



03 December 2020

Dear Councillor

You are invited to attend a meeting of the Policy & Resources Committee to be held in

The Chamber, Dungannon and by virtual means Council Offices, Circular Road, Dungannon, BT71 6DT on Thursday, 03 December 2020 at 19:00 to transact the business noted below.

In accordance with the spirit of the recent COVID restriction, Members are strongly encouraged to join virtually as the preferred option. Should you need to attend in person then provision will be made at the Council Offices, Dungannon. Please notify Democratic Services in advance if this is the case.

A link to join the meeting through the Council's remote meeting platform will follow.

Yours faithfully

Adrian McCreesh
Acting Chief Executive

AGENDA

OPEN BUSINESS

1. Apologies
2. Declarations of Interest
Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.
3. Chair's Business

Matters for Decision

- | | |
|------------------------|--------|
| 4. Policy on Room Hire | 3 - 10 |
| 5. Member Services | |

Matters for Information

- | | |
|---|---------|
| 6. Policy and Resources Committee Minutes of Meeting held on 5 November 2020 | 11 - 18 |
| 7. Rural Community Network Membership Subscription | 19 - 22 |
| 8. General Duty to Improve Update - Guidance from Department of Communities and NI Audit Office | 23 - 34 |

Items restricted in accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014. The public will be asked to withdraw from the meeting at this point.

Matters for Decision

9. Village Extension Programme – Maghera Leisure Centre
10. Staffing Matters for Decision
11. Technical Services Staff Restructuring
12. Off Street Car Parking: Debt Write Off
13. Development of Ann Street – Update re Shared Access Agreement and Request for Phasing
14. 2021/22 Rate Estimates
15. Proposed Council response to NIAO consultation in relation to the draft Code of Audit Practice
16. Maghera Sports Pitch
17. Coalisland Public Realm
18. SEUPB Projects

Matters for Information

19. Confidential Minutes of Policy & Resources Committee Meeting held on 5 November 2020
20. Staff Matters for Information
21. Financial report for 7 months ended 31 October 2020
22. Contracts and DAC

Report on	Policy on Room Hire
Date of Meeting	Thursday 3 rd December 2020
Reporting Officer	Philip Moffett, Head of Democratic Services
Contact Officer	Ann McAleer, Corporate Policy & Equality Officer

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

1.0	Purpose of Report
1.1	The purpose of this paper is to allow for further consideration on the application and review of the Council's current general policy on Room Hire, with specific reference to Section 5.3 of existing arrangements – exclusions to hire.
2.0	Background
2.1	The Council has a policy in place developed specifically to deal with room hire and the availability of Council Civic Buildings and facilities for the transaction of council business. The policy was taken and discussed at November Committee.
2.2	Discussion on the policy centred on section 5.3 (exclusions to hire), with particular reference to the unavailability of rooms for events and activities which could be viewed as promoting the profile and interests of political parties over other political parties. The policy refers specifically to council civic buildings and council facilities with the latter being all facilities, except the council offices, where rooms are available for hire.
2.3	On discussion of the removal or retention of the existing exclusion to hire it was agreed at November Committee that Party Leads take time to consider the existing policy and feedback any commentary on same, with a view to the matter being brought back to next available meeting. It was recommended that a further report be brought back on the matter together with research undertaken of current policy positions in other councils and reflect any commentary received from Party Leads.
3.0	Main Report
3.1	Research undertaken on policy and practice within other Councils and that within other jurisdictions is summarised in Appendix A to this paper.
3.2	Reflecting on the research contained within the attached and commentary received from Party Leads, consideration may be given to amending section 5.3.1 of the current policy on exclusions to hire to reflect the research. For information and ease of reference section 5.3.1 in the existing policy is:

	<p>5.3 Exclusions to Hire</p> <p><i>5.3.1. Council facilities and Civic Buildings shall not be hired for the purposes of;</i></p> <ul style="list-style-type: none"> <i>• Events and activities which could be viewed as promoting the profile and interests of political parties over other political parties. This refers to all political parties and independent representatives irrespective if they have representation on Mid Ulster Council or not. This does not extend to hiring rooms to undertake and progress business in the course of their representative role as a group of elected representatives of the Council.</i> <i>• Activities deemed to be outside the ethos of the Council business</i>
3.3	<p>Whilst reflecting on the research it, consideration may be given to amending the existing 5.3.1 of the policy to generally reflect same, with the rest of the policy remaining unchanged.</p> <p>For example, consideration should be given to:</p> <ol style="list-style-type: none"> Being specific on the types venues that can be hired for political type events/hired by political parties for political purposes (i.e. that such hires be permitted at any of the Councils 'facilities' but not any of the 3 civic offices) That the hire of rooms in any of the council facilities for party political purposes or on behalf of a political representative for conferencing or meetings are restricted to rooms that are available to the public generally and paid for at the hire rate. That banners, posters, leaflets or any other paraphernalia attached to the political party be displayed in the room only being hired in the facility That block bookings are not permitted That a limited number of exclusions be set on what the hire is for i.e. events linked to elections and political party campaigning not be permitted That all other aspects would remain in the existing policy. For example, council members can book rooms at either of the council offices during normal opening hours for constituency related business and must be in attendance (with no charge being levied on the member) etc.
3.4	<p>It is proposed that consideration be given to points (i) to (vi) above to assist in reviewing section 5.3.1 of the current policy.</p>
3.5	<p>Following Committee consideration, revised wording can be brought to the next committee meeting within a draft (revised) policy for final consideration. An equality screening will be completed as part of the policy development process to identify any adverse impacts on equality of opportunity with mitigating activities, if required.</p>

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	That the committee considers the paper and agree an approach on the revision and updating of the Policy on Room Hire.
6.0	Documents Attached & References
	Appendix A - Room Hire Policy Research Overview

Appendix A - Room Hire Policy Research on Current Practice

The following provides a summary overview of current practice across similar organisations to Mid Ulster District Council on the application of their room hire arrangements, with specific reference to the hire of rooms within civic offices paper and facilities across the district.

