficient use of officers time when compiling future council and committee papers in comparison to the current process used in compiling and distributing PDF documents.
5.3	Magherafelt District Council currently uses MinutePad system for the transaction of its Council Business and the existing per annum costs are £1,900. Extension of the system to accommodate additional users and members is estimated to be in excess of £10K.

<b>6</b>	<b>Recommendations</b>
6.1	To seek approval for the procurement, through a competitive process, for the delivery, installation and configuration of a committee management system for Mid Ulster District Council.

<b>7</b>	<b>List of Documents Attached</b>
7.1	N/A



**Subject:**                      **Social Investment Funding for Projects at Moneymore Recreation Centre and Broughderg Community Centre**

**Reporting Officer:**    **Liam Glavin**

<b>1</b>	<b>Purpose of Report</b>
1.1	To seek approval for match funding of £52,067 to draw down £328,933 Social Investment Fund funding for projects at Moneymore Recreation Centre and Broughderg Community Centre.

<b>2</b>	<b>Background</b>
2.1	In October 2013 Cookstown District Council applied to O.F.D.F.M's Social Investment Fund for match funding to carry out works at Moneymore Recreation Centre and Broughderg Community Centre totalling £381,000.
2.2	The extensive works at Moneymore Recreation Centre include the installation of a mezzanine floor level to allow extra rooms to be built upstairs (meeting/exercise rooms, office and possibly a small gym), larger reception area, lift and stairs to mezzanine level. It also includes draft proofing of the main hall and air extraction from main hall (the existing main hall is open to the elements due to the method of construction).
2.3	The minor works at Broughderg Community Centre consist of an energy efficient, environmentally friendly heating system.
2.4	This project was included in recent Mid Ulster District Council discussions regarding future capital projects possibly running from 2014/15 into 2015/16 due to the length of time it has taken to progress applications.

<b>3</b>	<b>Key Issues</b>
3.1	In October 2014 O.F.D.F.M. indicated that there is a possibility that the funding will be offered. However they will not progress the application now unless MUDC commit to the match funding as it is unlikely that the projects will be completed before the end of this financial year.
3.2	The match funding of £52,067 is in Moneymore Recreation Centre's existing budget for 2014/15.

<b>4</b>	<b>Resource Implications</b>
4.1	<b>Financial</b>
4.1.1	It will be necessary to include £52,067 match funding in Moneymore Recreation Centre's budget for 2015/16. This is in this year's Moneymore Recreation Centre's budget.
	<b>Human Resources</b>
4.1.2	The improved facilities can be operated within existing staff levels.
	<b>Basis for Professional/ Consultancy Support</b>
4.1.3	Not applicable.
	<b>Other</b>
4.1.4	None.

<b>5</b>	<b>Other Considerations</b>
5.1	<b>Communication/Marketing</b>
	When the improvement works are carried out it will be necessary to carry out a marketing campaign to inform the public about the improved facilities. This can be done within existing budgets.

<b>6</b>	<b>Recommendations</b>
6.1	That Council approve match funding of £52,067 for both these projects to be completed in financial year 2015/16.

<b>7</b>	<b>List of Documents Attached</b>
	None

**J**

<b>Subject</b>	Department of the Environment Consultation on the 2015/16 Draft Budget Proposals
<b>Reporting Officer</b>	Lead Officer for Finance

<b>1</b>	<b>Purpose of Report</b>
1.1	Further to the issue of the NI Executive's 'Draft Budget 2015/16', the Department of the Environment (the Department) has published and consulted upon further information on the implications of the Executive's Budget proposals on the Department.
1.2	The paper seeks Council approval for the officers to consider the information issued by the Department and to prepare and submit an appropriate consultation response to the Department and or the Department of Finance and Personnel (DFP) by the closing date of Monday, 29 December 2014.

<b>2</b>	<b>Background</b>
2.1	The NI Executive has published a Draft Budget 2015/16 and is seeking consultation responses by Monday, 29 December 2014.
2.2	In publishing the Draft Budget the Executive has required individual Departments to provide further information on the implications of the Executive's Budget on them.

