

A

Minutes of Meeting of Policy & Resources Committee of Mid Ulster District Council held on Tuesday 7 October 2014 in Cookstown District Council Offices

Members Present:	In the Chair, Councillor McPeake (Chair) Councillors Ashton, Buchanan (7.05pm), Elattar, Forde (7.07 pm), Glasgow, Mallaghan, McFlynn, McGinley, S McGuigan, McLean, Molloy, M Quinn and Totten
Members in Attendance:	Councillor Wilson
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

PR32/14 Apologies

Councillors Bateson and Reid

PR33/14 Declarations of Interest

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

PR34/14 Receive and confirm minutes of the Policy & Resources Committee held on Wednesday 2 September 2014

Off Street Car Parking (PR20/14)

Councillor Ashton referred to paragraph four and the incorrect figure of £333k which should read £288k.

Proposed by Councillor Mallaghan
Seconded by Councillor McGinley and

Resolved That the Minutes of the Meeting of the Policy & Resources Committee held on Tuesday 2 September 2014 (PR17/14 - PR31/14) were considered, and subject to the foregoing correction, were signed as accurate and correct.

Matters for Decision

PR35/14 Introduction of Childcare Vouchers for employees and members of Mid Ulster District Council

The Lead HR Officer presented a report the purpose of which was for members to consider the introduction of a childcare vouchers scheme for employees and members. She added that all three Councils within the Mid Ulster cluster of councils facilitate a childcare voucher scheme through existing payroll systems. The Officer outlined the key issues of the scheme and requested Members to approve the introduction of a childcare voucher scheme using Dungannon & South Tyrone Borough Council's existing provider - Employers for Childcare.

Councillor Buchanan arrived at 7.05 pm.

Proposed by Councillor McFlynn
Seconded by Councillor McGinley and

Resolved That it be recommended to the Council to approve the introduction of a childcare voucher scheme for employees and members of Mid Ulster District Council, using Dungannon & South Tyrone Borough Council's existing provider - Employers for Childcare.

PR36/14 Cycle to Work Scheme

Councillor Forde arrived at 7.07 pm.

The Lead HR Officer presented a report the purpose of which was for members to consider the introduction of a Cycle to Work Scheme for employees and members of the Council. The Officer outlined the key issues of the scheme and advised that currently Dungannon & South Tyrone and Cookstown Councils operate a scheme for staff and members. Members were requested to approve the introduction of a Cycle to Work Scheme.

Proposed by Councillor Mallaghan
Seconded by Councillor Buchanan and

Resolved That it be recommended to the Council to approve the introduction of a Cycle to Work Scheme for employees and members of Mid Ulster District Council in accessing the scheme and providers used by Dungannon & South Tyrone Borough Council.

PR37/14 Draft interim Communications Strategy for Mid Ulster District Council

The Marketing Communications Manager presented a report on the Interim Communications Strategy for Mid Ulster District Council. The Officer stated that internal and external communications have been identified as a key element of the Council's overall strategy in preparation for the merger of the existing councils. She added that an interim communications plan had been developed to address

communications issues. The strategy deals with the importance of internal communications, as well as utilising existing channels, advocates the development of additional methods, recognises the importance of face to face communication and external activity is required. It includes key projects such as branding, website development and the significance of the media as a communications tool. Monitoring and evaluation arrangements were also proposed.

Councillor S McGuigan stated that as it was an interim document it will allow for change if anything comes through at a corporate level.

Councillor Mallaghan asked if social media was part of the strategy. The Marketing Communications Manager stated the document dealt with the development of a corporate digital media strategy as part of a Mid Ulster District Council communications Strategy for the period 2015-2019.

Resolved That it be recommended to the Council that the Council endorses the Interim Communications Strategy & Action Plan August 2014-2015

PR38/14 Introduction of a single, non-geographic telephone number for Mid Ulster District Council

The Marketing Communications Manager presented a report on the introduction of a single non-geographic telephone number for the Council. This system would allow for the existing councils to be connected by a single internal telephony system while also presenting an opportunity to introduce a single contact telephone number. A number of options are open to the Council and the introduction of a 03 number from the gold category was recommended with estimated annual costs of £2,200.

Councillor McLean asked how long the current numbers would be retained and if the infrastructure was fit for purpose. The Marketing Communications Manager stated the unified communications system would support a non-geographic telephone number and it was recommended that old numbers be retained for one year but can be longer if think required.

Councillor Mallaghan stated that this was an excellent way of rebranding the Council.

The Chief Executive stated that with receptionists in each of the three main buildings they can take calls from any part of the district.

Proposed by Councillor Mallaghan
Seconded by Councillor McGuigan and

Resolved That it be recommended to the Council that the Council introduces and promotes a single non-geographic external customer contact telephone number chosen from the 03 range to be effective from 1 April 2015, with the central telephone number for each of the existing Councils being phased out over a suitable period of time.

Matters for Information

PR39/14 Draft Model One Step Grievance Procedure

The Lead HR Officer presented a report setting out the response on behalf of the Council to the 'Draft Model One Step Grievance Procedure to Link with the RPA Independent Third Party Dispute Resolution' issued by the LGTRJF. The deadline for return of comments was 26 September 2014 and the response had been submitted.

PR40/14 Capacity Building Plan

The Lead HR Officer presented a report informing members on the arrangements put in place to ensure members and staff were ready to meet the challenges of change leading to a new organisation. The first phase of the capacity building programme had begun to be rolled out and dates and times were dependent on the availability of trainers. She added if any member wishes to attend a particular event but the date or time was not suitable further sessions could be arranged.

The Chair, Councillor McPeake, stated that this is comprehensive list of events with the challenge being making time to attend.

Councillor McFlynn asked how the staff engagement sessions were being received.

The Chief Executive stated that he and other Mid Ulster District Council staff had spent 3 days the previous week meeting staff in Council Offices, depots and leisure centres with over 300 staff attending. Staff were given a detailed briefing on the high level organisational structure agreed by Council and feedback from the sessions were very much welcomed by staff. He added that staff attending were somehow assured and appreciated the time senior management had taken to meet with them, therefore indicating the engagements were worthwhile to see staff in their environment. Issues raised included pay differentials, privatisation and staff location. Staff were advised that management had an open door policy as we move through the process and that should not listen to rumour but to talk to management.

Councillor McGuigan asked if anything new or unexpected had been raised.

The Lead HR Officer stated they identified issues prior to the sessions which may have come up and had not been confronted with anything different.

The Chief Executive stated that all queries raised and responses given across all the sessions would be collated and provided to all staff and members across the cluster of councils.

PR41/14 Draft Location, Relocation and Expenses Policy

The Lead HR Officer presented a report for information setting out the response issued on behalf of the Council on the draft 'Location, Relocation and Expenses Policy' issued by the LGRJF. The Officer stated there were no major concerns with the policy with the issues raised as undernoted:

- the period of time for payment of excess mileage in relation to a change of place of employment should be 3 years rather than 4 years, in line with Central Government Policy and
- Additional mileage incurred should actually be paid at public transport rate rather than the normal NJC mileage rates as this would be a much more affordable option.

PR42/14 Data and System Convergence for Geographical Information Systems (GIS)

The ICT Manager presented a report on the convergence of Geographical Information Systems (GIS) and outlined the current situation across Mid Ulster cluster of councils, with reference to planning service.

The ICT Manager recommended that the Council extend the existing ESRI ArcGis licensing to a 10 user concurrent licensing model to provide a flexible and cost effective solution for Geographical Information System provision in Mid Ulster District Council in line with the Councils existing expenditure of £10,100 per annum. He added there would be no purchase of additional licensing, rather the replacement of existing maintenance and support to a single provider at an increase of £492.50 pa.

Councillor Glasgow referred to the cost and asked what level of funding would be coming from the DOE in relation to this system.

The Chief Executive stated that this in one of the areas pointed out in correspondence to Planning Service to identify a budget allocation for GIS, and a reply was outstanding.

Councillor McGuigan asked if there was a reason why there was such a variation in the cost of existing licenses across the existing councils within the Mid Ulster cluster.

The ICT Manager stated that this was down to how the licences were managed, the versions and models used and the level of support provided.

Proposed by Councillor M Quinn
Seconded by Councillor McFlynn and

Resolved That it be recommended to the Council that the recommendation set out above is adopted.

PR43/14 Mid Ulster District Council Governance Framework

The Chief Executive presented a report seeking members' approval on the core aspects of an internal Governance Framework for Mid Ulster District Council as listed in appendix A of the previously circulated report. He further advised that under the Local Government Act 2014 councils are required to prepare a council constitution. He added the constitution would include the Council's standing orders, the Northern Ireland Local Government Code of Conduct for Councillors, information as the Department may direct and information as the Council considers appropriate

and as there would be many similarities between the Constitution content and the Mid Ulster District Council Governance Framework it would be prudent to combine these two initiatives into a single suite of documents to avoid duplication.

Councillor McLean asked if there was any conflict or requirement in the process of having two documents and if not there was no sense in have two similar documents.

The Chief Executive stated that there was not and would therefore avoid duplication.

Proposed by Councillor S McGuigan
Seconded by Councillor McLean and

Resolved That it be recommended to the Council to adopt the draft internal Governance Framework and that this document and the Constitution be combined into one suite of documents for ease of access and to avoid duplication.

PR44/14 State Aid Update

The Lead Finance Officer presented a report, for information, updating Members in relation to the principles surrounding State Aid and stated that a policy on this issue would be required.

PR45/14 Amalgamation of Consilium Finance Systems

The Lead Finance Officer presented a report informing Members of progress made to date in relation to the amalgamation of the three predecessor councils' finance systems. He said each council utilises the Consilium TOTAL finance application but to different extents. The Lead Finance Officer indicated that key deliverables and milestones had been identified with a new budget modelling module having been adopted for preparation of the 2015/16 rate estimates, a single monthly payroll having been established and recognition that significant organisational design changes are likely to be implemented over the early stages of the new Council it has been decided to continue with existing weekly payroll systems for an initial period post 1 April 2015.

Councillor McGuigan referred to the completion of some items and not others and asked if this would have financial implications going forward. He also asked who was guiding the work.

The Lead Finance Officer advised that the Finance working group had been working with Consilium representatives to ensure appropriate design, implementation and testing of all aspect of the combined application is delivered in advance of 31 March 2015. He indicated that the only thing not amalgamating by this date would be weekly payroll.

In response to a question from Councillor McLean relating to the number of staff of being paid weekly the Lead Finance Officer stated that within Magherafelt it is approximately two thirds. He said part of the development moving forward would be the implementation of a HR system which may dictate how weekly payroll advances.

Councillor McFlynn asked for details on the type of HR system being considered.

The Lead Finance Officer stated there had been initial discussions on systems but due to other priorities consideration of the potential benefits of the various systems had not been fully explored.

PR46/14 Finance and Procurement Risk Assessment

The Lead Finance Officer presented a report informing members of risks identified as set out in the Finance Risk Register. He stated that the identification and management of all relevant risks was essential for transition to the new Mid Ulster District Council and effective operation thereafter.

IN COMMITTEE

Proposed by Councillor Mallaghan
Seconded by Councillor S McGuigan and

Resolved That items P47/14 and PR48/14 be taken in Committee.

PR49/14 Duration of Meeting

The meeting was called for 7.00 pm and ended at 8.50 pm.

CHAIR _____

DATE _____

B

Subject	Media Protocol
Reporting Officer	Marketing Communications Officer

1	Purpose of Report
1.1	To seek Members' approval for the adoption of a Media Protocol.

2	Background
2.1	<p>Individual elected Members express views on a range of issues and through a range of channels. The Council, as a corporate body, also wishes to express views, announce decisions and promote its policies, activities and services.</p> <p>A Media Protocol provides guidance on the release of information about the decisions and work of the Council.</p>

3	Key Issues
3.1	The Media Protocol recognises Councillors' rights to express their own views and engage in their own communications' activity and acknowledges that the Council will also wish to be proactive in its communications' activities.
3.2	The Protocol provides clarity around the Council's decision-making processes, when information should be treated as confidential and the timing of Council communications, and also identifies spokesperson(s) in different communications' situations.

4	Resource Implications
4.1	<p><u>Financial</u></p> <p>N/A</p>
4.2	<p><u>Human resources</u></p> <p>N/A</p>

4.3	<u>Basis for Professional/ Consultancy Support</u>
	N/A
4.4	<u>Other</u>
	N/A

5	Other Considerations
5.1	N/A

6	Recommendations
6.1	That the Committee adopts the Media Protocol.

7	List of Documents Attached
7.1	Media Protocol

Mid Ulster District Council Media Protocol

While the Council will make decisions as a corporate body, individual elected Members have a right to express their own views and engage in their own communications' activity, via a variety of channels, including the news media and social media.

However, to ensure that the Council is given the opportunity to be proactive in its communications and to control the timely release of information, elected Members are asked to observe the following protocol.