The table below details the results of a 'dip-sample' of the policy positions taken by some of the other Council's, within Northern Ireland.

Council	Understanding of policy position on accepting bookings for political orientated events
Ards & North Down BC	Bookings are accepted across their buildings and facilities with restrictions
Belfast CC	Two type of bookings exist within Belfast CC: (i) Commercial venues (i.e. the Ulster Hall and the Waterfront) and Council venues. (ii) Council Venues (i.e. offices): do not facilitate <i>'functions which have as their primary purpose the advancement of any political or religious cause or campaign or are otherwise potentially contentious or involve significant reputation risks for the council'</i>
Causeway Coast & Glens BC	Booking are accepted with restrictions
Derry City and Strabane DC	The Guildhall in Londonderry is the only space made available. Bookings for same are accepted with restrictions
Antrim & Newtownabbey BC	Booking are accepted with restrictions <i>'The council will not permit the display of flags and emblems associated with different cultures or religious beliefs by the organisation, group or individual or their associates in or around the room or location that they have hired for the event. Failure to comply with this condition will mean that hire of Council's facilities may be refused to the individual, group or organisation in the future'</i>
Newry, Mourne & Down DC	Booking are accepted with restrictions
Fermanagh & Omagh DC	Booking are accepted with restrictions

As part of research undertaken to inform a review of Council's policy Fermanagh & Omagh DC have shared research they had undertaken on same from 2019. In undertaking a similar exercise, Fermanagh & Omagh DC (FODC) had received advice in 2015 from John Kremer, Equality Consultancy Services:

- A blanket ban can be problematic
- Any policy on such an issue should tie into the council's good relations strategy
- Any policy allowing such use should be very specific - i.e. only for bone fide/constituted groups, upon receipt of an application form which is accepted.
- Individual contracts should then be drawn up, with all contracts also complying with the council's good relations strategy as well as the Council's Section 75 obligations
- As a result, each application to use a room/venue/facility should be assessed individually

1.1 Similar information was received by FODC from the Equality Commission. At that time the Commission noted that a 'blanket ban' may prove troublesome if an oversight by any Officer/facility manager occurs. However, if a policy allowing use is drawn up it may be worthwhile having some very 'set' guidelines which would be assessed on a case by case basis. The Commission also advised that going forward, it would be up to the Council to make the decision and for any policy to be screened for any possible mitigating circumstances.

1.2 The policies of councils in other jurisdictions have also been examined. The information from these councils demonstrate that policy positions vary from council to council however there is a general theme of their positions of accepting bookings with a caveat of restrictions. These restrictions are linked primarily to political use of venues.

Going Forward

1.3 Having examined common policy positions of local authorities, options to include in amending the policy could include restrictions for bookings of political and/or religious events. These restrictions could include and all of the below:

- Displaying of for example paraphernalia attached to the political party should only be displayed in the room hired and not in any public space (*flags would be prohibited under the current Council position on the flying/display of flags*)
- Additional authorisation of these bookings
- Limited numbers of buildings that can host these events

- Allow for limited range of events. For example, include party political events but not include events linked to elections and campaigning therefore separation of the types of meeting. For example;
 - Rooms and Venues being used for non-party political type meetings – for example a Ministerial Visit or an Information Event (i.e. an update to EU policy) being organised by a group of Councillors, Government Department, MP or MLA
 - Rooms and Venues being used for party political purposes, or on behalf of a political representative but not for but not for events linked to elections and campaigning

Democratic Services
23rd November 2020

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 5 November 2020 in the Council Offices, Ballyronan Road, Magherafelt and by Virtual Means

Members Present

Councillor Quinn, Chair

Councillors Ashton* (7.18 pm), Buchanan*, Cuddy*, Doris*, Elattar*, Forde, Gildernew*, Hughes*, McFlynn* (7.07 pm), S McGuigan*, McLean*, S McPeake*, Molloy*, Totten*

Officers in Attendance

Mrs Campbell**, Director of Leisure and Outdoor Recreation
Mrs Canavan, Director of Organisational Development
Mr Cassells, Director of Environment and Property
Mr Kelso**, Director of Public Health and Infrastructure
Mr McCreesh, Acting Chief Executive
Ms Mezza**, Head of Marketing and Communications
Mr Moffett**, Head of Democratic Services
Mr O'Hagan, Head of IT
Mr JJ Tohill, Director of Finance
Miss Thompson, Democratic Services Officer

Others in Attendance

Agenda Item 4 – Deputation – Raise Your Voice Campaign – Louise Coyle*** (NI Rural Women's Network) and Elaine Crory*** (Women's Resource and Development Agency)

* Denotes members present in remote attendance

** Denotes Officers present by remote means

*** Denotes Others present by remote means

The meeting commenced at 7.00 pm.

The Chair, Councillor Quinn welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor Quinn in introducing the meeting detailed the operational arrangements for transacting the business of the committee in the chamber and by virtual means, by referring to Annex A to this minute.

PR177/20 Apologies

Councillor McKinney.

PR178/20 Declarations of Interest

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

PR179/20 Chair's Business

None.

PR180/20 Deputation – Raise Your Voice Campaign

The Chair, Councillor Quinn welcomed Ms Coyle and Ms Crory from the Raise Your Voice Campaign and invited them to make their presentation (Appendix 1).