<b>3</b>	<b>Key Issues</b>
3.1	Overall the Draft Budget required £872 million of reductions to the Executive's resource and provides for £1.2 billion of capital expenditure.
3.2	To deliver the required savings individual Departments will be forced to make significant savings with the Department of the Environment suggesting, inter alia, that it would make immediate and substantial reductions in key statutory grant payments to all councils and particularly to those less well-off councils, such as Mid Ulster District Council, dependent on Rates Support Grant (RSG).

<b>4</b>	<b>Resources</b>
4.1	<p><b><u>Financial</u></b></p> <p>It has been suggested that councils in receipt of RSG could see their grants</p>

	being cut by 15%. A 15% cut could equate to a reduction for Mid Ulster District Council in the region of £380,000
4.2	<b><u>Human</u></b>  N/A
4.3	<b><u>Basis for Professional/ Consultancy Support</u></b>  N/A
4.4	<b><u>Other</u></b>  N/A

<b>5</b>	<b>Other Considerations</b>
5.1	N/A

<b>6</b>	<b>Recommendations</b>
6.1	That Members: authorise the officers to consider the Draft Budget Proposal and prepare and submit an appropriate response to both the Department of Finance and Personnel and the Department of the Environment by the closing date of Monday, 29 December 2014.

<b>7</b>	<b>List of Documents Attached</b>
7.1	Department of the Environment Consultation on 2015/16 Draft Budget Proposals





Department of the  
**Environment**

[www.doeni.gov.uk](http://www.doeni.gov.uk)

Department of the Environment

Consultation on  
2015-16 Draft Budget Proposals

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## **Introduction**

The NI Executive's 'Draft Budget 2015-16' was announced by the Minister for Finance and Personnel on 3 November 2014. The Executive's Draft Budget provides information at overall departmental level on proposed departmental current expenditure and capital investment allocations for the year 2015-16. A copy of the Executive's 'Draft Budget 2015-16' can be accessed on the Budget website: [www.northernireland.gov.uk/budget](http://www.northernireland.gov.uk/budget). As outlined in the Executive's Draft Budget paper to help inform the consultation process, DFP advised that it would be the responsibility of individual departments to provide further specific information on the implications of the Executive's Budget proposals for them and would publish this information on their websites. This document provides that information in respect of the Department of the Environment.

## **Consultation Arrangements**

Should you wish to make comments in relation to any of the strategic issues contained in the Executive's Draft Budget document, or more generally on the allocation of expenditure across departments, the address for consultation responses is as follows:

Budget Consultation  
S1, New Building  
Rathgael House  
Balloo Road  
BANGOR  
BT19 7NA  
Telephone: 028 91 858196

E-mail: [budgetconsultation@dfpni.gov.uk](mailto:budgetconsultation@dfpni.gov.uk)

Should you wish to make comments in relation to the implications of the Executive's proposed spending allocations for the Department of the Environment, as set out in this document, then the address for responses is:

Anthony Carleton  
Director of Finance and Business Planning  
Room 6-15  
Clarence Court  
10-18 Adelaide Street  
BELFAST  
BT2 8GB  
Telephone: 028 90 540820

Email: [doe.budgetconsultation@doeni.gov.uk](mailto:doe.budgetconsultation@doeni.gov.uk)

Please note that the closing date for all consultation responses is Monday 29 December 2014.

In order to promote environmental sustainability respondents will not receive an acknowledgement letter. A list of respondents will be placed on the department's website. If you do not wish your name to be published on the website, please make this clear in your response to us.