- Councillors undertake to respect the confidentiality of Council business to be discussed 'in committee'.
- Councillors undertake to respect any embargo associated with any formal corporate announcement concerning a major decision or significant achievement.
- Normally, the Chair/Presiding Councillor will act as the Council's official spokesperson when:
 - corporate decisions or announcements are being made public
 - the Council is issuing a statement in response to a media enquiry concerning a significant corporate issue.
- On occasion, when significant or major corporate decisions or announcements are being made the Chair/Presiding Councillor and the Vice Chair/Deputy Presiding Councillor may both contribute to news releases and statements being issued by the Council.
- In the absence of the Chair/Presiding Councillor, the Vice Chair/Deputy Presiding Councillor will act as the Council's official spokesperson as outlined above.
- Following ratification of decisions by the Council, Committee Chairs will act as official spokespeople when announcements are being made public relating to business which is the remit of the Committee concerned.
- Committee Chairs will act as official spokespeople when the Council is issuing a statement in response to a media enquiry concerning business which is the remit of the Committee concerned.
- On occasion, when significant or major announcements are being made regarding the business of a Committee, the Chair/Presiding Councillor and the Chair of the appropriate Committee may both contribute to news releases and statements being issued by the Council.
- Normally, the Councillor acting as official spokesperson will feature in any accompanying photograph issued by the Council. In photocalls to which

the media are invited, all Members (of the Council or the relevant Committee) will be notified of the date, time and venue.

- Council news releases and media statements will reflect the Council's corporate position.
- All members will receive copies (by email) of news releases issued by the Council.
- If using social media channels during those parts of meetings which are open to the public, Councillors will adhere to data protection principles, respecting the privacy of those members of the public and staff who may be present, particularly with regard to the publication of images.
- When in doubt or unsure of the Council's position on any issue, Councillors will seek advice from the Chief Executive to ensure the accuracy and consistency of information being communicated.

C

Subject	Email Migration Provision and Archival
Reporting Officer	Barry O'Hagan

1	Purpose of Report
1.1	To inform members of the email provision and migration for the new council and its implications for members and staff.
1.2	To seek member approval on member email provision and migration To seek approval of the extension of file and email archival system for all Mid Ulster Staff.

2	Background
2.1	There are currently at least four different email domains across the existing three councils servicing members and staff. These emails will become obsolete and will no longer be maintained as the ICT delivers a Clouded Email solution on Office 365 for Mid Ulster District Council in Quarter 4 of this financial year.
2.2	Email will be provided in the format "firstname.lastname@midulstercouncil.org" or similar.

3	Key Issues
3.1	The withdrawal of email for the old domains will present several issues; Members and staff will no longer have access to the current email provision. Members currently using a council provided email have options around how they continue to use email as a key critical communication tool in the future.
3.2	Existing council members of the three existing councils not continuing on in the new council (12) are presented with fewer choices. Their information and data will be migrated to alternative email not serviced or supported by Mid Ulster. ICT services will assist those members affected with an alternative provision where required.
3.3	Many of the continuing Mid Ulster elected members (20) affected by the withdrawal of current emails may require an alternative new email service. Members have a choice of how they continue to access email. Member

	<p>choice can be summarised as follows:-</p> <ul style="list-style-type: none"> • To use a council provided email MidUlstercouncil.org • To use a self-provided email such as Gmail, Hotmail (ICT can assist)
3.4	<p>The business analysis carried out by Kelway identified the retention and access to existing email and file archival solution within Cookstown be extended to all users migrated to the new infrastructure. The email solution provides a core solution that captures every mail sent or received regardless of deletion at a local user level. The system provides:-</p> <ul style="list-style-type: none"> • An individual Search and Retrieval secured interface an easy to use, powerful email management solution that allows you to: • meet compliance requirements for retention / review and for acceptable usage monitoring • provide a forensic search capability that saves you money in any investigative action • monitor employee activity, attachments, and enforce policy through its drill down report
3.5	<p>The file archival the is combined with email provides the significant benefits in time and money to the organisation by</p> <ul style="list-style-type: none"> • Reducing the amount of data on expensive storage • Lowers the cost of managing storage • Allows set policies to take actions automatically • Reduces server backup times • Extends the life of storage hardware investment • Allows the recovery of files to be easy and quick

4	Resources
4.1	<u>Financial</u>
4.1.1	The provision of email in the future will be subject to a competitive process embedded within a licensing and enterprise agreement tender to be released shortly. The council will provide a Midulstercouncil.org email for staff together with the option for member's to avail of if so required.
4.1.2	Estimated cost per mailbox for members will be approximately £50 per annum. Costs for staff allocation are discounted due to other Office and Operating Client access licenses to be bought through an Enterprise Subscription agreement. The element of email for staff is approximately £8 per year.
4.1.3	The extension of the email and file archival (provided by Waterford Technologies) as recommended by the Kelway report to include all

	users across the council will be increased to £12,000 per annum.
4.1.4	Cookstown currently pays £5085 per annum for same for email and file archive on premise. The services to deploy the extension of the archival services to include migrating users are included with the existing support provision SLA.
4.1.5	Self-provisioned email such as Hotmail and Gmail are free for the basic package rising to similar costs depending on the choices and services chosen with each individual package.
4.2	<u>Human</u>
4.2.1	Staff email from transferring councils will be imported in to the archive and an agreed slice of their existing email into their new mail box. All email would be accessible via the archive and through outlook. Training and instruction for staff and members to access the new email and archive provision will be delivered within this project.
4.3	<u>Basis for Professional/ Consultancy Support</u>
	None
4.4	<u>Other</u>
4.4.1	Access to the email provision options will be extended to ALL Mid Ulster members. Communications of the changes to members and staff emails addresses will be communicated (in conjunction with the Marketing Communications Manager) in a timely manner before the change.
4.4.2	The provision of email by Council will be subject to all the relevant information security and data retention policies of the Mid Ulster council for all members and staff.

5	Other Considerations
5.1	Prior to the switch
5.1.2	All staff will be asked to cleanse and housekeep the mail systems to avoid unnecessary data migration to the new council. ICT propose to terminate the transport of email (inbound and outbound) on 30th April 2015 from old email services with appropriate external communications automatically informing of the change.
5.1.3	Access to all email will be retained within the new mail system and archive thereafter for all email services. Complete access to old email services will be withdrawn completely following successful migration of

	the data 3 months after 1 st April 2015.
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6	Recommendations
6.1	<p>That council approve the extension of the email and file archival to all users across Mid Ulster.</p> <p>That council approve the email provision option for members.</p> <p>Members affected by email service proposals consider and inform the ICT manager of the personal preference for future email delivery by the end of November.</p>

7	List of Documents Attached
7.1	<p>Appendix A: Brochure details of members proposed optional email provision are attached for additional reading.</p>

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D

Subject	Procure Occupational Health Services
Reporting Officer	Lead HR Officer

1	Purpose of Report
1.1	To seek approval to procure Occupational Health Services for Mid Ulster Council

2	Background
2.1	This service is currently provided by the 3 Councils within Mid Ulster Cluster. Dungannon and Cookstown use “Independent Occupational Health”, and Magherafelt use “Occupational Health Consultants”.

3	Key Issues
3.1	<p>As an employer Mid Ulster Council has an obligation to provide Occupational Health which includes services such as pre-employment medicals, absence management, health surveillance, health & wellbeing, drug and alcohol testing. An Occupational Health provider assists the organisation in achieving the following objectives:</p> <ul style="list-style-type: none"> • A reduction in employee sickness absence. • A reduction in ill health in employees caused or made worse by work. • Help employees who have been off ill return to work. • Improve work opportunities within the organisation for people with disabilities. • Create and maintain a healthy workforce. • To develop and implement policies and procedures that support and promote the health and wellbeing of employees. • To reduce the cost of work related ill health. • To ensure company compliance with statutory requirements in connection with Occupational Health policies and procedures.

4	Resource Implications
4.1	<u>Financial</u> – The 3 Councils currently have a combined spend of approximately £10,000 per annum on this service.
4.2	<u>Human resources</u> N/A

4.3	<u>Assets and other implications</u>
	N/A

5	Other Considerations
5.1	N/A

6	Recommendations
6.1	Members are requested to approve the procurement of Occupational Health Services for Mid Ulster Council.

7	List of Documents Attached
7.1	N/A

E

Subject	Administration of Burial and Cemeteries in Mid Ulster
Reporting Officer	Chief Executive

1	Purpose of Report
1.1	This report updates members on the administration of burials and cemeteries within Cookstown, Dungannon and South Tyrone and Magherafelt Councils.
1.2	The report seeks direction and approval on matters relating to the future administration of the service from 1 April 2015.

2	Background						
2.1	The three predecessor councils provide burial space within cemeteries administered by each of in their respective council areas. Cookstown has 1 cemetery with four distinct areas; Dungannon and South Tyrone has 3 cemeteries located in and around Dungannon; and Magherafelt has 1 cemetery with three distinct areas located located on the edge of Magherafelt town.						
2.2	There are currently 4,420 council burial plots available and provisioned for across the cluster of councils broken down as: <table data-bbox="325 1346 890 1458"> <tr> <td>Cookstown</td><td>900</td></tr> <tr> <td>Dungannon & South Tyrone</td><td>720</td></tr> <tr> <td>Magherafelt</td><td>2,800</td></tr> </table>	Cookstown	900	Dungannon & South Tyrone	720	Magherafelt	2,800
Cookstown	900						
Dungannon & South Tyrone	720						
Magherafelt	2,800						
2.3	Cookstown has on average 100 burials per annum; Dungannon and South Tyrone 36; and Magherafelt 10.						
2.4	The provision of burial plots within respective cemeteries has been identified as a priority service requiring service convergence with no interruption on 1 April 2015. Appendix A provides the detail of a scoping exercise undertaken on the administration of burials and cemeteries within each council.						
2.5	Seamless transition of this service will require the convergence and harmonisation of existing administrative arrangements, inclusive of fees charged becoming effective from 1 April 2015.						

3	Key Issues																					
3.1	Whilst there are many similarities on how each council administers burials and cemeteries there are also differences. The delivery of this service to those wishing to access it from April in any Mid Ulster location should be harmonised in how it's delivered to the public and administered by the council.																					
3.2	<p>A number of areas require attention, as detailed:</p> <ul style="list-style-type: none">(a) Identification and cataloguing of all records held(b) Standardisation of process for purchasing burial plots(c) Harmonisation of fees associated with burials(d) Standardisation of documentation used in the process(e) Consideration and harmonisation of existing by-laws(f) Standardisation of on-site cemetery policies and processes																					
3.3	<p>Fees are currently in place within each council as illustrated below. On consideration of existing fees new Mid Ulster fees are proposed.</p> <table><tr><th>Fee Category</th><th>Existing Fees</th><th>Proposed</th></tr><tr><td>1. Purchase of grave plot</td><td>D&STBC: £125 CDC:£125 MDC: £125</td><td>£130</td></tr><tr><td>2. Interment Charge</td><td>D&STBC: £125 CDC:£125 MDC: £200</td><td>£160</td></tr><tr><td>3. Burial of Ashes</td><td>D&STBC: £60 CDC:£55 MDC: £60</td><td>£60</td></tr><tr><td>4. Exhumation</td><td>D&STBC: no fee CDC: no fee MDC: £300</td><td>£310</td></tr><tr><td>5. Approval Fee: Erection of Headstone or Memorial</td><td>D&STBC: £40-60 CDC:£40 MDC: £27.50</td><td>£40</td></tr><tr><td>6. Administration fee: search/ re-issue/ transfer of certificate</td><td>D&STBC: £40-£60 CDC: no fee MDC: £14-£16</td><td>£25</td></tr></table> <p>In respect of items 1 - 3 it is proposed that in cases of non-residents these charges are doubled. Proposed fees have been identified following consideration of those currently in place and are not set on a cost recovery basis.</p>	Fee Category	Existing Fees	Proposed	1. Purchase of grave plot	D&STBC: £125 CDC:£125 MDC: £125	£130	2. Interment Charge	D&STBC: £125 CDC:£125 MDC: £200	£160	3. Burial of Ashes	D&STBC: £60 CDC:£55 MDC: £60	£60	4. Exhumation	D&STBC: no fee CDC: no fee MDC: £300	£310	5. Approval Fee: Erection of Headstone or Memorial	D&STBC: £40-60 CDC:£40 MDC: £27.50	£40	6. Administration fee: search/ re-issue/ transfer of certificate	D&STBC: £40-£60 CDC: no fee MDC: £14-£16	£25
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4	Resources
4.1	Financial – N/A

4.2	<u>Human</u>
4.2.1	A member of staff from with existing resources will be required to co-ordinate areas of standardisation as detailed at 3.2 above.
4.3	<u>Basis for Professional/ Consultancy Support</u> – N/A
4.4	<u>Other</u> – N/A

5	Other Considerations
5.1	Signage and branding will also be a consideration but will be part of a wider programme of activity linked to the branding of all council facilities,

6	Recommendations
6.1	Members give consideration to the contents of this paper, agree on the new fees and authorise the initiation of activity to standardise the administration of burials.