Ms Coyle advised that Raise Your Voice is a project funded by ROSA, the UK fund for Women and Girls and is the only one of its kind in the UK and Ireland. The campaign is designed, delivered and run by four women's organisations in Northern Ireland, namely, Northern Ireland Women's Resource and Development Agency (WRDA), Reclaim the Agenda (RTA), Women's Support Network (WSN) and Northern Ireland Rural Women's Network (NIWRN). The aim of the campaign is to challenge sexual harassment in communities in Northern Ireland by working for a cultural shift and to try to shift attitudes. Much of the work of the campaign is done through the delivery of workshops as well as a public awareness campaign. Ms Coyle went on to outline the positive outcomes from the training they provide, their lobbying for legislative advances and the debate brought via Motions to Council and the other activities the campaign is involved with.

The Chair, Councillor Quinn thanked Ms Coyle for the presentation which he felt was particularly relevant given the recent media coverage of a high profile trial in London. Councillor Quinn asked how such a trial would impact the work of the campaign ie. Do more women come forward to report domestic abuse as a result or does it have the opposite effect and keep women from saying anything.

Ms Crory advised that high profile trials can be a double edged sword as some people may feel their case will be taken more seriously whilst others see how difficult a trial process can be and will be put off. Ms Crory advised that following the rugby trial in Belfast there was a large number of cases being reported, some of these historical. Ms Crory stated that it often depends how a case is reported and presented in the media, in that, the more intrusive a trial is the more unlikely it is an abuse case will be reported. Ms Crory stated that the campaign encourages people to share their stories and that in itself along with getting emotional support can be very rewarding.

Councillor Doris referred to the recent motion brought to Council which she had seconded and stated that she was confused as to why other parties did not see misogyny as an important issue to be considered as a stand alone hate crime and that they would maybe change their minds following tonight's presentation. Councillor Doris stated that she did not think there would be one woman here tonight who did not have some experience of misogyny and that it was a serious issue. Councillor Doris expressed her full support of the campaign.

Councillor Hughes asked how the work of the campaign had been affected by the pandemic and if training could take place virtually.

Ms Crory advised that training quickly moved online and that this training is open to the public in general. Ms Crory advised that training could be delivered to Councillors online and that training has been arranged to take place with Belfast City Councillors in the near future. Ms Crory advised that recent training has been working well and there has been a good uptake and in fact the online training is reaching some people that would not have been reached before COVID 19 ie. Those with childcare

responsibilities or those with disabilities. Ms Crory stated that the campaign would be more than happy to deliver training to Councillors.

Councillor Elattar asked if training could be delivered to Council officers as well as Councillors.

Ms Crory stated that the campaign would be more than delighted to deliver training to whatever group is interested.

Councillor Molloy referred to recent presentation made at Development Committee by Mid Ulster Women's Aid and that discussion had taken place around the Healthy Relationships programme they are delivering to primary schools. Councillor Molloy felt that this programme should be delivered to all primary schools and indeed secondary/grammar schools age groups as well. Councillor Molloy stated that it was agreed at that meeting that Council would engage with the Department of Education and Department of Justice to lobby to get the Healthy Relationships programme up and running.

Ms Crory stated that this would be an ultimate goal and that whilst the campaign currently reaches into communities by targeting primary and secondary schools this is when the real attitude changes can take place so that it is prevention rather than cure. Ms Crory stated that if Council were interested in promoting the work of the Raise Your Voice campaign in that same way as the Healthy Relationships programme they would welcome this. Ms Crory stated that the Raise Your Voice campaign is trying to reach people as young as possible as currently there is limited education around such topics and she felt it should be an essential part of the curriculum.

Ms Coyle stated that feedback from participants of training is that while they may have felt they knew about the subject before the training they have come away knowing a lot more. More worryingly, most women are reporting that they would have experienced some form of sexual harassment before the age of 18 so children are therefore experiencing sexual harassment which is why the conversations need to start as early as possible.

Ms Crory stated that there is also a whole new way of experiencing sexual harassment ie. Through the internet or social media and by the time the curriculum catches up a large number of young people have been missed.

Councillor Forde asked if someone came forward who had been sexually harassed where would they be signposted to.

Ms Crory advised that it would depend on the circumstances in that if it happened in the workplace there are various bodies who could assist such as Labour Relations Agency or Trade Unions. If the harassment takes place in public, often there is no formal process apart from contacting the police and unfortunately the police can't help as the person will not know who the perpetrator is. This then means that the person will not take the formal route as they feel the authorities will not take them seriously. Ms Crory advised that this was one of the reasons for the Council motion in making misogyny a hate crime as it would require police to record certain instances as an incident of misogyny even if the perpetrator cannot be caught. This would mean an incident would be recorded and the statistics will reflect this in the way racist or homophobic incidents are recorded.

Ms Crory advised that there are also a number of support agencies who can often advise where to signpost people and that this signposting information is available on their website as well as being handed out at workshops.

The Chair, Councillor Quinn thanked Ms Coyle and Ms Crory for their presentation and stated that there was a will to take up the offer of training and that this will be taken back to officers to be arranged. Councillor Quinn stated it was vitally important that everybody understands the issues being talked about and can also recognise when it might be happening to someone else.

Ms Coyle and Ms Crory left the meeting at 7.25 pm.

Councillors Ashton and McFlynn joined the meeting during presentation and discussion of this item.

Matters for Decision

PR181/20 Henderson Play Park, Stewartstown - Lease Agreement

The Director of Leisure and Outdoor Recreation presented previously circulated report which sought approval for the formalisation of lease agreement in relation to parcel of land adjacent to 29-41 Henderson Park, Stewartstown from Northern Ireland Housing Executive.

Councillor Cuddy asked if an LPS assessment had been obtained.

The Director of Leisure and Outdoor Recreation advised that NIHE worked with LPS and that the valuation sum is the amount which will cover a 25 year lease.