## **2015-16 Draft Budget**

1. This paper provides an assessment of the implications of the draft Budget 2015-16 for the DOE, its clients, stakeholders and staff. This assessment is based upon the draft Budget proposals published by the Department of Finance and Personnel on 3 November 2014. It includes information on the steps the DOE would have to take to live within its proposed budget allocation for next year and highlights the significant implications these would have for its clients, stakeholders and staff.
2. The analysis in this paper excludes provision for the vehicle and driver testing service provided by the DVA. This service is funded by a statutory Trading Fund which consists of vehicle and driver testing fees paid by the public. These fee receipts can only be used for the delivery of vehicle and driver testing services and cannot be reallocated for other expenditure purposes by the department.

### **Summary**

The financial allocations proposed for the DOE in the draft Budget would have significant adverse implications for the services provided by the department and for its clients, stakeholders and staff. If the current draft Budget proposals for the DOE were to be confirmed in the final Budget then there would be:

- a) Immediate and substantial reductions in key statutory grant payments to all councils and particularly to those less well off councils dependent on additional rate support payments to guarantee basic levels of service provision at local levels.
- b) Immediate action to secure a reduction of at least 500 posts across the department to be taken forward via a centrally managed voluntary exit scheme. This staffing reduction, would have an immediate negative impact on the range and quality of services provided by the department
- c) A significant curtailment of road safety promotion and associated education activity in schools at a time of rising fatalities on our roads.
- d) The termination of a wide range of grant and other support programmes that are aimed at supporting key environmental programmes. These cuts will have immediate and significant implications, including the loss of jobs, for a wide range of voluntary, educational and private sector bodies across the North. Other contracted services provided by a diverse range of educational, public sector, voluntary, community based and private sector organisations would also be ended.
- e) There is also no provision in the department's baseline for next year for the Scheme of Emergency Financial Assistance to Councils and householders affected by flooding events.

The above implications illustrate that the present proposals do not provide a viable or realistic Budget scenario for the department.

There must be ring fenced protection for the key statutory grant programmes for local government.

### **Draft Budget Proposals (2015-16)**

- Under the draft Budget proposals for next year, the DOE's non ring-fenced Resource DEL budget (i.e. the amount of funding provided to us for spend on departmental activities) was reduced by 15.1% (£17.6 million). Allocations were also made to the department in the draft budget consisting of £2 million to offset reductions to local government grants, and £2.7 million of other purposes. Therefore the net reduction to our opening budget of £116.6 million under these proposals would be £12.9 million (11.1%), bringing our draft net budget position to £103.7 million. These figures are outlined in Table 1 below.

**Table 1: 2015-16 Non ring-fenced Resource DEL Budget Proposal**

<b>Non ring-fenced Resource DEL</b>	<b>%</b>	<b>£million</b>
Opening Position		116.6
<b>Reduction</b>	<b>15.1%</b>	<b>(17.6)</b>
Allocations (inc. £2 million to offset reductions to local government grants)		4.7
Closing Position		103.7
<b>Net reduction</b>	<b>11.1%</b>	<b>(12.9)</b>

- The draft 2015-16 Budget proposal also includes a separate ring fenced allocation of £3.5 million for depreciation charges. This separate funding cannot be used for other proposals.
- In considering the implications of this proposed net DEL allocation of £103.7 million for its operations and services, the department must first deduct funding allocations that will transfer to local government. These are in respect of the transfer of planning and associated environmental responsibilities under the reform of local government.

### **Transfer of DEL funding to Councils**

- The department will transfer part of its DEL budget to the new councils at the start of the year. This reflects the transfer of functions and related staff in respect of planning and associated environmental responsibilities. The amounts concerned are set out in Table 2 below.

**Table 2: 2015-16 Draft Resource DEL Budget (Net) – Transfers to Councils**

<b>2015-16 Draft Resource DEL Budget</b>	<b>£million</b>
Non-ring fenced resource DEL funding	103.7
Proposed DEL funding transferring to Councils for Planning Functions (net of planning receipts)	(6.2)
Proposed DEL funding transferring to Councils for Environmental functions	(0.4)
<b>Balance of RDEL budget available</b>	<b>97.1</b>

7. In addition to the £6.6 million funding that the department will transfer to the councils, they will also receive an estimated £12.6 million of planning receipts from planning applications next year. These receipts are currently paid to the department. This means that councils should have access to funding of approximately £19.2 million next year to support their new planning and environmental responsibilities.