7	List of Documents Attached
7.1	Appendix A: Cemeteries Service: Cookstown, Dungannon & Magherafelt

Cemeteries Service: Cookstown, Dungannon & South Tyrone and Magherafelt Councils

Cookstown, Dungannon & South Tyrone and Magherafelt Councils make provision for burials and maintain cemeteries within their respective districts. This report provides a base line and overview of how burials and cemeteries are administered by each council. For ease of reference the report is presented under the following:

- | | | |
|------------------------|-----------------------|-----------------------|
| 1. Cemetery Details | 3. Record Keeping | 5. General & Capacity |
| 2. Process of Purchase | 4. Grave Preparations | |

	Cookstown	Dungannon	Magherafelt
Contact for Audit	Valerie Purvis, Finance	Keith Ferguson, Technical	Albert Hogg, Finance
1. Cemetery Details			
Cemeteries	<p>Situated on Westland Road 1 Cemetery with 4 areas:-</p> <ul style="list-style-type: none"> • Forthill Catholic (new graves available) • Forthill Protestant (new graves available) • Old Catholic • Old Protestant 	<p>3 Cemeteries</p> <ul style="list-style-type: none"> • Cottagequinn (located Old Eglish Road) – new graves available • Coolhill (located on Killyman Road – no new graves available) • Drumcoo (oldest located at top of Circular Road) no new graves available 	<p>1 Cemetery</p> <p>Polepatrick since 1988 until present time – 3 section areas at present (new graves available)</p> <ul style="list-style-type: none"> • Section A – Protestant • Section B – Catholic • Section K – Nondenominational <p>Prior to 1988 the Council did not get involved in the provision of grave spaces</p>
Maps of Cemeteries	Map for each cemetery area. Grave marked off when purchased	Maps available for each graveyard for reference purposes	Map available for reference purposes
2. Process of Purchase			
Purchasing of Grave	Grave cannot be purchased until after a death, at this point up a	Grave can be purchased at any time. No maximum number of	Grave cannot be purchased until after a death, at this point person who will have

	Cookstown	Dungannon	Magherafelt
	maximum of 3 graves can be purchased (guarantee 2 burials but normally 3 burials can be done in each plot – gravedigger will advise)	graves, Cottagequinn - 3 burials can be done in each grave. Coolhill/Drumcoo - 2 burials per grave	Right of Burial to grave must arrange (the person who has responsibility for). Finance Officer will take details and issue receipt, letter and Rules and Regulations of Cemetery Maximum of 2 graves can be purchased (normally up to 3 burials can be done in each grave – dependent on ground condition)
Notice to be given	At least 24 hours' notice to be given for a burial Contact is normally made by undertaker, on occasion a relative. At weekends or holiday period contact is normally made with Cemetery Caretaker directly who will then email Valerie with details	At least 24 hours' notice to be given for a burial Contact is normally made by undertaker, on occasion a relative. At weekends or holiday periods contact is made with on-call officer who will be either Keith Ferguson or Paul Bailie (undertakers advised accordingly)	At least 24 hours' notice must be given for a burial. Arrangements for burial normally made with undertaker. At weekends or holiday periods Contact is made with Albert Hogg, Brian Keswick or Jackie Kane (Local undertakers have contact details)
Cost	Grave £125.00 Interment Charge £125.00 Burial of ashes £55.00 Approval fee for headstone/ memorial £40.00 Above charges apply to Current and past residents of Cookstown District Area. For non-residents the charge is doubled	Grave £125.00 Interment Charge £125.00 Burial of ashes £60.00 Stillborn £60.00 Approval fee for headstone/memorial etc. £40.00 for Coolhill / Drumcoo £60.00 for Cottagequinn Above charges apply to Current and past residents of Dungannon & South Tyrone Borough Council. For non-residents the charge is doubled	Grave £125.00 Interment Charge £200.00 Burial of ashes £60.00 Stillborn, infants & children £60.00 Approval fee for headstone/ memorial £27.50 Exhumations *£300.00 Re-Issue of Certificate £17.00 Search Fee £14.00 Transfer £16.00 Above charges apply to current residents of Magherafelt District Area. For non-residents the charge is doubled *with the exception of exhumations which is same charge a resident of district

	Cookstown	Dungannon	Magherafelt
Certificate/Receipt of Purchase	For new grave Registry Certificate completed (copy of Registry receipt book for each area <i>on file</i>) and certificate issued to relative/undertaker with Plot no. etc. Thereafter, further opening of grave is completed in Gravediggers Order book (<i>copy on file</i>) and copy given to Cemetery Caretaker	Burial Account Receipt is given to undertaker/relative (<i>copy on file</i>). A Burial Account Receipt is also given for payments for further openings of grave or application for headstone etc.	Letter (including copies of Annex 1 & 2) issued to person who holds Right of Burial confirming Plot no, confirmation of payment (<i>copy on file</i>)
3. Record Keeping			
Method of Recording Details	When grave(s) purchased, this is marked off on appropriate map and recorded on Software package Cemetery Pro. Also recorded manually in Register of Burial book (2 books - 1 for Forthill Catholic and 1 for Forthill Protestant) and index card system (alphabetical according to Surname) Records available from approx. 1940	When grave is purchased, this is recorded manually in 2 books Burial Register book (details burial only in date order) and Cemetery Register Book (details of ownership, and all burials in plot) details are also recorded on an excel spreadsheet. Records for Drumcoo were burned a number of years ago but work was carried out and where possible details of graves can be found on Discover Everafter website.	When grave is purchased this is recorded manually in 2 books <ul style="list-style-type: none"> • “Grant of Right of Burial book” which details (in 3 section areas) who has right of burial plot along with details of burials • “Register of Burial” book which details burials in date order Details of graves can be located on Discover Everafter website
Documentation	Undertaker forwards a Burial Confirmation Sheet to Valerie on monthly basis (<i>copy on file</i>)	Technical Services Support Officer forwards Notice of Disposal Return (<i>copy on file</i>) to Registrar for each burial Monthly summary is completed of purchase of graves and sent to Registrar (<i>copy on file</i>)	All cemetery business transacted during month is presented at Council meeting on a spreadsheet (<i>copy on file</i>) and is recorded in Council minute. Traditionally, the Council seal was used but this is no longer applied.

	Cookstown	Dungannon	Magherafelt
4. Grave Preparations			
Grave digging	Graveyard caretaker carries out digging of grave by Council mechanical digger with another member staff assisting	Digger Contract in place for Cottagequinn graves and first openings in Coolhill – 2 gravediggers also present For subsequent opening of graves in Coolhill and Drumcoo – 2 gravediggers carry this out manually	3 Gravediggers dig grave with mechanical digger which has to be hired on each occasion
Staff Present at burial	Cemetery Caretaker and another gravedigger	2 Gravediggers and Keith Ferguson or Paul Bailie	3 Gravediggers present
Approx. burials per year	100	36	10
5. General & Capacity			
Erection of Headstone/Memorial	Application to be completed (copy on file) - restrictions detailed	Application to be completed (<i>copy on file</i>) – restrictions available in Rules & Regulations	Application to be completed (<i>copy on file</i>)
Cemetery Capacity	Approx. 900 plots Potential site for a future cemetery at Cabinwood	In Cottagequinn there are 720 plots available at present but still a very large area of cemetery available to be developed	Approx. 2800 plots
Byelaws	Cookstown District Council Rules and Regulations for Cookstown Public Cemeteries Last adopted by Council 14/09/1982	Dungannon District Council Rules and Regulations for Cottagequinn Burial Grounds Adopted by Council 11/11/1996	Magherafelt District Council Rules and Regulations for Polepatrick Cemetery Adopted by Council 14/06/1988
Other information			Currently cut grass at 11 old graveyards but do not own same (<i>copy on file</i>)

List of Associated Documents (held on file)

- A - Registry Certificate (CDC)
- B – Grave Diggers Order (CDC)
- C – Burial Account Receipt (D&STBC)
- D – Confirmation letter for Purchase of “Right of Burial” (MDC)
- E – Burial Confirmation Sheet (CDC)
- F – Notice of Disposal Return (D&STBC)
- G – Monthly summary sheet to Registrar (D&STBC)
- H – Summary of Cemetery Detail to Council Meeting (MDC)
- I – Application to Erect Headstone (CDC)
- J - Application to Erect Headstone (D&STBC)
- K - Application to Erect Headstone (MDC)
- L – List of old burial grounds at which Council cut grass (MDC)

F

Subject	Area Transferring to Armagh, Banbridge and Craigavon DC
Reporting Officer	Change Manager

1	Purpose of Report
1.1	To update members on the area within the current Dungannon and South Tyrone Borough Council area not transferring to Mid Ulster District Council and to seek input from members on the transfer process.

2	Background
2.1	The review of local government boundaries and establishment of the new Mid Ulster District resulted in a portion of the current Dungannon and South Tyrone Borough Council falling within the new Armagh, Banbridge and Craigavon District Council Area. This area will therefore not transfer to Mid Ulster District Council on 1 April 2015 but rather fall under the responsibility of the local authority as referred.
2.2	The area is located at the south east boundary of Dungannon and South Tyrone Council situated in the former Killyman Electoral Ward on the County Armagh side of the River Blackwater. Appendix A provides a profile of the area and details the current council activity and service delivery arrangements in the area.
2.3	Mid Ulster Council will not gain or lose any other geographical area, therefore being made up of the existing Cookstown Council area, Magherafelt Council area and the remaining area of Dungannon and South Tyrone Council area.
2.4	Based on 2011 census data the identified area has a population of 1,213 and extends to 24km ² .

3	Key Issues
3.1	<p>A series of services are provided within the area which will become the responsibility of the Armagh, Banbridge and Craigavon DC on 1 April 2015. Service arrangements in the area fall under the categories:</p> <ul style="list-style-type: none"> (a) Waste Management (domestic and trade waste) (b) Street Cleansing (c) Environmental Health (d) Dog Licensing

	(e) Building Control
3.2	In addition to the service categories as listed Dungannon and South Tyrone Council also have two leases for property in the area, maintain a historic burial ground and have some grass cutting maintenance commitments.
3.3	Preparations are required for the transfer of service delivery arrangements to Armagh, Banbridge and Craigavon Council to ensure seamless transition on 1 April 2015 so that no householder or business in the area experiences a disruption to the service currently provided.
3.4	An initial meeting has taken place involving officers from both sides to confirm existing service provision in the area. Formal engagement and discussion must commence to firstly, explore all the options for service delivery in the area on 1 April 2015 and secondly, make preparations for service delivery arrangements to be implemented.
3.6	Service delivery options in the area on 1 April 2015 are; (i) full delivery by Armagh, Banbridge and Craigavon Council (the assumed position); (ii) partial delivery of services in the area by Armagh, Banbridge and Craigavon to include all but refuse collection; or (iii) Mid Ulster delivering all the services in the area for a period under a Service Level Agreement permitting sufficient time to transfer service arrangements.
3.5	<p>Critical issues requiring immediate attention include:</p> <ul style="list-style-type: none"> (i) Communication with residents and business with the message being subject to agreed service delivery arrangements in the area in April 2015. (ii) Data transfer agreements being in place (iii) Realignment of refuse collection routes (route optimisation) (iv) Cataloguing files and information for transfer (v) Identifying areas where income has been received for a service but work will be completed by Armagh, Banbridge and Craigavon Council (vi) Council Reception staff informed and briefed on future arrangements

4	Resources
4.1	<u>Financial</u>
4.1.1	Land & Property Service has calculated that £250,000 of rates income will be lost due to the non-transfer of the domestic and business properties to the Mid Ulster Council.
4.2	<u>Human</u>
4.2.1	A member of staff assigned to identify and catalogue the information for transfer

4.3	<u>Basis for Professional/ Consultancy Support</u> – N/A
4.4	<u>Other</u> – N/A

5	Other Considerations
5.1	Armagh, Banbridge and Craigavon DC is losing a former electoral ward of Banbridge DC to the new Newry, Mourne and Down Council. Information on this ongoing process would be useful to inform Mid Ulster's transfer.

6	Recommendations
6.1	Members give consideration to the approach to be taken and authorise that formal discussion commence between Mid Ulster and Armagh, Banbridge and Craigavon Councils to make necessary preparations.

7	List of Documents Attached
7.1	Appendix A: Report: Council Activity in Area not Transferring to Mid Ulster DC

Report

Council Activity in Area not Transferring to Mid Ulster DC

This report provides initial detail on existing service delivery arrangements within an area of Dungannon & South Tyrone Borough Council which will not transfer to Mid Ulster District Council area. This report is a live document and is to be used as a basis for discussion between officials from relevant Councils.

1.0 Background

The creation of Mid Ulster District Council as part of the reform of local government will see the abolition of Cookstown District Council, Dungannon & South Tyrone BC and Magherafelt District Council on 31 March 2015. Whilst all of the existing council areas of Cookstown and Magherafelt will transfer to form part of the new Mid Ulster District Council, Dungannon & South Tyrone BC area will not transfer in its entirety.

The establishment of the new Council will not include a geographical area currently located at the south east boundary of Dungannon & South Tyrone BC.

2.0 Area Profile

The area not transferring with the rest of Dungannon & South Tyrone BC to Mid Ulster DC was located within the former Killyman Electoral Ward which made up Blackwater District Electoral Area. The area will now fall within Armagh, Banbridge and Craigavon District Council and has been absorbed into two electoral wards within this Council, namely The Birches and Loughgall.

The identified area is beyond the River Blackwater, which acts as the County Tyrone and County Armagh boundary, with it being on the County Armagh side. The area extends to 24 km², is divided by the M1 motorway and contains Peatland's Park, a 680 acre site of park land owned and operated by the NI Environment Agency.