Proposed by Councillor Cuddy
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to accept the one-off valuation sum of £8,800 from Northern Ireland Housing Executive in relation to a proposed 25 year lease for the designated land at Henderson Park, Stewartstown for the development of public play facilities.

PR182/20 Railway Park Action Plan

The Director of Leisure and Outdoor Recreation presented previously circulated report which sought approval for planned actions associated with addressing issues in relation to anti-social behavior in Railway Park, Dungannon.

Proposed by Councillor Gildernew
Seconded by Councillor Molloy and

Resolved That it be recommended to Council –
▪ To approve the proposed actions outlined within report to address anti-social behavior in Railway Park, Dungannon and the associated costs.

- To approve the allocation of additional financial resources estimated at £14,325 in addition to existing budgets to facilitate the identified short term action plan works.

Councillor Cuddy stated that there was a job of work to be done and that he would be supportive of the recommendations. The Councillor advised that Railway Park is almost 20 acres and stated that he hoped the proposed actions would be carried out over the entire park area - from Donaghmore Road to Mark Street as there are bushes overgrown everywhere and it is important to make the whole park safe for users.

The Director of Leisure and Outdoor Recreation stated that it was agreed that there would be regular meetings between Council, Councillors and the various departments and that all of the issues raised will be considered as part of the process.

Councillor McFlynn stated it was good to see the report coming through and that concerns had also been raised at PCSP in relation to anti social behavior at the Park. Councillor McFlynn referred to estimated cost of £4,800 within the report for the clearance of vegetation and asked who would be doing this, whether it would be Council staff or contractors.

The Director of Leisure and Outdoor Recreation stated she was unsure whether it would be council staff or contract teams that would undertake the clearance of vegetation but that she would come back to the Councillor on this.

PR183/20 Policy on Room Hire

The Head of Democratic Services presented previously circulated report which considered the application of the Council Policy on Room Hire.

Councillor Molloy stated that the reason the review was requested was specifically around point 5.3.1 of the policy as detailed in the report as regards the hire of Council buildings. The Councillor stated that you could have independent members of the public who would lobby on issues and can have meetings in Council buildings whereas an elected representative isn't allowed to. Councillor Molloy stated that MPs and MLAs are also excluded from hiring rooms and felt that it is prudent that the policy is reviewed and proposed that point 5.3.1 be removed from the policy.

Councillor McLean stated he would like some clarity as he believed the policy was worded at the time so that council buildings would not be used for political rallying. The Councillor stated that Council needed to be careful on how it proceeds and that he would be reluctant to remove the point within the policy in totality. Councillor McLean proposed that more time be permitted to consider the policy to ascertain if something can be brought forward which is more acceptable to all political parties.

Councillor Doris seconded Councillor Molloy's proposal.

Councillor Molloy stated he took on board Councillor McLean's comments and that he did not have an issue if the matter was brought back to the next Policy and Resources Committee with a review of the Room Hire Policy.

Councillor McFlynn felt that it would be foolish to remove point 5.3.1 of the policy completely and that consideration should be given to the rewording of the policy as to what Councillors can use rooms for.

Councillor Ashton stated she echoed the comments of Councillors McLean and McFlynn and would second Councillor McLean's proposal.

Councillor McLean stated that Councillor Molloy seemed to be agreeable to the matter being brought back to Committee and felt that it would not be in the best interest of the Council to allow a political party to hire a Council venue for a political rally.

Councillor Molloy stated he was content for the matter to be brought back for further consideration and that he did not have issue with any political party using council facilities.

The Chair, Councillor Quinn stated that the matter would be brought back to Committee and asked that the existing policy to be emailed to the party leaders in order for discussion to take place within parties prior to coming back to Committee.

The Head of Democratic Services stated he would arrange for the policy to be emailed and that in advance of the next Policy and Resources Committee he would also research what other Councils currently do in respect of room hire.

Resolved That it be recommended to Council to bring a further report back to Policy and Resources Committee which reviews this Councils Room Hire Policy and details what other Councils do in respect of room hire. Existing Room Hire Policy to be emailed to party leaders.

Live broadcast ended at 19.40 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Doris
Seconded by Councillor Molloy and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Member consider items PR184/20 to PR200/20.

Matters for Decision

PR184/20 Tender Report for the supply of ICT Infrastructure
PR185/20 Member Services

Matters for Information

PR186/20 Minutes of Policy and Resources Committee held on 8 October 2020
PR187/20 Local Government Partnership on Travellers Issues: Subscription 2020-21

PR188/20 Performance Improvement: Six Month Update (Q1-Q2)
2020-2021

Matters for Decision

PR189/20 Staffing Matters for Decision
PR190/20 Staff Issues – Allocation of Staff Resources – Community
Development
PR191/20 Joint Negotiating Committee (JNC) for Chief Executives of
Local Authorities (NI) – Model Disciplinary Procedure and
associated guidance
PR192/20 Cot Lane Footbridge; Condition and Options
PR193/20 Cemetery Development and Safety Improvement Works
PR194/20 General Power of Competence
PR195/20 2021/22 - Rate Estimates
PR196/20 Leisure Services VAT Update

Matters for Information

PR197/20 Confidential Minutes of Policy and Resources Committee
held on 8 October 2020
PR198/20 Staff Matters for Information
PR199/20 Financial report for 6 months ended 30 September 2020
PR200/20 Contracts and DAC

PR201/20 Duration of Meeting

The meeting commenced at 7 pm and concluded at 9.15 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

Good evening and welcome to the Council's [Policy & Resources/Environment/Development] Committee in the Chamber, [Dungannon/Magherafelt] and virtually.

I specifically welcome the public watching us through the Live Broadcast. The Live Broadcast will run for the period of our Open Business but will end just before we move into Confidential Business. I let you know before this happens.