### **Local Government Grants**

8. The DOE's baseline also includes substantial amounts of money transferred directly from the Executive to councils as grants. Before the draft Budget proposals, the amounts allocated by the Executive for two of these key grants were £25.8 million for De-rating Grant and £18.3 million for Rates Support Grant (£44.1 million in total). These amounts were reduced by 15.1% (£6.7 million) in the draft Budget proposals, resulting in £37.4 million being available for these local government grants (£21.9 million for the De-rating Grant and £15.5 million for the Rates Support Grant).
9. The level of De-rating grant payable to councils falls outside the control of the DOE. Instead it is set by a statutory formula linked to the various derating schemes determined by the Department of Finance and Personnel. Thus the amounts of derating grant payable to councils can only be varied by changes to the statutory derating scheme or changes to specific rating reliefs granted by DFP. Therefore the proposed reductions in the amounts of money available for the Derating Grant in the draft Budget are premature in the absence of associated proposals from DFP to amend the relevant statutory derating schemes.
10. The separate reductions to the Rate Support Grant proposed in the draft Budget would impact directly on those less well off councils that have access to these grant payments to help make good the difference between their rates income and the money they need to maintain parity of service provision with more wealthy councils. This would be a particularly unfair and unwelcome outcome at a time when councils are seeking to make the major

organisational changes associated with local government reform and reorganisation.

11. Therefore the DOE believes the money provided by the Executive for these two key grants for local government should be ring fenced in the final Budget and protected from across the board cuts applied to other DOE spending programmes. Without this protection Table 3 below shows the effect on the department's Net Del position if the present cuts proposed in the draft Budget for local government grants were to be maintained in the final Budget.

**Table 3: 2015-16 Draft Resource DEL Budget (Net) – Grants to Councils**

	£million
Balance of RDEL funding available (Table 2)	97.1
Less Local Government Grants:	
De-Rating Grant	(21.9)
Rates Support Grant	(15.5)
<b>Balance of RDEL funding available</b>	<b>59.7</b>

### **Income**

12. In addition to the balance of funding available for departmental services outlined at Table 3, the Department will also continue to collect income through fees and charges to support the costs of supporting specific services and activities. Our current forecast for income next year for the department is £20.8 million. Further detail is provided at [Annex A](#). Therefore, after taking this income into account, the total balance available to fund all other departmental activities next year would be **£80.5 million** as set out in Table 4.

**Table 4: 2015-16 Draft Resource DEL Budget (Gross)**

<b>2015-16 Draft RDEL Budget (Gross)</b>	£million
Balance of DEL funding available ( <b>Table 3</b> )	<b>59.7</b>
Forecast income from fees, charges & recharges (Annex A)	20.8
<b>Balance of funding available for departmental activities.</b>	<b>80.5</b>



## **Allocation of Balance of Funding Available for Departmental Activities**

13. In order to identify the implications of this proposed residual funding balance available for departmental activities, the department has first identified those areas of expenditure which we believe are genuinely inescapable from the start of the year. In doing so, we have sought to ensure that the sums identified are realistic and are inescapable, as distinct from being 'highly desirable' or 'departmental priorities'.

### **Staff Salary Costs**

14. A key item of residual expenditure in the department is its staff salary costs. During the present financial year the department has taken a number of steps to reduce its staffing expenditure by:

- The permanent suppression of vacancies;
- Filling posts by internal redeployment of existing staff from lower priority work;
- Termination of casual/agency posts;
- Controls over use of Temporary Promotion;
- Reducing overtime costs;
- Introducing a requirement that the import or recruitment of any staff to the department can only be on the basis of Deputy Secretary and Permanent Secretary approval on a case by case basis.

