

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 5 September 2019 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 (7.06 pm), S McPeake, Quinn, Totten

Officers in Attendance

Mr A Tohill, Chief Executive
Mrs Canavan, Director of Organisational Development
Mr Cassells, Director of Environment and Property
Ms Mezza, Head of Marketing & Communications
Mr O'Hagan, Head of IT
Mr Scullion, Head of Property Services
Mr JJ Tohill, Director of Finance
Mrs Grogan, Democratic Services Officer

The meeting commenced at 7 pm.

PR141/19 Apologies

None.

PR142/19 Declaration of Interest

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

PR143/19 Chair's Business

None.

Matters for Decision

PR144/19 Upgrade of Current Lighting at Magherafelt Depot and Adjacent Carpark

The Head of Property Services drew attention to the previously circulated report which sought approval to upgrade and fund the replacement of existing exterior lighting at Magherafelt Council Depot and Council Offices Car Park to energy efficient LED lighting.

It was noted that the investment was anticipated to secure an annual electricity saving in the region of £7,000 per annum.

Councillor Quinn declared an interest in the above item for future reference as he is employed for an Electrical company which specialises in lighting.

He agreed that there were fantastic savings to be made installing LED lighting but felt that the payback on this project be even better than projected as the report suggested a payback period of longer than he would have expected. He suggested that in future, the Council investigate proposals from a few companies to get best value.

Proposed by Councillor S McPeake

Seconded by Councillor Forde and

Resolved That it be recommended to the Council to approve the release from reserves of £27,000 plus 10% contingency totalling £29,700 to undertake the LED lighting upgrade as outlined at Magherafelt Council Depot and adjacent Carpark using an approved Council procurement framework Contractor.

PR145/19 Council Estate Capital Refurbishment Funding

The Head of Property Services drew attention to the previously circulated report which sought approval for Capital Funded Refurbishment Work of Council assets across the Council Estate.

Councillor McLean entered the meeting at 7.06 pm

Councillor Forde enquired about Tobermore Football Pitch and asked if there was any provision made in relation to flooding.

The Head of Property Services advised that a survey had been carried out and investigations were ongoing.

Councillor Gildernew said that once again he was dismayed to see only £2,250 being awarded to the Clogher Valley area and felt that this was an ongoing issue from the legacy Dungannon Council days. He felt that there were numerous projects within the Clogher Valley area which could have availed of the funding.

In response to Councillor Ashton's query, the Head of Property Services advised that the funding required would be for additional monies coming from the Council reserves.

Councillor Ashton said there was an onus on the Officers to investigate the extent of the financial requirement and felt that Health & Safety issues associated with Council properties in particular needed to be addressed. In doing so, the Head of Property Services would not have to keep coming back to Committee seeking additional funding.

Councillor S McGuigan raised concern about the extra funding required on top of the £250k approved in April and also enquired why the estimated cost of the roof at Cookstown Council Offices had increased £18,600 from £45,000 to £63,600

The Head of Property Services advised that when the budget was approved in April 2019 the financial requirement had been based on the best estimates at the time, but additional information had come to Officers' attention since then which were not anticipated initially. In referring to the roof at Cookstown Council Offices, he advised

that wood-wool-slab repairs previously thought to have been capable of progression in a certain way was now known to be impracticable. The Officers' now know that the works have to be carried out in sections to accommodate staff as relocation or removal wasn't feasible. This was the reason why the estimated cost had increased.

Councillor Molloy said that some of the works carried out seemed like routine maintenance.

The Chief Executive advised that Officers were working to ensure effective budgeting for maintenance works as the Council wanted to maintain an affordable District Rate. However, he stated that Officers would continue to investigate options in an effort to control maintenance costs while maintaining safe properties.

Councillor McKinney said that this needed addressing.

Councillor Ashton said that she appreciated what the Chief Executive was saying but that this type of funding request had been referred to Committee twice this year already and this should be an opportunity to look at this to see what can be achieved to make it work more effectively and suggested that in future, Council should seek to ensure that the financial budget made adequate provision to address maintenance work and, in particular, Health & Safety related expenditure.

Proposed by Councillor S McPeake
Seconded by Councillor McFlynn and

Resolved That it be recommended to the Council to approve the release from reserves of up to £220,350 (excluding VAT) for Refurbishment Works outlined for Priority 1 and 2 Works and to note the contents of the report.

PR146/19 Beechland Park, Clady – Proposed Transfer to Northern Ireland Housing Executive of Lands for Community Development Scheme

The Chief Executive drew attention to the previously circulated report to update Members in relation to the transfer of lands situated at Beechland Park, Clady to Northern Ireland Housing Executive ("NIHE") in order to progress the proposed Community Development Scheme at Beechland Park, Clady; and to seek Members approval in relation to options regarding the transfer of these lands.

The Chief Executive advised that the District Valuer had assessed the valuation for disposal to be £3,500 but the NIHE were unwilling to pay this. He further advised that the NIHE proposal was to use the lands in a community project.

Referring to the valuation of £3,500 the Chief Executive further advised that Council's annual costs of maintaining the lands had been estimated to be in the region of £3,000. Disposal at nil cost would therefore contribute to an annual saving in the amount of approximately £3,000.

Councillor S McPeake said that he was aware of the lands being referred to and advised that they were very wet and that most summers the grass cannot be cut due to lying water. He said that over the years unofficial carparking by the residents of

Beechland Park had taken place with some cars getting bogged down in the grounds. He advised that residents had been lobbying the Housing Executive for some time to pursue the project. He suggested writing to the Department to seek a dispensation requirement to obtain best price and if this was not forthcoming then seek a long-term lease with NIHE for a nominal fee (peppercorn rent) to ensure that the NIHE progressed the community scheme. However, he further recommended that Council, ensure that the lease stipulated that in the future the lands should not be used for development of other uses such as housing schemes and only used for recreational uses like walkways, parklands etc.