Just some housekeeping before we commence. Can I remind you:-

- If you have joined the meeting remotely please keep your audio on mute unless invited to speak and then turn it off when finished speaking
- Keep your video on at all times, unless you have bandwidth or internet connection issues, where you are advised to try turning your video off
- If you wish to speak please raise your hand in the meeting or on screen and keep raised until observed by an Officer or myself
- Should we need to take a vote this evening I will ask each member to confirm whether they are for or against the proposal or abstaining
- When invited to speak please introduce yourself by name to the meeting
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- If referring to a specific report please reference the report, page or slide being referred to
- Lastly, I remind the public and press that taking photographs of proceedings or using any means to enable anyone not present to see or hear proceedings, or making a simultaneous oral report of the proceedings are not permitted

Thank you and we will now move to the first item on the agenda - apologies and then roll call of all other Members in attendance.

Report on	Rural Community Network Membership Subscription
Date of Meeting	3 December 2020
Reporting Officer	Philip Moffett, Head of Democratic Services
Contact Officer	Ann McAleer, Corporate Policy and Equality Officer

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

1.0	Purpose of Report
1.1	The purpose of this paper is to provide committee members with an opportunity to consider if Mid Ulster District Council would nominate a Member to join RCN's Board.
2.0	Background
2.1	Rural Community Network (RCN) is a regional voluntary organisation established by community groups from rural areas in 1991 to articulate the voice of rural communities on issues relating to poverty, disadvantage and equality.
3.0	Main Report
3.1	RCN is a membership organisation managed by a voluntary Board of Directors, elected every two years. Two community representatives from each county in Northern Ireland make up the main component of the Network's Board with statutory, voluntary, farming, environmental, cross border and other sectoral groups making up the rest.
3.2	The Council is currently a member organisation of the Rural Community Network.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: A £200 annual membership fee is paid by Mid Ulster District Council
	Human: N/A
	Risk Management: N/A

4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: An Equality Screening is not required at this point
	Rural Needs Implications: Membership of RCN would fulfil, in part, the rural organisation engagement requirements as detailed in Council's Rural Needs Action Plan.
5.0	Recommendation(s)
5.1	That the committee notes request for membership renewal payment from the Rural Community Network for 2020-21
6.0	Documents Attached & References
	Appendix A - Renewal of Membership 2020-21



27 October 2020

Mid Ulster District Council
Council Offices
Circular Road
Dungannon BT71 6DT

Dear Ann McAleer

Renewal of Membership

It is now time to renew your membership of the Network to access support for your group, develop connections and be part of a strong rural voice. Benefits include free support to all members across a wide range of areas such as community development, governance, gift aid, charity registration, good relations, funding advice, lobbying and advocacy, financial management, strategic and action planning and communications. Our publications include Network News, Rural Brief, Policy Link and groups can have access to promoting their community venue on our website and our Directory of Community Venues.

Our website - www.ruralcommunitynetwork.org - includes a list of members section. *If you do not wish your contact details to be available on the website please contact me.*



For up to date posts on funding, events and news, become a fan of Rural Community Network on Facebook - just go to <http://www.facebook.com/pages/Rural-Community-Network/173151325478>

Could you please check the information we already hold on your group and amend if necessary **especially your email**. The fee for statutory groups is £200 per year.

Yours sincerely

KATHRYN KERR
Finance & IT Officer

REMITTANCE ADVICE

Mid Ulster District Council Ann McAleer

Renewal of Membership: OCTOBER 2020 – SEPTEMBER 2021

Contact Name: Ann McAleer
Name of Organisation: Mid Ulster District Council
Address: Council Offices Circular Road
& Postcode: Dungannon BT71 6DT
Tel: 028 8676 2205
Email: Ann.McAleer@midulstercouncil.org

£200 membership fee enclosed ☐ Standing Order form needed ☐ Receipt needed ☐

Please make cheques payable to the 'Rural Community Network' and return to the address below.

Bacs details: [REDACTED] / [REDACTED] / [REDACTED]

Report on	General Duty to Improve Update - Guidance from Department of Communities and NI Audit Office
Date of Meeting	Thursday 3 rd December 2020
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	L Jenkins, Performance & Quality Officer

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	Update on Council's General Duty to Improve in the context of Covid-19 and guidance received from the Department of Communities and Northern Ireland Audit Office.
2.0	Background
	Council's General Duty to Improve
2.1	Part 12 of The Local Government Act (NI) 2014 confirms that all Councils are under a general duty to make arrangements to secure continuous improvement in the exercise of their functions. The Department for Communities (DfC) also issued Councils with Circular LG 21/2016 ' <i>Guidance for performance improvement 2016 onwards</i> '. This guidance assists councils with their duty in relation to Performance Improvement. It aims to clarify the duties placed on councils by Part 12 of the Act and sets actions a council should take to meet its duties.
2.2.	Improvement is defined in statutory guidance as 'more than just quantifiable gains in service output or efficiency, or the internal effectiveness of an organisation'. Improvement for councils should mean activity that 'enhances the sustainable quality of life and environment for ratepayers and communities'. Essentially, improvement is about making things better and our focus is on how we can deliver better services for the benefit of our residents and service users. Annually Council chooses improvement objectives, consults with the public regarding the objectives and develops a Performance Improvement Plan. This is published each year by June 30th.
2.3	Council as per legislation and guidance also publishes an Annual Performance Report setting out our self-assessment of how we have performed against our Corporate Plan commitments and our Improvement Objectives in the previous financial year (a retrospective report) by the 30 th September each year.
2.4	Our work in Council regarding Performance Improvement is subject to audit by the Audit Office (NIAO) in line with Part 12 of the Local Government Act. NIAO undertake an audit and assessment of how Council has discharged its duties in relation to statutory performance improvement and reporting.