3.0 Properties & Population

Reference to Land & Property Service (LPS) database of addresses has identified 440 addresses (see appendix 1) within the area. A spatial analysis of the area, together with reference to 2011 census information, has identified the following buildings:

Building / Address Status	
Built	363
Demolished	15
None	38
Under construction	24
Total	440

The addresses can be summarised as follows:

Address Classification	
None	80
Domestic	338
Non-Domestic	22
Total	440

Analysis of the 2011 census statistics has confirmed that the identified area contains 1,213 residents. Appendix 2 provides a map giving an indication of the resident population spread and density within the identified area. Appendix 3 provides the address data set complete with all addresses which have buildings classified as built, demolished or under construction.

4.0 Service Delivery Arrangements

The following provides detail on known council service delivery arrangements, at the time of writing, within the identified area broken down by waste management and cleansing; environmental health; building control and maintenance commitments.

4.1 Waste Management & Cleansing

4.1.1 Waste Management

Weekly bin collections are made from 475 domestic properties spread over Mondays (160 collections) and Tuesdays (315 collections). Collections alternate at these properties between blue for dry recyclables and black bins for residual waste. Brown bin collections also take place from 147 domestic dwelling on a fortnightly basis for brown bin waste and 2 'other' properties, which includes 1 hall and 1 Church.

The following provides a breakdown of the roads and dwellings per each day as referred.

Monday Collection: 160 domestic dwelling bins alternating between blue and black bins

Address	No. of dwellings/ bins	Comments
Tamnamore Road	4	
Derrylee Road	13	
Mullenakill Park	31	
Mullenakill Orlits	13	
Derrylee Road to 'Growmore'	78	3 Group Collections
Derryane Road	21	
Total	160	

Tuesday Collection: 315 domestic dwelling bins alternating between blue and black bins

Address	No. of dwellings/ bins	Comments
Derryhubbert Road 'North'	21	
Derryane Road	8	

Derrylileagh Road	16	
Birches Road	2	
Derryhubbert Road 'South'	3	
Derrycorr Road	18	
Clonmacash Road	13	
Derrycoose Road	22	
Moss Road	4	2 nd black bin sticker
Derrycoose Road	15	
Blackisland Road	29	
Derryhubert Lane	7	
Derryhirk Road	24	2 nd black bin sticker
Clonmore Road	8	
Derrygalley Road	6	
Clonmore Road	74	2 nd black bin stickers x2
Clonmore Villas	40	Assisted lift no.21
Clonmore Road	5	
Total	315	

Wednesday: 147 domestic dwellings, 1 hall and 1 church brown bin fortnightly collections

Address	No. of dwellings/bins	Comments
Derrylee Road	30	Orange Hall, Church
Mullenakill Park	31	
Mullenakill Orlits	13	
Clonmore Road	35	40mph - 40mph
Clonmore Villas	40	No.21 an assisted lift
Total	149	

Trade Waste Contracts are in place for the following:

- Clintyclay Primary School
- Gerald Muldoon
- Derrylee Orange Hall
- River of Life Fellowship
- Clonmore GFC
- Verners Inn
- Crumlin Plant Sales

4.1.2 Street Cleansing

A truck mounted sweeper sweeps sections of roads on a fortnightly basis equating to a time commitment of 45 minutes. This is undertaken at Clonmore Villas. None of the areas swept by the sweeper have litter bins requiring maintenance.

4.2 Environmental Health

Review of work undertaken by Environmental Health within the identified has generally identified;

- Files on housing & public health work on domestic properties requiring transfer, and
- Records on dog licensing by dog owners in the area

More specifically and with reference to the data set in Appendix 3 Environmental Health has identified detail on (i) commercial dog breeding establishments; (ii) commercial business which would come under the Council's Health & Safety Enforcement Role; (iii) commercial businesses falling under the Food Inspection Control; and commercial businesses falling under the Pollution, Prevention Control regime. The business establishments are listed under the aforementioned categories.

Dog Breeding	Health & Safety Inspection	Food Control Inspection	Pollution Prevention Control Inspection
Blevwil Dog kennels	A1 Feed Supplements River of Life fellowship Derrylee Orange Hall RF Canners - Heatherlea Pet Products Verners Inn (Costcutters) UMC meats (not on list but should be included) Annaghmore Cash Stores (not on list but thought should be included) The Oval (not on list but thought should be included) Saltmarine Cars (On list but needs reviewed) Clonmore GAA (possibly incoming regulated stands requirements, not currently under Sports Grounds legislation)	Annaghmore cash stores (not on list but thought should be included) RF Canners Heatherlea Pet Products Verners Inn (Costcutters) Clintyclay PS UMC meats (not on list but should be included) Brenda Daly, Childminder Chocolate Haven, Mr Paul Haven Cake That, Ms Donna McKenna Colin Farquhar, Market Stall Crispy Chip, Mr Brian Stratton	Cappers Coal yard on Blackisland Road (may need to be reviewed on list)

4.3 Building Control

There are currently 149 live building control applications and 380 completed files within the identified area.

Two petrol stations are licensed in the identified area by Building Control, detailed as follows:

Verners Inn Costcutter	Mr Thomas Willis
Mr Richard Greenaway	2 Derrycoose Road
174 Tamnamore Road	Killyman
Dungannon	Dungannon
BT71 6NR	BT62 1LY

4.4 Maintenance Commitments

Dungannon & South Tyrone BC currently maintain the amenity area at Verners Bridge on the Co. Armagh side of the River Blackwater. This site is classified as a water recreational site currently within the ownership of the Department of Culture, Arts & Leisure (DCAL), which will transfer to Armagh, Banbridge and Craigavon DC on 1 April 2015. Council also maintains Church Hill Graveyard. This is classified as a historic graveyard and as such is not in the ownership of Dungannon & South Tyrone BC.

4.5 Council Facilities & Leases

Facilities: There are no assets/ facilities in the ownership or direct management of Dungannon & South Tyrone BC within the identified area.

Leases: Council currently holds two leases on; (i) lands at Mulenakil from the NI Housing Executive; and (i) lands for a campsite and canoe trail from a local landowner

Bus Shelters: There are 4 bus shelters located at (i) Mulenakil Park; (ii) adjacent to Derrylee Orange Hall; (iii) Birches Road (boundary side); (iv) and Clonmore Road.

5.0 Other Issues

Whilst not directly linked to the identified area further discussion is required on:

- Lands at Dredge Bridge, Caledon on the Co. Armagh side of the River Blackwater which is maintained by Dungannon & South Tyrone BC
- Lands adjacent to Maghery footbridge on the Co. Tyrone side of the River Blackwater is maintained by Craigavon BC

6.0 Considerations

In making preparations for the transfer of service delivery arrangements within the identified area initial consideration will be required on:

- Communication arrangements with householders in the identified area
- Consideration of interim service delivery arrangements
- Project Plan to facilitate seamless transfer

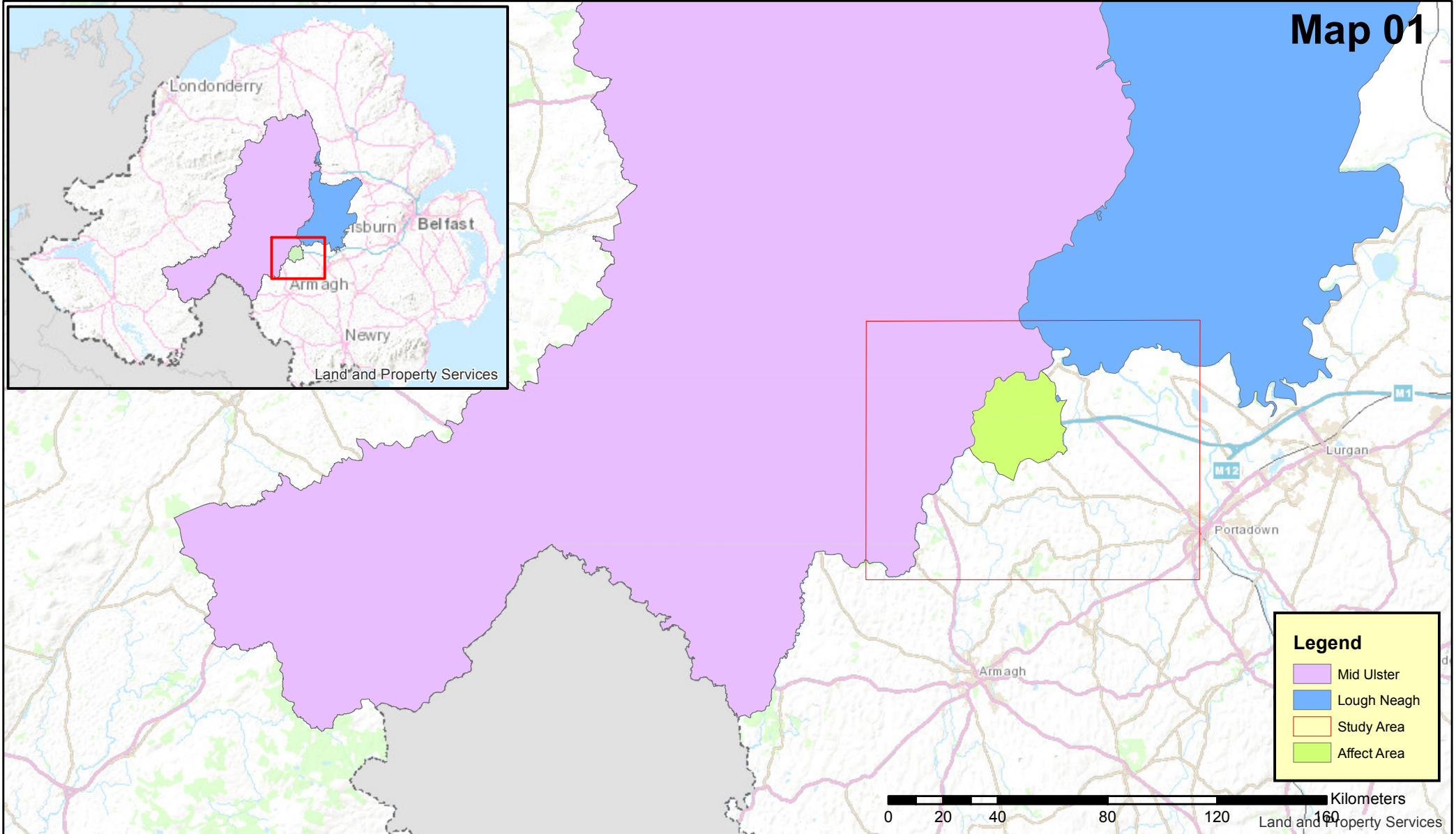
7.0 Further Information

General Queries	philip.moffett@midulstercouncil.org ursula.mezza@midulstercouncil.org
Waste Management & Cleansing	fiona.mcclements@dungannon.gov.uk tony.law@dungannon.gov.uk
Environmental Health	fiona.mcclements@dungannon.gov.uk
Building Control	jim.mcclelland@dungannon.gov.uk fred.kirk@dungannon.gov.uk
Parks & Open Services	nigel.hill@dungannon.gov.uk
Assets & Leases	paula.kerr@dungannon.gov.uk