15. These steps have led to a reduction during the current year of 225 posts (including agency workers) in the department. We need to release up to a further 120 staff from the DVA by the end of the present financial year under the voluntary early exit scheme associated with the loss of car tax jobs earlier this year. Finally, we are also arranging for the transfer of some 400 planning and other related staff out of the department at the end of the year when functions transfer to the new councils. Once these various staff reductions have taken place, we estimate that we will start the next financial year with some 1,560 staff (excluding DVA Testing staff) working in the department at a projected annual cost of some £59.7 million.

16. We estimate that in order to stabilise the department's medium term financial position and to restore some funding for other programmes, we could need to release at least 500 staff. In these circumstances we would seek to take this forward via a centrally managed civil service voluntary exit schemes. We will keep this position under review, but until staff are released through the centrally managed voluntary exit scheme the department will have to continue to meet the full salary costs as illustrated in Table 5 below.

### **Other Costs**

17. There are also a number of other inescapable items of expenditure to be addressed from our proposed budget allocation for next year. These total some £17.1 million and include other staff costs; accommodation costs;

contracted out services; office services; professional fees; operating costs; and other costs. The budget allocation for this expenditure is based on the assumption that country parks, nature reserves and state care monuments will remain open but will only provide basic facilities for visitors.

### **Other Grants to Councils**

18. In addition to the two main grant payments made to councils referred to in Table 3 above, the department also pays a range of other grants to councils to support a range of key local government activities and responsibilities. These include emergency planning grants, local air quality grants, construction products grants, grants to support waste recycling and community waste fund grants. The department will use the £2 million allocated to offset reductions to local government grants in the draft Budget to seek to maintain support for these key areas of activity albeit at a reduced level of financial support compared to that provided in previous years.

### **Balance of Resource DEL budget remaining**

19. Table 5 below shows that after providing for the above costs in next year's Spending Plan, there is a balance of just **£1.2 million** left for allocation on other areas of expenditure.

**Table 5: Draft Budget Allocations – Draft DOE Spending Plan 2015-16**

	£million
<b>Gross Budget available (Table 4)</b>	<b>80.5</b>
<b>Draft Spending Plan:</b>	
Salaries	(59.7)
Coastal Communities Fund	(0.5)
Other Costs	(17.1)
Other Grants to Councils	(2.0)
<b>Total Spending plan</b>	<b>(79.3)</b>
<b>Balance of budget remaining (to be allocated)</b>	<b>1.2</b>

### **Carrier Bag Levy Receipts**

20. The department also expects to receive income from the carrier bag levy next year of some £4.75 million. However since this is extra money collected from carrier bag charges, it can only be used to supplement expenditure on specific environmental programmes and to cover the department's extra costs of administering the levy. This expenditure is shown in Table 6 below.

**Table 6: Carrier Bag Levy Receipts and Spending Plan**

	£million
Budgeted Carrier Bag Receipts	4.75
<b>Draft Spending Plan:</b>	
Carrier Bag funded environmental programmes	4.25
Administration Costs	0.50
<b>Total Spending plan</b>	<b>4.75</b>

### **Capital Budget**

21. The Department has been allocated Capital Funding of £7.1 million in the draft Budget. This Capital Funding of £7.1 million would be used to finance the costs of a replacement IT system for Driver Licensing Waste Management Capital Grants, other Capital Grants and the other miscellaneous capital costs associated with the replacement of equipment.
22. The DOE has also been allocated a sum of £50.5 million of “Financial Transactions Capital” (FTC) in the draft Budget. This funding is linked to a proposed private sector development of an energy from waste plant that would be delivered on behalf of the councils comprising the arc21 Waste Management Group.