2.5	Under the Local Government (Performance Indicators and Standards) Order (NI) 2015, statutory performance indicators and standards are set as part of the performance improvement arrangements for district councils. Performance measures have been specified for the functions of: Economic Development, Planning and Waste management, on which to report annually, as part of the performance improvement arrangements for Councils. The aim of the performance measures is to promote the improvement of service delivery for the functions specified.
3.0	Main Report
	Discharging Council's Duty to Improve in Response to Covid-19.
3.1	Covid-19 has required the Council to divert resources and attention to support the emergency response post March 23 rd , helping to protect the most vulnerable in society and ensuring continued delivery of our essential services. In recognition of these exceptional circumstances, the Department for Communities had proposed that Councils were not required to publish a Performance Improvement Plan for this year in line with correspondence from the Department of Communities to Council Chief Executives on 11th June 2020 (Appendix One).
	Considering Performance Improvement Arrangements Moving Forward
3.2	<p>The Department wrote to Chief Executives on the 17th of August to confirm that a decision had been made to set aside the requirement to produce and publish a performance improvement plan for the 2020/21 year (Appendix Two). It further outlined that Councils would still be required to publish their performance improvement assessment report covering 2019/20, with a publication date of 30th of September 2020 and that consideration regarding future arrangements would require further engagement with local government. The initial thinking, subject to taking the views of councils, was that, rather than being required to produce and publish performance improvement plans in the current circumstances in 2021 to 2022 it would be more beneficial for councils to produce plans setting out their proposals for service delivery and performance recovery.</p> <p>Further engagement with Councils regarding current and future performance requirements has now taken place between the Department, the NIAO and the Local Government Performance Improvement Working Group (LGPIWG), which is Chaired by a representative from SOLACE. Membership of the working group consists of Council Officers who hold Performance Improvement remits.</p>
	Update from the Northern Ireland Audit Office in Response to Covid-19
3.3	<p>Northern Ireland Audit Office provided the chair of the LGPIWG with a letter dated the 30th of September (Appendix Three), where the NIAO laid out its primary focus for their audit approach within 2020-21. The NIAO recognised the impact the current situation was having on Councils and how they responded to the challenges, they faced.</p> <p>The NIAO highlighted that they would focus on Council's annual self-assessment report, they would not look at performance improvement plans as per communication from DfC. The NIAO outlined that timescales for the completion of their work were currently being extended to allow for the necessary change in legislation to be completed, however for most Council's they still intended to begin their work in the coming weeks.</p>

	<p>Regarding fees, the NIAO estimated their input this year would be in the region of 25% to 30% of the previous year's work and would therefore reflect a reduced fee. The NIAO stated it would also continue to work with Councils through the LGPIWG in making improvements to the wider performance improvement system</p> <p>Chair of LGPIWG Forwards Letter to DfC on behalf of SOLACE NI.</p>
3.4	<p>The chair of the LGPIWG wrote to the DfC on behalf of SOLACE on the 20th of October. The letter outlined the most appropriate steps/recommendations to be considered by the Department in the short, medium and longer-term to ensure that performance continued its valuable profile across the sector (Appendix Four).</p> <p>Correspondence Received from DfC November 2020.</p>
3.5	<p>The Department corresponded with the Chair of the LGPIWG on the 13th of November (Appendix Five) outlining its response to the proposals set out in the letter dated the 20th of October. The Department outlined that in the short term, their aim was to bring forward legislation to regularise the legal position arising from the Minister's decision to set aside the requirement for Councils to produce and publish a Performance Improvement Plan for the current 2020/21 year.</p> <p>For the medium term, the Department is to work with the local government on arrangements, which should be put in place for performance improvement planning during the 2021/22 year. This work is to include processes, timelines and whether any further legislation, would be required to facilitate any changes to existing arrangements.</p> <p>In the longer term, and subject to Ministerial agreement, the Department is to carry out a full review of Part 12 of the Local Government Act. Many of the additional recommendations in respect of performance improvement arrangements, set out in the attached as appendix 4 to this report (e.g. the movement to 2-year plans and 2-year audit cycles) would be matters for the full review of Part 12.</p> <p>Council's Performance Activity in 2020-2021</p>
3.6	<p>Council continues to comply with its General Duty under Part 12 of the Local Government (NI) Act by continuing to manage, assess and report on Council's suite of Corporate Health Indicators and Standards (of which there are 28 in total). These form an integral part of our Performance Improvement Framework and arrangements. Council's current suite of performance indicators, which includes statutory, self-imposed and organisational health indicators, are considered to form part of our day-to-day business and act as a barometer of how the Council is improving across its services. The Corporate Health indicators are in effect a 'performance dashboard', providing a summary of how the Council is doing across eight key areas of: Economy, Waste management, Council facilities, Better responses, Resident Satisfaction, Staffing, Engaged Workforce and Finance.</p> <p>Council has also completed its Annual Assessment Report relating to 2019/20 (retrospective report) and this has been agreed, ratified and is available on Council's web site. The Annual Assessment Report and the accompanying evidence to support its completion will form the basis for this year's annual Performance Audit. Deloitte will undertake this piece of audit work over the incoming weeks.</p>