P Moffett
Change Manager - Mid Ulster
5 September 2014

Area Location

Map 01



Cookstown
DISTRICT COUNCIL

COMHAIRLE CHEANTAR NA COIRRE CRÍOCHAÍ
DISTRICT COONCIL O COOKESTOWN

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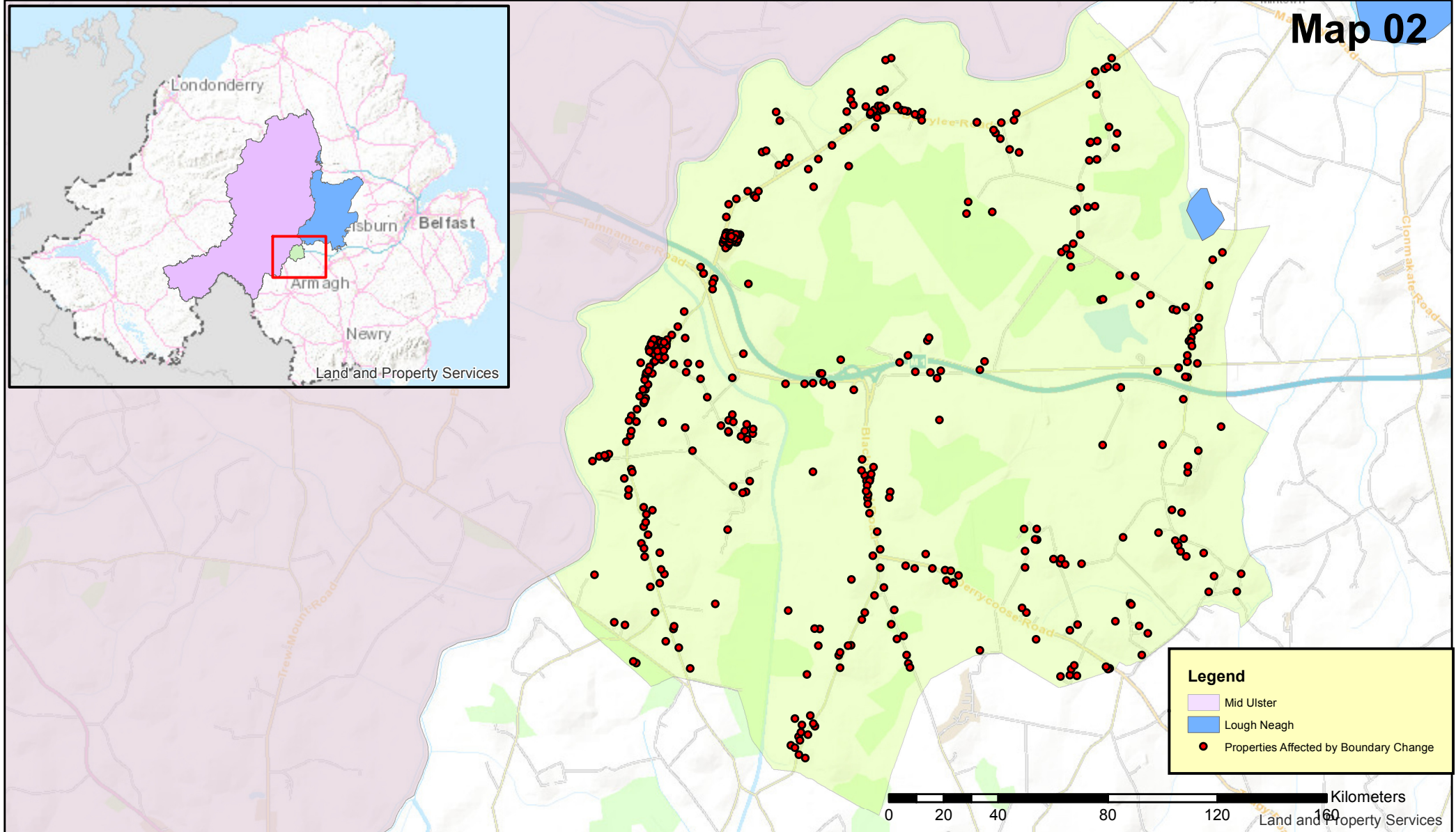
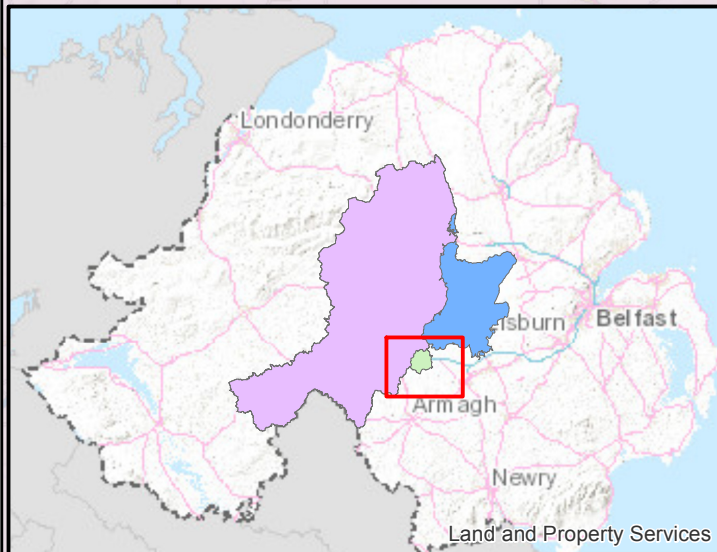
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Properties Affected by Boundary Change

Map 02



Legend

- Mid Ulster
- Lough Neagh
- Properties Affected by Boundary Change



Cookstown
DISTRICT COUNCIL

COMHAIRLE CHEANTAR NA COIRRE CRÍOCHAÍ
DISTRICT COONCIL O COOKESTOWN

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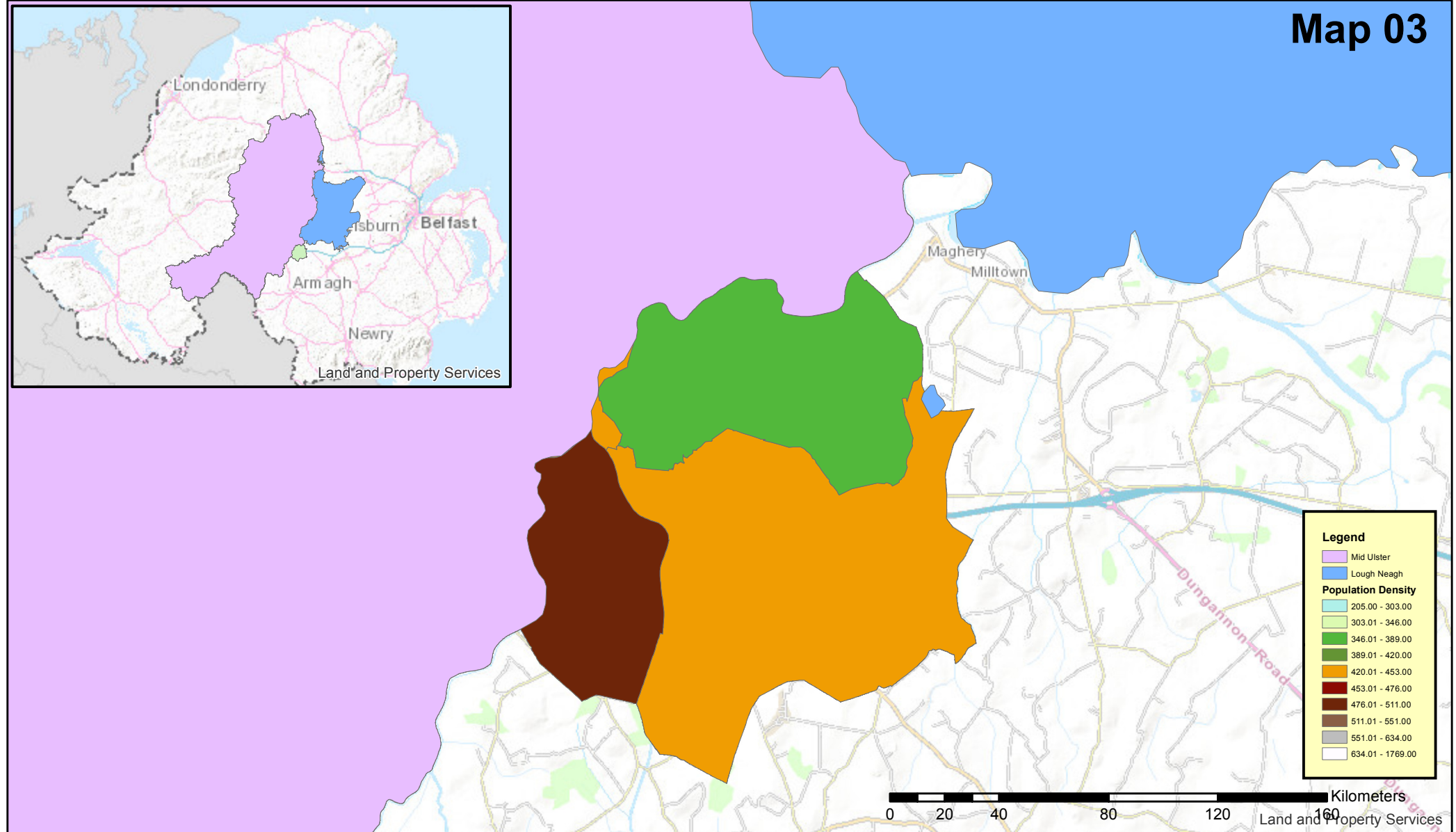
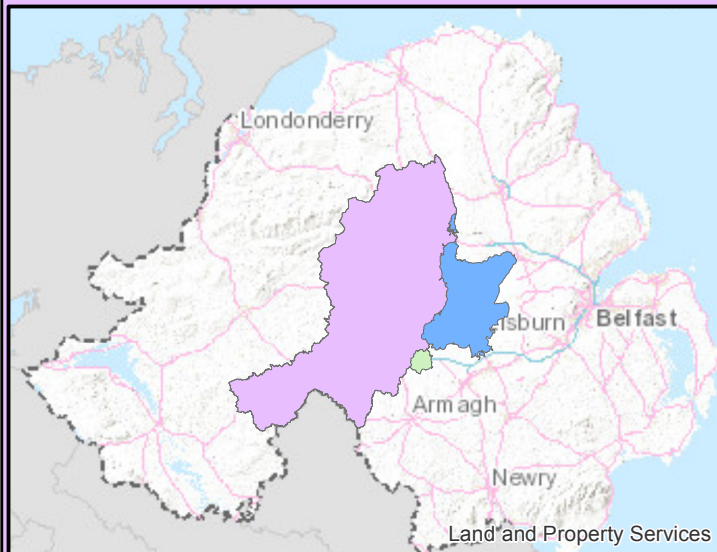
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Population of Change Area

Map 03



Cookstown
DISTRICT COUNCIL

COMHAIRLE CHEANTAR NA COIRRE CRÍOCHAÍ
DISTRICT COONCIL O COOKESTOWN

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G

Subject	Mid Ulster District Council Corporate Plan (2015-2019)
Reporting Officer	Change Manager

1	Purpose of Report
1.1	This report provides an update for members on preparations being made for the development and finalisation of a Corporate Plan for the period 2015-2019.

2	Background
2.1	Council must have a corporate plan in place as a business tool to guide members and staff on delivering the suite of local government services it will assume responsibility for from 1 April 2015.
2.2	As well as there being a requirement to have a corporate plan in place it is also a critical document to help the council target resources towards the delivery of services within and across the district, and importantly in communicating the council's vision and priorities for its first term to its customers.
2.3	A corporate plan is currently in place for the transitional period 2014-15 following which the corporate plan as referred above will become operational. The existing corporate plan has a focus on transition and implementing change with an emphasis on (i) integrating services; (ii) communicating the change; (iii) resources in place to deliver services; and (iv) systems to underpin and deliver services.

3	Key Issues
3.1	A timeline has been compiled for the development of a new corporate plan for the period 2015-2019. The timeline has been developed with sufficient flexibility to ensure a plan is in place for April 2015. Appendix A sets out a timeline for development.
3.2	Development of the plan will involve a series of sequential work strands as detailed in appendix A starting with a desktop review and analysis. The desktop review and analysis will draw upon existing council corporate plans, corporate plans held by transferring in functions and review information from council engagements to date on community

	planning, the economic development action plan and corporate branding exercises.
3.3	The corporate planning process will run independently of, yet in parallel with the community planning and corporate branding programmes.
3.4	The process will reflect on information gleaned from various strands of work undertaken to date by the Council. Members will be involved throughout the process with facilitated discussion and engagement taking place on the emerging findings coming from the desktop analysis.
3.5	Support will be drawn upon, as required, to assist with various steps of the process involved in developing, agreeing strategic priorities and publishing the corporate plan. Support will bring a different perspective on the development of a corporate plan and a level of expertise and capacity not currently available within council.
3.6	A final corporate plan for the period 2014-2015 will be brought to Policy & Resources Committee in March 2015 following engagement within and across the three councils.

4	Resources
4.1	<u>Financial</u>
4.1.1	Provision has been made within the Council budget for the design and publishing of the corporate plan.
4.2	<u>Human</u> – N/A
4.3	<u>Basis for Professional/ Consultancy Support</u>
4.3.1	External support to assist with elements of the process is required to bring a level of expertise and capacity currently not present.
4.3.2	The Local Government Training Group (LGTG) regional support programme will be used to provide this support with no cost to Council.
4.4	<u>Other</u> – N/A

5	Other Considerations
5.1	The Local Government Act (NI) 2014 requires that Council make arrangements to secure continuous improvement in the exercise of its functions. Particular reference is made to improving the exercise of functions in terms of:

	<ul style="list-style-type: none"> (a) strategic effectiveness (b) service quality (c) service availability (d) fairness (e) sustainability (f) efficiency (g) innovation
5.2	Work will commence on the development and integration of a corporate performance improvement framework. This framework will illustrate how the Council will manage and report on how it is meeting the priorities, objectives and targets set within the corporate plan.

6	Recommendations
6.1	That members consider and agree upon the approach being taken to develop the new Corporate Plan for Mid Ulster District Council.

7	List of Documents Attached
7.1	Appendix A: Corporate Plan Development Timeline

Mid Ulster District Council

Corporate Plan Development Timeline

Appendix A

The following is a detailed timeline for the development of Mid Ulster District Council's Corporate Plan (2015-2019). Given the significance of the plan in setting the direction for the Council's first term the corporate planning process will run independently but in parallel with existing branding and community planning exercises. Information from these exercises will complement and inform the corporate planning process. The below will be used to populate a phased project plan.

