

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 9 January 2020 in the Council Offices, Burn Road, Cookstown

Members Present

Councillor Molloy, Chair

Councillors Ashton, Buchanan, Colvin, Doris, Elattar, Forde, Gildernew, Hughes, McFlynn, S McGuigan, McKinney, McLean, S McPeake, Molloy, Quinn, Totten

Officers in Attendance

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

The meeting commenced at 7.02 pm.

PR001/20 Apologies

Councillor McLean.

PR002/20 Declaration of Interest

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

Councillors McFlynn, McKinney, McPeake and Molloy declared an interest in Agenda Item 15 – Update on appointment process of Independent Members to Mid Ulster PCSP.

PR003/20 Chair's Business

The Chair, Councillor Molloy welcomed Members and Officers to the first Policy and Resources meeting of 2020 and wished all a Happy New Year.

Councillor McKinney stated that on 13 January the law would change with regard to marriage equality and asked if Council had made any provision for those of faith who did not want to conduct same sex marriage ceremonies.

The Director of Organisational Development stated that guidance had been issued in relation to this from NIO at the beginning of the week which stated that the regulations do not provide religious protection for registrars in Northern Ireland not to carry out same-sex marriages and it would be discriminatory if someone did not want to perform such duties.

Councillor McKinney asked if there was an opportunity to react and respond to this guidance.

The Director of Organisational Development stated that Council would have to follow the guidance directed to it.

Councillor Colvin stated that the law change would not only effect Christians but those of other faiths as well and it was his understanding that there were some protections in the UK. The Councillor felt that the advice being given to Council was dismissive.

The Director of Organisational Development confirmed that there was no protection for registrars in the UK.

The Chair, Councillor Molloy suggested that Members be provided with the guidance in written form.

Councillor McKinney stated that it appeared that there was no protection for people with faith.

The Director of Organisational Development stated that the guidance stated that those acting for a public authority (an employee) should not be able to discriminate on the matter.

Councillor McKinney stated that for those who have been employed in post for years this change in legislation would alter the terms of their contract.

The Director of Organisational Development confirmed that this change in duties does not alter a contract of employment.

Councillor McPeake felt that to deviate from the guidance which had been issued would leave Council in a dangerous position. The Councillor also felt that the guidance being provided offered protection for staff.

The Director of Organisational Development stated that civil partnerships had been in place from 2005 and that there had been no issues or complaints raised from staff in relation to these ceremonies.

Councillor McKinney stated that staff are concerned of the consequences of raising a concern and that those of faith are being persecuted. The Councillor stated that staff do not have the option to opt in or out and asked if an employee would have to leave their job if they refused to conduct a ceremony.

The Director of Organisational Development stated that the situation had not arisen to date.

Councillor McKinney asked if all staff had been involved in civil partnership ceremonies.

The Director of Organisational Development stated that as far as she was aware all staff had performed civil partnerships.

Councillor Quinn stated that it appeared that civil partnerships had been conducted for a number of years without issue. The Councillor referred to legislation being drawn up and ongoing consultations.

The Director of Organisational Development stated that the guidance does not provide for exceptions.

Councillor McKinney stated that no Churches will be expected to conduct these ceremonies and he did not know why individuals could not be offered an exemption.

Matters for Decision

PR004/20 Revised Mid Ulster District Council Media Protocol

The Head of Marketing and Communications presented previously circulated report which outlined proposed revisions to the Council's Media Protocol.

In response to question from Councillor S McGuigan the Head of Marketing and Communications advised that Committee Chairs will act as official spokespersons and that it will only be on a very rare occasion that an officer will be required to undertake an interview.

Proposed by Councillor Doris
Seconded by Councillor S McPeake and

Resolved That it be recommended to Council to adopt the revised Media Protocol for Council as set out at appendix to report.

PR005/20 Working Group on Outside Bodies – Report of Meeting held on Thursday 5 December 2019

The Chief Executive presented previously circulated report which provided report of the Working Group on Council Representation on Outside Bodies held on 5 December 2019.

The Chief Executive advised that the group will meet again and that a final report with recommendations will be brought forward in due course.

Councillor S McPeake felt it was important for Council to be able to nominate to A5/N2 Cross Border Group.

In response to question from Councillor McKinney the Chief Executive stated that Members would be advised of the date for the next meeting of the working group.

Proposed by Councillor S McPeake
Seconded by Councillor Gildernew and

Resolved That it be recommended to Council to approve the report of the Working Group on Council Representation on Outside Bodies held on Thursday 5 December 2019.

PR006/20 Response to Consultation on the Disability Action Plan of The Executive Office (TEO)

Members considered previously circulated report which provided draft response to the Executive Office consultation on its Disability Action Plan 2020-2025.

Proposed by Councillor S McGuigan
Seconded by Councillor S McPeake and

Resolved That it be recommended to Council to approve for submission the draft response on The Executive Office Draft Disability Action Plan as set out at Appendix A to report.

PR007/20 Members Services

The Chair, Councillor Molloy referred to corporate branding and suggested that Council look at providing a branded umbrella.

The Chief Executive stated that there were some branded umbrellas in stock and that Democratic Services would make contact with Members to ascertain who wanted one.

Matters for Information

PR008/20 Minutes of Policy and Resources Committee held on Thursday 5 December 2019

Members noted Minutes of Policy and Resources Committee held on Thursday 5 December 2019.

PR009/20 Performance Improvement – Local Government Auditor’s Audit and Assessment (Section 95) Report 2019-20

Members noted previously circulated report which provided update on the key findings of the Local Government Auditor’s Audit and Assessment Report 2019-20.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor S McGuigan
Seconded by Councillor Totten and

Resolved In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items PR010/20 to PR024/20.

Matters for Decision

- PR010/20 Verbal Briefing from the Director of Environment and Property on the Council's Contract for the Processing of Mixed Dry Recyclates
- PR011/20 Aughnacloy Changing Rooms Relocation – Capital Project
- PR012/20 Legal Matter for Decision
- PR013/20 Staff Recruitment, Dark Sky Park and Observatory
- PR014/20 Pay, Grading and Harmonisation Review within Leisure Services
- PR015/20 Update on Appointment Process of Independent Members to Mid Ulster PCSP
- PR016/20 IT system contract extensions for Public Health and Email/Archival Systems
- PR017/20 Former High School Site, Maghera
- PR018/20 2020/21 Rates Estimates

Matters for Information

- PR019/20 Confidential Minutes of Policy and Resources Committee held on Thursday 5 December 2019
- PR020/20 Staff Matters for Information
- PR021/20 Managing Attendance
- PR022/20 Contracts and DAC
- PR023/20 Financial Report for 8 months ended 30 November 2019
- PR024/20 Building Control Staff Location

PR025/20 Duration of Meeting

The meeting was called for 7pm and concluded at 8.33 pm.

Chair _____

Date _____