	Council Services have also completed Service Plans for 2020 (SIP's) and the plans include improvements in our day-to-day work. All the service delivery plans translate corporate objectives into service targets and operational activity/measurement, aligning with finance, workforce and risk issues. The Service Plans also form an integral part of the Council's Performance Improvement Framework.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: N/A
	Human: N/A
	Risk Management: Disruption caused by COVID-19 has had a significant impact on our District, our citizens, our services and the way we provide them and will continue to do so in the short to medium term. In the coming months and into the next financial year, with increased testing, vaccination programmes and adherence to social distancing rules, all of our will services gradually recover, by transitioning and adjusting to the 'new' normal. Effective planning will determine how well the organisation adapts to the challenges and opportunities within the current and post COVID-19 environments, i.e. recovery planning (which will assist in the mitigation of risk).
4.2	<u>Screening & Impact Statements</u>
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	Members note the current guidance issued by the Department of Communities and the Northern Ireland Audit Office and ongoing activity around the Duty on council to Improve.
6.0	Documents Attached & References
	<p>Appendix One: Department of Communities, 11th June 2020</p> <p>Appendix Two: Department of Communities, August 2020</p> <p>Appendix Three: Northern Ireland Audit Office, 30th September 2020</p> <p>Appendix Four: SOLACE NI representative as Chair LGPIWG, 20th October 2020.</p> <p>Appendix Five: Department for Communities, 13th November 2020</p>



All Chief Executives

Director
Local Government & Housing Regulation Division
Causeway Exchange
1-7 Bedford Street
Town Parks
Belfast
BT2 7EG

Phone: 028 90 823456

Email: Anthony.carleton@communities-ni.gov.uk

Dear Chief Executives

11 June 2020

Performance Improvement in Local Government 2020/21

The Department understands the pressure currently being expressed by councils in relation to statutory performance improvement duties for the coming months/year, consequently we have been looking at the overall legal context and have been in discussion with the Northern Ireland Audit Office to decide the way forward for 20/21.

Paragraph 45 of the current guidance for Local Government Performance Improvement (Local Government Circular 21/2016) states the suggested date for councils to publish their Improvement plan is by the end of June. The Department understands that, due to current circumstances, councils will have difficulty meeting this deadline. Therefore, it does not expect councils to publish a performance plan by 30 June 2020 for the current financial year.

The Department will be in touch with all stakeholders in the very near future to review Performance Improvement requirements over the next 2 years.

Yours sincerely

A handwritten signature in black ink, appearing to read "Anthony Carleton".

Anthony Carleton





All Chief Executives

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Dear Chief Executive

17 August 2020

Performance Improvement in Local Government 2020/21

Subsequent to my letter dated 11 June 2020 a decision has been made to set aside the requirement to produce and publish a performance improvement plan for the 2020/21 year.

Councils will still be required to publish their performance improvement assessment report covering 2019/20, with a publication date of 30 September 2020.

We have been considering the arrangements that should be put in place for councils regarding performance improvement for the next few years. Our initial thinking, subject to taking the views of councils, is that, rather than being required to produce and publish performance improvement plans in the current difficult climate, it may be more beneficial for councils to produce plans setting out their proposals for service delivery and performance recovery.

In addition to seeking input from councils, we will also need to take the views of the Local Government Auditor before submitting proposals for the Minister's consideration.

Further work on council performance requirements is ongoing and the Department will be engaging with local government representatives to review the way forward for 2021/22 onwards.



Patrick Barr
Director

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Anne Donaghy
Chair of SOLACE

Via email to: anne.Donaghy@midandeantrim.gov.uk

30 September 2020

Anne,

It was great to talk to you and the other forum members earlier this week – thank you for inviting me.

We agreed on the call that I would write to you laying out the primary focus of our audit approach this year and the fact that the reduced audit activity would be reflected in the fee charged to Councils.

Without going into too much detail here, the primary focus of our work will be the 2019-20 Self Assessment Report. We will not be looking at the performance improvement plans as, per communication from the Department, these are not required this year. The timescales for the completion of our work are currently being extended to allow for the necessary change in legislation (discussed on our call) to be completed. That said, for most Councils we still intend to begin our work in the coming weeks and will begin circulating our information requests once finalised.

In regard the fees, I mentioned that we estimate the input required this year will be in the region of 25% to 30% of the previous years' work. This will be reflected in a reduced fee – so we aim to charge Councils 25% to 30% of the performance improvement fee outlined in the audit strategy.

As I said on the call we recognise the impact that the current situation is having on Councils and how they have responded to the challenges they face. I look forward to working with you, and the other forum members, to ensure we complete our planned work as efficiently as possible this year, and ultimately make improvements to the wider performance improvement system as we progress.

Yours sincerely



PATRICK BARR
Director

Ref: TC/ab/LK
20 October 2020

Sent via email to: Julie.Broadway@communities-ni.gov.uk

Julie Broadway
Department for Communities
Causeway Exchange
1-7 Bedford Street
Belfast
BT2 7EG

Dear Julie

I am writing to you as Chair of the Local Government Performance Improvement Working Group, on behalf of SOLACE NI.

I would like to thank you, Lynn McCracken and Kerri O'Neil for attending the most recent meeting of the Local Government Performance Improvement Working Group (PIWG) on Monday 28th September 2020. It was encouraging to hear details of the Department's 3-stage plan for moving forward with regards to performance improvement in local government. I believe that through strong partnership working, we can continue to build a culture of performance across local government in the coming years whilst navigating the long-term impacts of the COVID pandemic.

As you will recall, it was agreed that the PIWG would collectively identify the most appropriate steps to be taken in the short, medium and longer term to ensure that performance continues to maintain its valuable profile across the sector. The table below outlines some key actions that now need to be progressed.

Timeframe	Actions Required
Short Term (1 month)	<ul style="list-style-type: none"> Clarification and official correspondence on the scope, process and timeline for the Performance Audit and Assessment in 2020/21.
Medium Term (12 months)	<ul style="list-style-type: none"> Clarification on the scope and focus of the Performance Improvement Plan for 2021/22 and timeline for publication. Clarification on whether each Council must consult on the draft performance improvement objectives 2021/22 (or recovery objectives) and timeline for same. Clarification on the content of the Self-Assessment 2020/21, in the absence of the Performance Improvement Plan 2020/21. Clarification on the scope, process and timeline of the Performance Audit and Assessment 2021/22.