Work Strands	Activities	Completed By
Scope & Initiation	<ul style="list-style-type: none"> Identify and agree parameters of the process Communication of the process to Members and staff Commence the process Develop member, staff and stakeholder engagement approach Agree professional support to undertake desktop review 	17 October
Desktop Review	<ul style="list-style-type: none"> Review of existing cluster councils' corporate plans Review of corporate plans held for transferring functions Compilation and review of information from branding and community planning engagements Compilation and review of other relevant information 	14 November
Engagement (Pre)	<p>Member, Staff and Stakeholder Engagement</p> <ol style="list-style-type: none"> Members: paper outlining process and timeline to November P&R Committee. All staff: inclusion of corporate plan development process in Transition Mid Ulster. Transition Team: facilitated workshop to consider outcome of desktop review and potential strategic themes. Members: paper detailing outcome of desktop review and emerging priorities to December Council meeting. Members and New Directors: engagement session, followed by consultation with service delivery managers to develop objectives under agreed strategic themes. Council Staff: staff briefings on general reform progress and corporate plan development. Stakeholder: if required to plug identified gaps. 	Mid-January

Integrating corporate performance regime	<ul style="list-style-type: none"> Development of organisational performance arrangements, including reporting linkages and mechanisms (to inform the suite of reporting documents i.e. service/ section plans or service improvement plans) 	Late January
Plan Development	<ul style="list-style-type: none"> Corporate plan drafted. Review by Chief Executive and senior management team Draft plan presented to January Council meeting 	22 January
Engagement (Post)	<p>Member, Staff and Stakeholder Engagement</p> <ul style="list-style-type: none"> Formal external consultation and internal engagement on the draft plan 	End February
Authorisation	<ul style="list-style-type: none"> Draft Corporate Plan, reflecting outcome of consultation process, presented to March P&R Committee. 	3 March
Communication	<ul style="list-style-type: none"> Corporate Plan designed, published and communicated internally and externally. 	1 April

Please Note: The dates reflect when Work Strands will complete. Although work strands are shown in a sequential order some will be running parallel with others to meet their completion date, the phased project plan will show this.

H

Subject	Rate Estimates Timetable
Reporting Officer	Lead Finance Officer

1	Purpose of Report
1.1	To inform Members of the Rate Estimates timetable and seek agreement to dates scheduled therein for Member engagement

2	Background
2.1	<p>Section 3 of the Local Government Finance Act (Northern Ireland) 2011 states:</p> <p>“Annual budget3(1) In each financial year a council shall cause to be submitted to it estimates of the income and expenditure of the council during the next financial year.</p> <p>(2) A council, before the prescribed date in each year—</p> <ul style="list-style-type: none"> (a) shall consider the estimates for the next financial year; (b) may revise the estimates in such manner as the council thinks fit; (c) shall approve the estimates, subject to any revision under paragraph (b); (d) shall authorise the expenditure included in the estimates; and (e) shall fix for the next financial year the amount estimated to be required to be raised by means of rates made by the council. <p>(3) No expenditure shall be incurred by or on behalf of a council unless—</p> <ul style="list-style-type: none"> (a) previously authorised in accordance with the estimates approved by the council; or (b) otherwise previously authorised by the council; or (c) if not so authorised, necessarily incurred in circumstances of emergency; <p>but any expenditure under paragraph (c) shall, as soon as reasonably practicable, be reported to the council with a view to being approved by the council.”</p>
2.2	Generally the “prescribed date”, which is formally notified to councils by the Department has been 15 February of the relevant year. This date sat well with councils’ meeting schedules which usually provided for a meeting during the early part of February.
2.3	The meeting schedule of the new Mid Ulster District Council (and at least some of the other ten new councils) provides for meetings towards the end of the relevant month. This will mean that, if the Council is willing to allow its officers an equivalent amount of time to research, prepare and present the Rate estimates as in previous years, it will be necessary to convene a Special Council meeting prior to Sunday, 15 February 2015.

3	Key Issues
3.1	It is uncertain whether the Department will be prepared to redefine the prescribed date. A telephone conversation with Local Government Division on Thursday, 23 October 2014 suggests that the Department is not minded to do so.
3.2	Member and officer availability throughout the relevant period is key.
3.3	Finally there continues to be great uncertainty surrounding the budget allocation in respect of transferring in services.

4	Resources
4.1	<u>Financial</u> Key process fundamental to Council operation.
4.2	<u>Human</u> Member and officer availability.
4.3	<u>Basis for Professional/ Consultancy Support</u> N/A
4.4	<u>Other</u> N/A

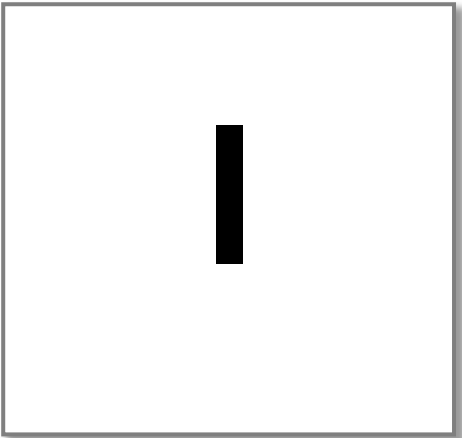
5	Other Considerations
5.1	N/A

6	Recommendations
6.1	That Members recommend to Council that the proposed schedule for Member engagement is adopted.

7	List of Documents Attached
7.1	Appendix A: Proposed Rate Estimates Timetable

SUGGESTED RATE ESTIMATES TIMETABLE
TO STRIKE 2015/16 RATE FOR MID ULSTER DISTRICT COUNCIL
RATE TO BE STRUCK BEFORE SUNDAY, 15 FEBRUARY 2015

Proposed Date and Time	Venue	Purpose	Suggested Attendees
Monday, 15 December 2014 – 6pm	Dungannon	Party Group Leaders' Meeting to discuss Rate proposals	Party Group Leaders and Chief Executive
Thursday, 22 January 2015 – 7.00pm	Dungannon	"In Committee" full Council discussion re Rate proposals	All Members
Tuesday, 3 February 2015 – 7.00pm	Cookstown	"In Committee" Policy and Resources Committee to discuss 'final' Rate proposals	All Members
Thursday, 12 February 2015 – 7.00pm	Dungannon	Special Council meeting to strike Rate	All Members



Subject	Service Risk Registers: Communications, ICT & HR
Reporting Officer	Chief Executive

1	Purpose of Report
1.1	To update members on the Risk Registers for services within the domain of the Policy & Resources Committee to include HR, Communications and ICT for the transitional period to 31 March 2015.

2	Background
2.1	Members will be aware that the Council, during the transitional period, is required to take all steps necessary to make arrangements to assume full responsibility for the delivery of local government services from April 2015 when the existing councils cease to exist.
2.2	The Council has therefore been empowered to undertake such activities as required to make arrangements for the full establishment of the new Council. It will not have responsibility for delivery of local government services in Mid Ulster during transition.
2.3	Risk registers have however been developed as a business tool to guide Council on the delivery of the transition programme to facilitate seamless transition to the new Council. It should be used as an aid to manage identified risks, significant or otherwise, to this programme.

3	Key Issues
3.1	The registers map the initial risks aligned to each of the service.
3.2	<p>The register is presented with the:</p> <ul style="list-style-type: none"> • Risks • Control Measures in place to minimise identified risk • Risk Ratings • Actions being taken • Progress from one reporting period to the next
3.3	Members should note that the registers are a business tool and as such are fluid documents which will be updated as the transition programme develops. They will be maintained by respective lead officers, have my oversight by and be periodically reported to the Committee.

4	Resources
4.1	<p><u>Financial</u></p> <p>The absence of service specific risk registers as part of business planning processes has the potential to lead to undetected financial implications for the new council. Maintenance of registers will minimise this risk.</p>
4.2	<u>Human</u> – N/A
4.3	<u>Basis for Professional/ Consultancy Support</u> – N/A
4.4	<u>Other</u> – N/A

5	Other Considerations
5.1	The Finance Risk Register was considered at the October Policy and Resources Committee meeting.

6	Recommendations
6.1	Members are asked to note and reflect on the Registers in Appendix A.

7	List of Documents Attached
7.1	Appendix A: Risk Registers for Communications, HR and ICT

ICT Risk Register: Transitional Period 2014-15

Corp Ref	Service Area	Description of Risk	Existing Control Measures	Consequence	Likelihood	Risk Rating	Assessor	Date	Previous Risk Rating	Risk Owner	Actions	Target Date	Progress
ICT01	ICT	Failure of Planning ICT function transfer to Local government	Established Plan, Regular weekly WebEx with DOE, Plans	4	3	12	TMT	13-Oct-14			Layouts agreed		NetworkNI,complete,Network inspection,
ICT02	ICT	Failure to transfer Data and system sufficient to maintain the transferred function	Audit underway by Central Gov	5	2	10		#####					
ICT03	ICT	NO single Environmental and regulatory system in place for April 2015	EH & BC working with ICT	3	2	6		13-Oct-14			Timescales to be tighten and Closer tascomi engagment required		
ICT04	ICT	Significant failure in transferring functionality or performance in a transferring function	Corporate TMTS, exsisting needs identiifed	3	2	6		#####			Stoarge requiremetns to be considered		
ICT05	ICT	Significant Incident on a site affecting delivery of service or communications	project plan for introduction of all n erw systems	4	2	8		13-Oct-14			Business continuity and DR significant factors in delivery of new infrastructure		Tender preparation
ICT06	ICT	Significant breach in Information Security	existing policies inplace,	4	2	8		13-Oct-14			Policies and procedures to be developed for new council		
ICT07	ICT	Insufficient resources to deliver an effective and efficient ICT delivery function	Kelway report identified key requirements	4	2	8		13-Oct-14			Additional budgetary plan required		HR resources required

Communication Working Group Risk Register: Transitional Period 2014-15

Corp Ref	Service Area	Description of Risk	Existing Control Measures	Consequence	Likelihood	Risk Rating	Assessor	Date	Previous Risk Rating	Risk Owner	Actions	Target Date	Progress
MC1	Branding	Delay in completion of branding project with insufficient time to implement phased introduction of new branding.	Project management by MCM	4	3	12	MCM	16-Sep-14		MCM	On-going project management and close liaison with McCadden.	01-Dec-14	Revised timeline for completion of 3 stages with first stage due for completion by 30 September 2014. Meeting with McCadden to review stakeholder engagement findings, plus initial brand proposition, set for Friday 26 September.
MC2	Web site development	Delay in development of new web site for Mid Ulster to go live from 1 April 2015.	Project management by MCM	4	3	12	MCM	16-Sep-14		MCM	Initial tender exercise resulted in no submissions. Re-tendered immediately with minimum turn-around to address slight slippage in project timetable.	28-Feb-14	Tender assessment date set for Wed 24 September. Project initiation meeting to be held as soon as practicable thereafter.
MC3	Reputational damage in transitional	Negative media reporting of Mid Ulster Council actions in preparation for 2015 leading to reputational damage.	Media management tools in place	2	2	4	MCM	16-Sep-14		MCM	Contact made with local editors, arrangements in place for handling of media enquiries.	On-going	On-going development of relationships with local journalists by provision of newsworthy copy and timely, professional responses to media enquiries. First round of meetings with
MC4	Budget	Budget pressure leading to reduced communications activity	Optimisation and prioritisation of budget available.	3	3	9	MCM	16-Sep-14		MCM	Existing projects within budget.	On-going	Project management to ensure allocated budgets not exceeded. Phased introduction of communications activity with cost attached. Demonstration of value for money in communications function.
MC5	Internal Communications	In effective internal communications leading to misinformed, demotivated staff.	Development of internal communications planning.	3	3	9	MCM	16-Sep-14		MCM & Lead HR	Audit of existing internal communications channels and methods.	On-going	Development of internal communications action plan as part of the overall interim communications strategy.

HR Risk Register: Transitional Period 2014-15

Corp Ref	Service Area	Description of Risk	Existing Control Measures	Consequence	Likelihood	Risk Rating	Assessor	Date	Previous Risk Rating	Risk Owner	Actions	Target Date	Progress
HR01	CE/Human Resources	Failing to agree OD structure fit for purpose by key dates	High Level structure has been designed	4	2	8	MC	17-Sep-14		MC	Bring High Level structure to Council for adoption; prepare recruitment timetable for filling tier 2 & 3 posts plus H&S, Registrar, PCSP	ongoing	Structure has been agreed at Council; circulated for union consultation/communication
HR02	Human Resources	Failure to implement the agreed categorisation sytem in a robust manner that is open and transparent and instils confidence in all staff groups	Working together with trade unions; well advanced towards having agreed local procedure;	4	3	12	MC	03-Oct-14		MC	seek legal advice on policy; ensure adequate training is provided to matching panels; ensure correct & comprehensive paper trail is completed; ensure consistencey in the applicatiion process	17/10/2014	Local procedure for filling posts issued to unions for consultation; training for panel members has taken place
HR03	Human Resources	Making effective appointments to fill structures within timeframe; Challenges to process	Follow LGSC Code	4	2	8	MC	03-Oct-14		MC	Work towards agreed dates in timetable for appointments; ensure adequate training provided for elected memebbers if participating on recruitment panels	31/03/2015	Tier 2 staff to be appointed mid December; tier 3 staff appointed March 15;
HR04	Human Resources	Transferrers - failing to understand NICS Terms and Condition; Failing to plan to merge terms and conditionsto a common Council model. Failig to upskill transferrers to operational requirements of new organisation	Consultation with HR DOE teams have commenced. Capacity building programme has considered staff training needs	3	3	9	MC	03-Oct-14		MC	Union consultation will begin. Liasing with relevant staff. Capacity building training roll out	31/03/2015	Initial meeting has taken place with Chris Wilson & paul Sharvin DOE HR Planning
HR05	Human Resources	Maintaining staff morale throughout the reform process; prevent high levels of staff absences during the reform process caused by additional pressures/workloads	Regular communication with all staff;	4	2	8	MC	03-Oct-14		MC	Transition Mid Ulster newsletters issued to all staff; communication events with CE & other staff throughout the existing council locations	ongoing	Issue 5 transition Mid Ulster has been distributed; Engagement events in 3 council locations completed

J

Subject	DoE Consultation on Charters and Borough Status
Reporting Officer	Change Manager

1	Purpose of Report
1.1	This report is to inform members of the DoE consultation on Charters and Status. This consultation is seeking comment on its proposals relating to district, borough and city status of the eleven new councils.