### **Implications of the 2015-16 Draft Executive Budget and the Draft DOE Spending Plan**

23. The allocations proposed for the DOE in the draft Budget would have significant adverse implications for the services provided by the department and for its clients, stakeholders and staff. As noted at para 19 and Table 5 above after inescapable spending commitments have been met at the start of the year, there would be a wholly inadequate balance of just £1.2 million left to fund a wide range of other services and activities currently supported by the department. In practice our financial support for most of these services and activities would cease from April 2015 onwards. Key activities and services for which **no funding** has been allocated include:
- a. Road safety advertising (current year budget is £1.8 million)
  - b. A wide range of current grant programmes providing funding to community groups, environmental and other organisations. These include:
    - JNCC Grants
    - Listed Building Grants
    - Litter grants
    - NILGA support grants
    - National Trust Grant

- Water Quality Improvement Grant Scheme
  - UAHS Grant
  - Townscape Heritage Initiative Grant
  - Community Access Grant
  - Community Places Grant
  - PLACE Grant
  - Community Transport Association (CTA) Grants
  - Natural Heritage Fund
  - Sustainability Innovation Fund
  - Disability Action Grant
- c. Other contracted services provided by a diverse range of educational, public sector, voluntary, community based and private sector organisations.
- d. Other expenditures such as educational material supporting road safety education in schools and professional fees paid.
24. The critical financial position the department would be in is illustrated by the fact that our estimated margin of available spend (£1.2 million) alone is less than current level of road safety advertising spending.
25. If the current draft Budget proposals for the DOE were to be confirmed in the final Budget then there would be:
- a) Immediate and substantial reductions in key statutory grant payments to all councils and particularly to those less well off councils dependent on additional rate support payments to guarantee basic levels of service provision at local levels.
  - b) Immediate action to secure a reduction of at least 500 posts across the department to be taken forward via a centrally managed voluntary exit scheme. This staffing reduction, would have an immediate negative impact on the range and quality of services provided by the department
  - c) A significant curtailment of road safety promotion and associated education activity in schools at a time of rising fatalities on our roads.
  - d) There is also no provision in the department's baseline for next year for the Scheme of Emergency Financial Assistance to Councils and householders affected by flooding events.
  - e) The termination of a wide range of grant and other support programmes that are aimed at supporting key environmental programmes. These cuts will have immediate and significant implications, including the loss of jobs, for a wide range of voluntary, educational and private sector bodies across the North. Other contracted services provided by a diverse range of educational, public sector, voluntary, community based and private sector organisations would also be ended.

26. The above implications illustrate that the present proposals do not provide a viable or realistic Budget scenario for the department. Cuts to our expenditure next year should be in line with and not exceed the cuts applied to other departments. There should also be ring fenced protection for key grant programmes for local government, including those where there is a statutory obligation to pay specific sums across to Councils.

**Department of the Environment  
November 2014**

Budgeted Income	£million
Driver, Taxi, Bus & Goods vehicle income	8.9
Regulatory & Commercial Income	8.4
Marine Licensing	0.1
Planning receipts	0.2
Dividend income from DVA Trading Fund	0.7
Support costs recovered from DVA Trading Fund	2.5
	<b>20.8</b>

**K**

<b>Subject</b>	Response to Motion carried 25 September 2014: Welfare Reform
<b>Reporting Officer</b>	Change Manager

<b>1</b>	<b>Purpose of Report</b>
1.1	To inform and provide council with correspondence received from on motion carried by Council on Thursday 25 September on Welfare Reform.

<b>2</b>	<b>Background</b>
2.1	<p>Council considered and carried a motion on the subject of the living wage at its meeting held on Thursday 25 September 2014. The following was carried</p> <p><i>This Council is totally opposed to the imposition of Tory welfare cuts, which would have a devastating impact on the most vulnerable in our society, including working families, the poor and people with disabilities</i></p>

<b>3</b>	<b>Key Issues</b>
3.1	N/A

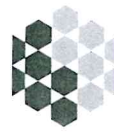
<b>4</b>	<b>Resources</b>
4.	<b><u>Financial</u></b> – N/A
4.2	<b><u>Human</u></b> – N/A
4.3	<b><u>Basis for Professional/ Consultancy Support</u></b> – N/A
4.4	<b><u>Other</u></b> – N/A