Please reply to:

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□ **Carrickfergus Office**
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Larne BT40 1RU

□ **Planning Office**
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182 Galgorm Road
Ballymena BT42 1QL

Chief Executive
Anne Donaghy

	<ul style="list-style-type: none"> Careful consideration of benchmarking in the current and post COVID-19 environments, specifically in relation to the nine statutory performance indicators and standards, as the statutory Waste targets have not yet been issued.
Long Term (24 months)	<ul style="list-style-type: none"> A full review of Part 12 of the Local Government Act (NI) 2014 The Performance Indicators and Standards Order should be reviewed alongside Part 12 of the Local Government Act (NI) 2014.

As we move into the coming year it is vital for all stakeholders, including the Department for Communities, Northern Ireland Audit Office and local government to acknowledge that performance and improvement is a key driver for the delivery of effective, efficient and value for money services.

Over the last five years, local government has allocated a significant amount of time and resources to secure compliance with Part 12 of the Local Government Act and has raised the profile and impact of performance significantly. The process of embedding a culture of performance and improvement has gained substantial momentum across each of the 11 Councils and it is vital that this momentum continues to build.

Going forward, SOLACE envisages a clear and pivotal role for performance and improvement in the current and post COVID-19 environments, helping to address the financial challenges that the sector face and identify efficiency/income generating opportunities. Using performance as a key enabler to navigate our way through the pandemic will build on and strengthen the progress made to date within Councils. However, to be effective and responsive to the needs and aspirations of local communities and individual Councils, now is the right time to review, evaluate and streamline the legislation and guidance.

In addition to the steps outlined within the table above, there are a number of recommendations that the PIWG have outlined below, particularly for the 2021/22 year; these include:

- The group have previously highlighted that the current legislation requirements and statutory guidance on Council are time consuming, bureaucratic and resource intense. In light of changing circumstances, as a result of the COVID-19 pandemic, a more flexible approach is required, particularly around the definition of an 'improvement objective' for 2021/22 performance plans. Objectives will focus on recovery and delivering medium and long-term improvements for the communities we serve. These objectives will be unique to each Council area; therefore, a 'one-size-fits-all' approach will be ineffective. The audit and assessment process will need to take account of this flexibility.
- Whilst the annual cycle has played a key role in assisting Councils in mainstreaming/embedding performance and improvement, local government now calls for a more phased approach. The Performance Improvement Plan is a strategic document that forms part of the hierarchy of plans in place across each Council, and

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Chief Executive
Anne Donaghy

is directly aligned to the Corporate Plan and Community Plan. To remain strategic, the Performance Improvement Plan should change from an annual improvement plan to a minimum of a 2-year plan. This would allow for more realistic and tangible outcomes at a local level. A 2-year plan would also provide time to conduct a full review of Part 12 of the legislation.

- The formal consultation process should also take place on a biennial cycle. It should be noted however that councils engage on a continuous basis. Within that context, Council's should have the freedom to select and realign improvement objectives which matter most to both the organisation and local communities, focused on and responding to the internal and external environments that we face, as illustrated so pertinently by COVID-19.
- The audit cycle should be at a minimum every 2 years, with the annual Performance Self-Assessment serving as a light touch review each year, subject to the scrutiny of senior management teams and Elected Members. The effectiveness of this scrutiny process would be led by the Council and sector and would then form part of the more in depth NIAO Audit and Assessment.

I would appreciate your consideration of the points raised in this letter and am happy to further discuss any points you would like to raise. I will soon issue an invitation to you for the next PIWG meeting that is expected to take place in November.

I look forward to continuing to work with the Department in the coming months to agree and finalise a way forward that will guarantee that the momentum already established through the Performance Improvement Working Group over the last 5 years continues to develop across local government.

If you have any queries, please do not hesitate to contact me.

Yours sincerely



Anne Donaghy OBE
Clerk & Chief Executive

Please reply to:

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Telephone: (028) 9051 5690
E-mail: Julie.Broadway@communities-ni.gov.uk
Your ref: TC/ab/LK
Our ref:
Date: 13 November 2020

Anne Donaghy
Chair of the Local Government Performance Improvement Working
Mid & East Antrim Borough Council
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BT43 5EJ

Dear Anne

Performance Improvement in Local Government

Thank you for your letter dated 20 October 2020 and for the recommended actions set out within the letter.

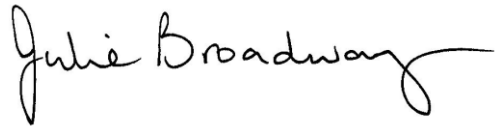
For the short term, the Department aims to bring forward legislation to regularise the legal position arising from the Minister's decision to set aside the requirement for Councils to produce and publish a Performance Improvement Plan for the current 2020/21 year.

For the medium term, we look forward to working with the Local Government Performance improvement Working Group to discuss the arrangements which should be put in place for performance improvement planning during the 2021/22 year, including proposed processes and timelines and whether any further legislation will be required to facilitate any proposed changes to arrangements.

In the longer term, and subject to the Minister's agreement, the Department will carry out a full review of Part 12 of the Local Government Act (NI) 2014. Many of the additional recommendations in respect of performance improvement arrangements, set out in pages 2-3 of your letter, (e.g. the movement to 2-year plans and 2 year audit cycles) would be matters for the full review of Part 12, however, it is very useful to have these issues highlighted at this stage.

I look forward to continuing to work with the PIWG over the coming months.

Yours sincerely

A handwritten signature in black ink that reads "Julie Broadway". The signature is written in a cursive style with a long, sweeping horizontal line extending from the end of the word "Broadway".

Julie Broadway