2	Background
2.1	All of the eleven new councils have been established by statute as District Councils under the Section 1(1) of the Local Government Act (NI) 2014.
2.2.	The document confirms that councils are able to style themselves as district, borough or city councils, subject to certain conditions being met. Of the 26 existing councils 3 are city councils, 14 are borough councils and 9 are district councils.
2.3	The consultation document sets at proposed Departmental Regulations to facilitate those councils wishing to seek the continuation of or granting of new borough charters in respect of new local government districts.

3	Key Issues
3.1	<p>The consultation seeks comment on:</p> <ul style="list-style-type: none"> (i) councils being able to choose to continue an existing borough charter; (ii) honorary freemen attached to outgoing charters being preserved; (iii) the deadline for having a new or existing charter in place; (iv) continuation of city status charters; (v) annulment of charters not continued by councils on 1 April 2016; and (vi) proposed arrangements for admittance to borough freedom
3.2	<p>The DoE will bring forward The Local Government (Transitional, Incidental, Consequential and Supplemental Provisions) Regulations (NI) 2014 bringing into effect regulations which will allow councils to:</p> <ul style="list-style-type: none"> (i) remain a district (take no action); (ii) preserve an existing borough charter within its district (requiring a standard resolution of council); or

	(iii) petition the Secretary of State for the grant of a new borough charter (requiring a special resolution of council).
3.3	The consultation closes on 12 December 2014

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

5	Other Considerations
5.1	Dungannon and South Tyrone is the only council which holds Borough Charter status.

6	Recommendations
6.1	That the committee notes the receipt of the consultation document.

7	List of Documents Attached
7.1	Appendix A: Consultation Document on Charters and Status



Department of the
Environment

www.doeni.gov.uk

Draft Local Government (Transitional, Incidental, Consequential and Supplemental Provisions) Regulations (Northern Ireland) 2014

Charters and Status

Consultation Document

20 October 2014

**DRAFT LOCAL GOVERNMENT (TRANSITIONAL, INCIDENTAL,
CONSEQUENTIAL AND SUPPLEMENTAL PROVISIONS)
REGULATIONS (NORTHERN IRELAND) 2014**

CHARTERS AND STATUS

This Consultation Document seeks views on the Department's proposals for the district, borough and city status of the eleven new councils, and the draft Local Government (Transitional, Incidental, Consequential and Supplemental Provisions) Regulations (Northern Ireland) 2014.

Comments should be sent by 12 December 2014 to:

**Local Government Policy Division
Department of the Environment
Level 4, Causeway Exchange
1-7 Bedford Street
Town Parks
Belfast, BT2 7EG**

E-mail: LGPDConsultations@doeni.gov.uk

Textphone: 02890 540642

The following people will be able to answer queries in relation to the draft regulations:

Name	E-mail	Telephone
Andy Pearson	andy.pearson@doeni.gov.uk	02890823356
Tracy Johnston	tracy.johnston@doeni.gov.uk	02890823352

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**DRAFT LOCAL GOVERNMENT (TRANSITIONAL, INCIDENTAL,
CONSEQUENTIAL AND SUPPLEMENTAL PROVISIONS)
REGULATIONS (NORTHERN IRELAND) 2014
CHARTERS AND STATUS**

PURPOSE OF THE CONSULTATION DOCUMENT

1. The Department of the Environment is seeking views from consultees on its proposals in relation to the district, borough and city status of the eleven new councils, and the draft Local Government (Transitional, Incidental, Consequential and Supplemental Provisions) Regulations (Northern Ireland) 2014 (“the Regulations”).

BACKGROUND

2. The 11 new councils were established following the election in May 2014. The new councils will operate alongside the 26 existing councils until 31 March 2015, when the current councils will cease to exist and the 11 new councils will assume full responsibility for local government functions.
3. All councils are initially established, by way of legislation, as district councils. As such, currently the 11 new councils are district councils, established under section 1 of the Local Government Act (Northern Ireland) 1972 (“the 1972 Act”), as amended by section 3(1) of the Local Government (Boundaries) Act (Northern Ireland) 2008.

4. Councils are able to style themselves as district, borough or city councils, subject to the fulfilment of certain conditions. Of the 26 existing councils, three are city councils, 14 are borough councils and 9 are district councils.

Boroughs

5. A council can become a borough council by petitioning the Secretary of State for the grant of a borough charter which designates the district of the council as a borough. This is provided for by section 2 of the 1972 Act. A council's decision to petition for a borough charter must be made by special resolution, as defined by section 148 of the 1972 Act. A special resolution of a council is subject to certain requirements, including the specification that it may only be passed by a two-thirds majority of the whole number of councillors present at a public meeting which has been advertised in at least two newspapers. The grant of a charter entitles a council to appoint a mayor, designate aldermen and award freedom of the borough.

Cities

6. City status is awarded by the monarch. The holding of city status gives a settlement no special rights other than that of calling itself a city. Nonetheless, this appellation carries its own prestige and, consequently, competitions for the status are hard fought. There is no legislative provision which permits a council or town to petition for city status. Recently, new cities have been awarded their status as a result of a competition held to commemorate an anniversary or occasion, e.g. the Diamond Jubilee in 2012. Northern Ireland currently has 5 recognised cities – Armagh; Belfast; Derry/Londonderry; Lisburn and Newry.

7. City status is usually awarded through the grant of Letters Patent, which are a type of legal instrument in the form of a published written order issued by a monarch. This differs from a charter, which is a formal document issued by a monarch granting a right or power to an individual or body corporate. Charters have perpetual effect.
8. In Ireland, however, city status tended historically to be granted by Royal Charter, and this is the case in relation to the cities of Belfast and Derry/Londonderry. Recent grants have used a looser wording, where the city status is awarded to the "town". This arrangement applies in relation to the cities of Armagh and Newry. In the case of Lisburn, city status was awarded to the "borough of Lisburn" (the district of Lisburn was granted a borough charter in 1964). This means that there will be some differences between how city council status may be dealt with as a result of local government reform and the creation of the 11 new local government districts.

Status and Local Government Reorganisation

9. On 31 March 2015, the 26 current councils and their local government districts will cease to exist. As such, it will be necessary for the 11 new councils to make decisions in relation to existing charters and any associated borough or city status. The proposed Regulations will provide a new council with the following options in relation to borough status:
 - remain a district council (i.e. take no action);
 - preserve an existing borough charter within its district (requiring a standard resolution of the council, though this decision would be able to be reconsidered ('called in') under

the provisions at section 41 of the Local Government Act (Northern Ireland) 2014); or

- petition the Secretary of State for the grant of a new borough charter (requiring a special resolution of the council under the provisions at section 2 of the 1972 Act).

10. In order to facilitate councils' decisions in this regard, the Department proposes to introduce Regulations to allow a new council to opt to continue an existing charter or elements of charters, in cases where there are one or more existing boroughs within the new local government district. The Regulations will also provide for the preservation of city status, in cases where it is linked to a charter.
11. The Department proposes that the Regulations will provide for the roll of honorary freemen of any outgoing charters to form part of a new or continuing charter. In cases where a charter is continued, the name attached to the continuing charter would be substituted for the name of the district of the new council.
12. City status is also closely linked to charters and the Department intends that the Regulations will provide for the continuation of charters to which city status is linked.
13. The Department proposes to replace the Local Government (Modification of Borough Charters) Order (Northern Ireland) 1973 in relation to granting freedom of a borough and the designation of aldermen.

Council Names

14. It should be noted that the issue of council names, whilst undoubtedly linked to charters and status, is not dealt with in the proposed Regulations. Legislative provision to allow the new councils to make decisions on their names is already in place.
15. Part 1 of the 1972 Act states that the name of a council must be the name of the local government district followed by the words “district council”. It further provides that, in cases where a council is a borough council, the word “district” in its name shall be substituted for “borough” (meaning that the name of the council would be the name of the local government district followed by the words “borough council”). If a borough is a city, then the final two words of the council’s name would become “city council”.
16. Section 51 of the 1972 Act permits the Department to make an order altering the name of a local government district, if it receives an application from a council requesting that it do so. If a council were to use this option to alter its name, the final two words of the name would have to be “district council”, “borough council” or “city council” depending on the council’s status.
17. In order to afford new councils a greater degree of flexibility in naming themselves, a further provision has been included at section 1(2) of the Local Government Act (Northern Ireland) 2014. This allows the Department to make Regulations to provide that a council’s name may be other than the name of the local government district followed by the words “district council” (or “borough/city

council”). The Department would only make such Regulations upon the request of a council.

DETAILS OF THE PROPOSALS

Boroughs

18. As stated above, councils may, under section 2 of the 1972 Act, petition the Secretary of State praying for the grant of a charter designating a district a borough.
19. Regulation 2 of the proposed Regulations refers to cases in which a new borough charter is granted to a new council under section 2 of the 1972 Act before 1 April 2016. If a new charter is awarded and the whole or major part of any other borough has existed in the district before that date, regulation 2 will provide for the roll of honorary freemen of any outgoing charters to become part of the roll of honorary freemen attached to the new borough charter. It should be noted that a new council may petition for a new charter at any time, whether before or after 1 April 2016. However, under the provisions of the Regulations, if a new charter is granted after 1 April 2016, the roll of honorary freemen of outgoing charters could not form part of the new charter and, as such, any freedom of the borough awarded by a council prior to that date would no longer exist.
20. This proposal is intended to allow new councils to petition for the grant of a new borough charter, whilst ensuring that persons admitted to the freedom of the borough under outgoing charters may remain on the roll of honorary freemen of a new charter. This

means that the roll of honorary freemen of existing council charters will be preserved after local government reorganisation has taken full effect.

21. It should be noted that the process of petitioning for the grant of a new borough charter can take up to 12 months from the date of the special meeting until the award of the charter. As such, it is unlikely that a new council would receive borough status prior to the conclusion of the shadow period on 31 March 2015. Councils choosing to petition for the grant of a new charter would, therefore, remain district councils until the date upon which their new charter is awarded.

Charters

22. The Regulations propose to continue the three charters to which city status is linked, without the new councils in possession of those charters having to take any action. Regulation 3(1) makes provision for the preservation of these charters. This course of action is proposed in relation to the existing charters of Belfast, Derry/Londonderry and Lisburn. This would follow the approach taken in the last round of local government reorganisation in the early 1970's, when the charters of Belfast and Derry/Londonderry, Northern Ireland's only two cities at that time, were automatically continued in legislation. As the city status of Newry and Armagh is not linked to a charter, the Regulations do not need to make provision in relation to them.
23. Regulation 3(2) will apply to all new councils which have an existing borough charter within their district, except for the three in respect of

which an existing charter which is linked to city status has been continued under regulation 3(1). The remaining councils with one or more existing charters within their district will, before 1 April 2016, be able to resolve to continue an existing charter. If such a resolution is made, the Regulations state that the name on the borough charter shall be substituted for the name of the new local government district (although regulation 3(4) allows a council to make a further resolution to change the name which would appear on the charter). It should be noted that a resolution made under regulation 3(2) would be subject to a simple majority vote, unless the decision was subject to reconsideration (“call-in”) under section 41 of the Local Government Act (NI) 2014.

24. Regulation 3(3) will provide for a charter which has been continued under regulation 3(1) or (2) to have effect in relation to the new district which includes the whole or major part of the new local government district to which it will apply. This effectively extends a continued charter so that it will cover the whole of the new district.
25. If a council makes a decision to continue an existing charter in respect of the new district, the Regulations will require it to publish a notice in the Belfast Gazette.
26. In terms of timescales, the process for continuing an existing charter in respect of a new local government district could be achieved in time for 1 April 2015, as it requires only a resolution of the council and the publication of a notice in the Belfast Gazette. This means that a council choosing to continue an existing charter would be able

to become a borough council as soon as the shadow period has ended.

27. The Regulations provide that, on 1 April 2016, all existing charters that have not been continued will be annulled.

Question One

Do you agree that new councils should be able to choose to continue an existing borough charter in respect of a new local government district (N.B. section 2 of the 1972 Act, which is already in place and is not part of the Regulations, allows any new council to petition the Secretary of State for the grant of a new borough charter)?

Question Two

Do you agree that the roll of honorary freemen attached to outgoing charters should be able to be preserved within a new or continuing charter?

Question Three

Do you agree that 1 April 2016 is an appropriate deadline by which a council should ensure that a new or existing charter is in place, if it wishes to preserve the roll of honorary freemen attached to outgoing charters? If not, what do you think would be an appropriate deadline?

Question Four

Do you agree that the Regulations should make provision for existing charters which are linked to city status to be continued without the new council having to take any action?