<b>5</b>	<b>Other Considerations</b>
5.1	N/A

<b>6</b>	<b>Recommendations</b>
6.1	Council notes receipt of correspondence from the Office of the First Minister & Deputy First Minister



<b>7</b>	<b>List of Documents Attached</b>
7.1	Appendix 1 Correspondence from Office of the First Minister & Deputy First Minister



Office of the

**First Minister and  
Deputy First Minister**

[www.ofmdfmni.gov.uk](http://www.ofmdfmni.gov.uk)

Stormont Castle  
BELFAST  
BT4 3TT

TEL: 028 9037 8158  
FAX: 028 9037 8040  
e-mail: [ps.ministers@ofmdfmni.gov.uk](mailto:ps.ministers@ofmdfmni.gov.uk)

Mr Anthony Tohill  
Chief Executive  
Mid Ulster District Council  
Burn Road  
COOKSTOWN  
BT80 8DT

Our Ref: COR/634/14

25 November 2014

Dear Mr Tohill

You wrote to the First Minister and deputy First Minister on 8 October to convey the terms of a motion on welfare reform adopted by Mid-Ulster District Council at its meeting on 25 September 2014.

The Ministers have asked us to reply and to advise the Council that they have noted your correspondence.

Yours sincerely

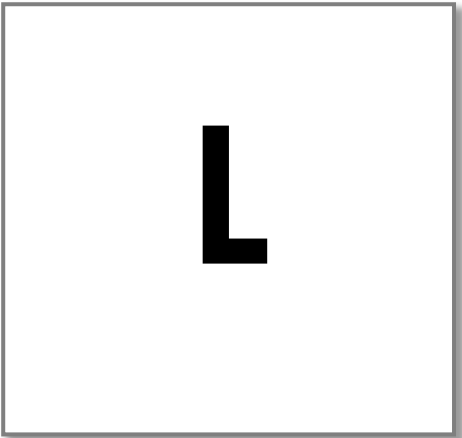
**JUDITH WALLWIN**  
PS/First Minister

**GAIL McKIBBIN**  
PS/deputy First Minister

Received

1 - DEC 2014

Chief Executive



<b>Subject</b>	Approved Capital Contracts made under DoE Expenditure Controls on Thursday 27 November
<b>Reporting Officer</b>	Chief Executive

<b>1</b>	<b>Purpose of Report</b>
1.1	To update members on capital contracts agreed by council on Thursday 27 November - Seamus Heaney Interpretive Centre, Bellaghy; Tullyvar Landfill Site and Railway Linear Park, Dungannon

<b>2</b>	<b>Background</b>
2.1	<p>The council considered three capital projects for approval in line with the requirement of the DoE expenditure controls on Thursday 27 November which included:-</p> <ul style="list-style-type: none"> <li>• Seamus Heaney Interpretive Centre, Bellaghy: £3.8m</li> <li>• Tullyvar Landfill Site: £550,031</li> <li>• Railway Linear Park, Dungannon: £380,000</li> </ul>
2.2	On discussion the council approved the above mentioned projects.

<b>3</b>	<b>Key Issues</b>
3.1	N/A

<b>4</b>	<b>Resources</b>
4.1	<b><u>Financial</u></b>
4.1.1	Seamus Heaney Interpretive Centre, Bellaghy: £3.8m
4.1.2	Tullyvar Landfill Site: £550,031
4.1.3	Railway Linear Park, Dungannon: £380,000
4.2	<b><u>Human</u></b> – N/A
4.3	<b><u>Basis for Professional/ Consultancy Support</u></b> – N/A

4.4	<b><u>Other</u></b> – N/A
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<b>5</b>	<b>Other Considerations</b>
5.1	N/A

<b>6</b>	<b>Recommendations</b>
6.1	That the members note the approval of the above mentioned capital programmes to be taken forward by Magherafelt District Council and Dungannon & South Tyrone Borough Council

<b>7</b>	<b>List of Documents Attached</b>
7.1	N/A