Councillor S McGuigan suggested having a joint initiative with NIHE to deliver the community project.

The Chief Executive acknowledged that this might be a possibility but stated that it would be more effective to see if there was a NIHE project which the Council could make a contribution towards, with the project being delivered by NIHE.

Councillor McKinney said that if there was a lease drawn up, the Council would always be the titleholders.

Councillor McFlynn said that in the past the Council seemed to have some difficulties with NIHE but it was agreed by her party to support the resolution tonight as this matter needed resolved.

Proposed by Councillor McPeake
Seconded by Councillor McFlynn and

Resolved That it be recommended to the Council to:

- 1) Write to the Department seeking approval to dispose of the lands to NIHE for a price less than the amount identified by the district valuer;
- 2) If DfC approval is not forthcoming then seek to lease the property back to the NIHE via a long-term lease for a nominal fee so as to enable the community scheme to progress;
- 3) If Option 2 is not feasible, the Council is to consider making a financial contribution to the community project in an amount that would enable the NIHE to pay the district valuer's valuation of the property with the project continuing to be delivered by NIHE; and
- 4) In any disposal, that there is a restriction on user for recreational uses only and prohibition for any other purpose such as housing schemes or other such development

PR147/19 Request to Illuminate Council Property – September 2019

The Chief Executive presented previously circulated report which considered requests to light up/illuminate Council's designed properties.

Proposed by Councillor McFlynn
Seconded by Councillor S McGuigan and

Resolved That it be recommended to the Council to approve the requests to:

- (i) Illuminate/light up the Hill of The O'Neill & Ranfurly Houses Arts and Visitor Centre on Tuesday 15th October in support of Baby Loss Awareness Week.
- (ii) Illuminate/light up all designated properties on the 6th October in support of Motor Neurone Disease (MND) to mark 40 years since the Association was established.

PR148/19 NILGOSC Consultation on Proposed Amendment to Local Government Pension Scheme for Northern Ireland (LGPS NI)

The Director of Finance drew attention to the previously circulated report to provide Members with an update in relation to NILGOSC Circular 06/2019 issued on 19 July 2019 and to recommend a response to the NILGOSC consultation in relation to proposed amendments to the Local Government Pension Scheme Northern Ireland LGSP (NI), which was requested in Circular 06/2019.

Councillor Ashton asked if Members would have a conflict of interest in this issue.

The Director of Finance said that, in his opinion, there should be no conflict as he didn't think that Council's contribution to the consultation would result in any benefit being directed to elected Members or employees who were members of the Scheme, and in any event the response would be a corporate response by Council.

The Chief Executive agreed and said that Members, acting as Council, would derive no financial benefit in the same way that senior Officers would not when responding in that capacity.

The Chair noted that a lot of the proposed amendments were being driven by legal changes and that it appeared that the proposed amendments were just bringing things up to date.

Councillor S McPeake enquired if the National Association of Councillors could do a paper to help members understand the Scheme's investment policy.

The Director of Finance said that the Council would be responding by way of a consultation response but if Members wished he could go back and liaise with them to see if such a suggestion could be progressed.

Proposed by Councillor McKinney
Seconded by Councillor S McPeake and

Resolved That it be recommended to the Council that approval be given to:

- (i) Members considering the two matters on which their opinion is sought at paragraphs 3.2.2.2.2 and 3.2.2.2.5 above, together with the proposed draft response to the consultation (previously attached).
- (ii) Subject to the amendment, if necessary, of the draft letter to reflect comments requested at (i) above, Council to adopt the proposed draft

- response to the consultation and authorise the officers to submit it to the DfC by the stated deadline of 30 September
- (iii) Human Resources Department to be alert to the potential future need to amend the Council's Policy discretions in relation to early termination of employment, etc.

Matters for Information

PR149/19 Minutes of Policy and Resources Committee held on Thursday 4 July 2019

Members noted Minutes of Policy and Resources Committee held on Thursday 4 July 2019.

PR150/19 Marketing & Communications Update

Members noted previously circulated report which provided an update on key areas of recent marketing and communications activity.

PR151/19 Annual Report, Self-Assessment and Benchmarking on the Performance Improvement Plan 2018/19

Members noted previously circulated report which provided an update on progress made towards the delivery of the 2018/19 (Year Two) Performance Improvement Plan (2017/18 and 2018/19) by way of a self-assessment report.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Forde
Seconded by Councillor Doris 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 PR152/19 to PR164/19.

Matters for Decision

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| PR152/19 | Land Acquisitions and Disposals |
| PR153/19 | Staffing Matters for Decision |
| PR154/19 | Reservoirs Safety Management |
| PR155/19 | Transfer of Council Owned Lands Situated at Railway Park, Ballysaggart |
| PR156/19 | Agreements Required for the Purposes of Sewer Adoption for Mr Desmond Ryan in relation to Council owned Lands situated at Shore Road, Ballyronan |
| PR157/19 | Review of Financial Statements 2018-19 |

Matters for Information

- PR158/19 Confidential Minutes of Policy & Resources Committee held on Thursday 4 July 2019
- PR159/19 Staffing Matters for Information
- PR160/19 Managing Attendance
- PR161/19 Appointment of Political Members to PCSPs
- PR162/19 Financial Report for 3 months ended 30 June 2019
- PR163/19 Contracts and DAC
- PR164/19 Planning System Replacement Update

PR165/19 Duration of Meeting

The meeting commenced at 7pm and concluded at 8.07 pm.

Chair _____

Date _____