Question Five

Do you agree that all existing charters which are not subject to continuation under the provisions of the Regulations should be annulled on 1 April 2016? If not, what do you think would be an appropriate deadline?

Designation of aldermen

28. It is proposed that regulation 4 will set out the rules for the designation of aldermen. These provisions are a direct replacement of those currently contained within the Local Government (Modification of Borough Charters) Order (Northern Ireland) 1973, the revocation of which will be provided for at regulation 6 of the Regulations. It is necessary to revoke the Order in order to modernise the legislative framework and avoid confusion between its content and that of the proposed Regulations.
29. There are no proposed alterations to current provisions in relation to the designation of aldermen, apart from the removal of the requirement to elect aldermen immediately after the appointment of the mayor and deputy mayor. This provision has been omitted to take account of the method new councils must use to make

appointments to positions of responsibility, as set out in the Local Government Act (Northern Ireland) 2014.

Freedom of the borough

30. It is proposed that regulation 5 will provide for the admittance of persons to the freedom of the borough. Again, this is a direct replacement of the provisions of the Local Government (Modification of Borough Charters) Order (Northern Ireland) 1973 and there are no proposed changes to the current process in relation to admittance to freedom of the borough.

Question Six

Do you have any comments in relation to the proposed replacement of provisions in relation to the designation of aldermen and admittance to the freedom of the borough?

Human Rights

31. The Department believes that the proposals are compatible with the Human Rights Act 1998.

Equality

32. Under the terms of section 75 of the Northern Ireland Act 1998, the Department carried out screening for equality impact and is satisfied that the proposed legislation will not lead to discriminatory or negative differential impact on any of the section 75 groups. A copy of the screening form can be viewed on the Department's website:

http://www.doeni.gov.uk/index/information/equality_unit/policies_screened_out_-_january_to_march_2014.htm

Regulatory Impact Assessment

33. The Department has not conducted a regulatory impact assessment as the proposed legislation does not give rise to any associated costs or savings on business, charities, social economy enterprises or the voluntary sector.

Rural Proofing

34. The Department has assessed the proposed measures and considers that there would be no differential impact in rural areas or on rural communities.

Freedom of Information Act 2000 – confidentiality of consultations

35. The Department may publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read Annex A on the confidentiality of consultations. It gives guidance on the legal position about any information given by you in response to this consultation.

Alternative format

36. This document is available in alternative formats. Please contact us to discuss your requirements.

Consultation

37. Comments should be sent by 12 December 2014 to the address below or by e-mail to: LGPDConsultations@doeni.gov.uk.

38. If you have any queries in relation to the proposals, you should contact:

Andy Pearson

andy.pearson@doeni.gov.uk

Tel: 028 9082 3356

39. This consultation document is being circulated to persons and bodies listed in Annex B and is also available to view at:

http://www.doeni.gov.uk/index/local_government/local_government_consultations.htm

The Freedom of Information Act 2000 – confidentiality of consultations

1. The Department may publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.
2. The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity, should be made public or be treated as confidential.
3. This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- the Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature; and
- acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

4. For further information about confidentiality of responses please contact the Information Commissioner's Office (or see website at: <http://www.informationcommissioner.gov.uk>).

List of Consultees

Councils for the 11 new local government districts:

Antrim & Newtownabbey

Armagh, Banbridge & Craigavon

Belfast

Causeway Coast & Glens

Derry & Strabane

Fermanagh & Omagh

Lisburn & Castlereagh

Mid & East Antrim

Mid Ulster

Newry, Mourne & Down

North Down & Ards

Local Government Auditor

Local Government Staff Commission

National Association of Councillors (NAC)

Northern Ireland Local Government Association (NILGA)

Northern Ireland Local Government Superannuation Committee (NILGOSC)

Society for Local Authority Chief Executives (SOLACE)

STATUTORY RULES OF NORTHERN IRELAND

2014 No.0000

LOCAL GOVERNMENT
The Local Government (Transitional, Incidental, Consequential and Supplemental Provisions) Regulations (Northern Ireland) 2014

Made - - - - - ***

Coming into operation - ***

The Department of the Environment makes the following Regulations, in exercise of the powers conferred by section 124 of the Local Government Act (Northern Ireland) 2014⁽¹⁾.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Government (Transitional, Incidental, Consequential and Supplemental Provisions) Regulations (Northern Ireland) 2014, and shall come into operation on [insert date].

(2) In these Regulations—

“1972 Act” means the Local Government Act (Northern Ireland) 1972;

“2014 Act” means the Local Government Act (Northern Ireland) 2014;

“district” means a local government district established in pursuance of section 1 of the Local Government (Boundaries) Act (Northern Ireland) 2008⁽²⁾;

“new council” means a district council constituted under section 1 of the Local Government Act (Northern Ireland) 1972 as amended by section 3(1) of the Local Government (Boundaries) Act (Northern Ireland) 2008;

“local government legislation” means—

- (a) the 1972 Act;
- (b) the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 2002⁽³⁾;
- (c) Part 2 of the Local Government (Northern Ireland) Order 2005⁽⁴⁾;
- (d) Chapter 2 of Part 2 of the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010⁽⁵⁾;
- (e) the Local Government Finance Act (Northern Ireland) 2011⁽⁶⁾;
- (f) the 2014 Act; and

⁽¹⁾ 2014 c. 8 (N.I.).

⁽²⁾ 2008 c. 7 (N.I.).

⁽³⁾ S.I. 2002/3149.

⁽⁴⁾ S.I. 2005/1968.

⁽⁵⁾ 2010 c. 7 (N.I.) as amended by 2011 c. 10 (N.I.).

⁽⁶⁾ 2011 c. 10 (N.I.).

(g) any regulations or orders made under any of the immediately preceding statutory provisions.

“operative date” is 1st April 2016;

“casual vacancy” has the meaning given by section 11 of the Electoral Law Act (Northern Ireland) 1962⁽⁷⁾.

Boroughs

2. Where, before the operative date, a new council is granted a charter designating its district a borough under section 2 of the 1972 Act and the whole or major part of any other borough has existed in the district before that date, the roll of honorary freemen of that other borough shall become and form part of the roll of honorary freemen of the borough designated by the charter.

Charters

3.—(1) On the operative date the charter of the corporation of every borough in existence before 1st April 2015, other than a county borough, the borough of Lisburn or a borough to which paragraph (3)(c) applies, shall be annulled.

(2) The new council for a district which includes the whole or the major part of a borough other than a county borough or the borough of Lisburn may, before the operative date, resolve that the charter of the corporation of the borough shall have effect in relation to the district; and, if the borough bears a name other than the name of the district, the resolution shall provide for the name of the corporation of the borough to be changed to correspond to the name of the district.

(3) After 31st March 2016 the charter of—

- (a) the corporation of each county borough;
- (b) the corporation of the borough of Lisburn; and
- (c) a borough in respect of the charter of which a resolution has been passed under paragraph (2);

shall, subject to these Regulations, have effect in relation to the district which includes the whole or major part of the borough as existing immediately before that date.

(4) The corporation established or regulated by a charter to which paragraph (3) applies shall continue to bear the name it bore immediately before the operative date or, where a resolution passed under this paragraph provides for a change of its name, shall on and after that date bear the name specified in the resolution.

(5) The chairman of the council mentioned in paragraph (4), and the councillors of that council who are designated as aldermen in accordance with the charter, shall be respectively the mayor (or, as the case may be, the lord mayor) and the aldermen of the borough to which the charter relates.

(6) Where a freemen’s roll is in existence immediately prior to the operative date in a county borough or other borough to which these Regulations apply, that freemen’s roll shall, on the operative date, become and form part of the roll of honorary freemen of the borough designated by a charter to which paragraph (3) applies.

(7) Without prejudice to any provision of the charter for the conferment of the freedom of the borough, the local electors of a district in relation to which a charter to which paragraph (3) applies shall, for the purposes of the charter, be the burgesses (or, as the case may be, the citizens) of the borough.

(8) When a new council passes a resolution under subsection (2) it shall publish notice of the resolution in the Belfast Gazette.

⁽⁷⁾ 1962 c. 14.

Designation of aldermen

4.—(1) Notwithstanding any provision in a charter or statutory provision which (immediately prior to the operative date) provides for the designation of aldermen, a council shall designate aldermen on or after that date in accordance with the following paragraphs of this regulation.

(2) In this regulation—

- (a) the word “quota” means the number of all voting papers divided by a number exceeding by one the number of aldermen to be elected with the addition of one to the result obtained from such division;
- (b) the words “surplus votes” shall mean the number of votes by which the total number of votes cast for any candidate at any stage of counting exceeds the quota; and
- (c) “special resolution” has the meaning given by section 148 of the 1972 Act.

(3) Aldermen shall be designated in accordance with the following rules—

- (a) the number of aldermen shall be such number as the council may determine but shall not exceed one quarter of the whole number of the councillors;
- (b) if the number of councillors nominated as a candidate for the position of alderman does not exceed the number determined by the council in accordance with subparagraph (a) and the council so agrees, those nominated councillors may be deemed to be elected to the position of alderman;
- (c) if subparagraph (b) does not apply, an alderman shall be elected by the council from among the councillors;
- (d) except in the case of an election of an alderman to fill a casual vacancy, the ordinary election of aldermen shall be held in every fourth year, being an election year;
- (e) subject to sub-paragraph (r), the ordinary election of aldermen shall be held at the annual meeting of the council;
- (f) every councillor of the council shall be entitled to vote at the election of an alderman, including in the case of an election to fill a casual vacancy, a councillor who is an alderman;
- (g) a councillor shall be a candidate for election as an alderman if—
 - (i) he is nominated as a candidate by one other councillor as proposer and another as seconder; and
 - (ii) he assents to the nomination.

Any nomination may be made, and any assent may be given, either in the course of the meeting or by a document signed by the councillor or councillors in question and delivered to the clerk of the council before the beginning of the meeting;

- (h) a councillor entitled to vote at a contested election of an alderman shall do so by signing and delivering at the meeting to the clerk of the council a voting paper containing in order of preference the full names of the candidate or candidates for whom he votes;
- (i) the clerk of the council shall, as soon as all the voting papers have been delivered to him, proceed to ascertain the result of the voting and shall state the number of votes given to each candidate at each stage of the counting of votes;
- (j) where at any stage of the council of votes the votes recorded for any candidate are equal to or greater than the quota, that candidate shall be deemed to be elected;
- (k) at each stage of the counting of votes the transfer of the surplus votes cast for any candidate shall be effected by the transfer of such surplus votes in proportion to the number of the next available preference votes expressed for other candidates in the voting papers of a successful candidate. If at any stage of the counting of votes two or more candidates have surplus votes, the largest surplus shall be transferred first;
- (l) if the quota is not achieved after the transfer of all surpluses (if any), the candidate or candidates with the highest number of votes shall be elected to fill the remaining vacancies;

- (m) in the case of an equality of votes for any candidates, the person presiding at the meeting may give a casting vote, whether or not he voted in the first instance, or if the person presiding declines to give a casting vote the matter shall be decided by lot;
- (n) in the case of a contested election the person presiding at the meeting shall declare to be elected as many candidates as there are vacancies to be filled, and in cases where fewer nominations are received than there are vacancies shall declare to be elected all the candidates nominated;
- (o) the minutes of proceedings of the meeting, in addition to recording the names of the councillors becoming aldermen, shall in the case of a contested election include the full names of the candidates to whom votes were given and a complete record of the number of votes recorded for each;
- (p) an alderman may resign his office of alderman without ceasing to be a councillor;
- (q) where a councillor, who has been elected an alderman (including a councillor elected an alderman to fill a casual vacancy), ceases for any reason to be a councillor, then that person shall also cease to be an alderman;
- (r) on a casual vacancy occurring in the office of alderman, that vacancy shall be filled by an election at the next annual meeting of the council;
- (s) the first ordinary election of aldermen shall be held at the annual meeting of the council held in accordance with regulation 6(5) of the Local Government (Transitional, Supplementary, Incidental Provisions and Modifications) Regulations (Northern Ireland) 2014⁽⁸⁾;
- (t) any questions or matters arising concerning the counting of votes shall be determined by the clerk of the council.

Freedom of the borough

5. Persons shall be admitted to the freedom of the borough in accordance with the following rules—

- (a) no person shall be admitted a freeman of the borough by gift or purchase;
- (b) the council of the borough may, in pursuance of a special resolution of the council, admit any person to be an honorary freeman of the borough;
- (c) the admission of a person to be an honorary freeman of the borough shall not confer the right of sharing in the benefit of any assets of the council, or of any assets held in whole or in part for any charitable use or trust;
- (d) the clerk of the council shall keep a list, called the freemen's roll, of all persons upon whom the freedom of the borough has been conferred.

Revocation

6. The Local Government (Modification of Borough Charters) Order (Northern Ireland) 1973⁽⁹⁾ is revoked.

Sealed with the Official Seal of the Department of the Environment on ***

(L.S.)

Linda MacHugh
A senior officer of the Department of the Environment

⁽⁸⁾ S.R. 2014 No. 148.

⁽⁹⁾ S.R.&O. (N.I.) 1973 No. 207.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make certain provisions in relation to borough charters of existing councils and their continuation in relation to a new council.

The Regulations also specify how a borough council may designate aldermen and admit persons to the freedom of the borough.