

MINUTES OF MEETING OF THE CORPORATE SERVICES COMMITTEE OF DUNGANNON AND SOUTH TYRONE BOROUGH COUNCIL HELD ON WEDNESDAY, 22 OCTOBER 2003 IN THE COUNCIL OFFICES, DUNGANNON

MEMBERS PRESENT: In the chair, Councillor McGonnell (Chairman)

Councillors Badger, Burton (7.35 pm), Canning (7.37 pm), Cavanagh, Cuddy (7.32 pm), Currie (7.37 pm), Daly, Donnelly, Gildernew, Gillespie, Hamilton, Irwin, McGuigan, McIlwrath, McLarnon, Molloy, Monteith and Morrow

OFFICERS PRESENT: Mr Beattie, Mr Currie, Mrs Hobson and Mrs Kerr

The meeting started at 7.30 pm.

1.0 **FINANCIAL MATTERS**

1.1 Financial report for 3 months to June 2003

(Councillors Cuddy entered at 7.32 pm, Burton at 7.35 pm, Canning and Currie at 7.37 pm).

Head of Finance went through her report (appendix 1) and in response to query advised that she would get Directors/Managers to identify areas where money allocated in the budget will not be spent in this financial year and reflect same in the next quarterly figures.

1.2 Update in relation to purchase of fuel from South of Ireland

Legal opinion had been circulated with agenda with covering letter from the Council's solicitor which summarised 'you will note Mr Gibson's clear advice that the proposed course of action would be illegal, and would leave the Council liable to confiscation of its property and other financial penalties'.

During discussion the Chief Executive highlighted that it would have been unwise for Officers within the organisation to withhold information received on the matter from the Corporate Organisation and councillors voting in favour of the matter against legal advice run the risk of surcharge should action be taken by Customs and Excise. Head of Finance indicated that during a recent VAT inspection the officer (Mr McKeown) had advised verbally that the process was legal but Mrs Kerr has now asked for this confirmation in writing.

Member advised that he was seeking legal opinion on the matter which would be contrary to the legal opinion presented and this should be available for the Full Council meeting.

After debate two proposals were put to the meeting

Proposal one

Proposed by Councillor Morrow
Seconded by Councillor Burton

Adopt advice of Simmons Meglaughlin & Orr who are the Council's legal experts and if they have got it wrong bring them in to explain same.

For 7 Against 11

Proposal two

Proposed by Councillor Gildernew
Seconded by Councillor Currie

That decision be deferred until Councillor Gildernew obtains his legal advice in writing and the Council receive written advice from Customs and Excise.

For 11 Against 7

Resolved That proposal two be accepted.

1.3 ICT Strategy – purchase of additional equipment

Head of Finance requested approval to spend the following amounts re IT:

		£ per Unit	£
2	* GX270 base unit only (Leisure Centre * 2)	500	1000
4	*GX270 PCs (Tech Services *2, ICT *1, Finance *1)	530	2120
1	GX270 PC (DVD/CD-RW) (Reprographics)	600	600
1	GX270 PCs (DVD +RW)	650	650

(ICT)

1	Latitude D500 Laptop (ICT – LAN Support)	1000	1000
		TOTAL	£5370

Proposed by Councillor Daly
Seconded by Councillor Molloy and

Resolved that it be recommended to the Council that expenditure as listed be approved.

1.4 Disposal of surplus office equipment

Proposed by Councillor Currie
Seconded by Councillor Morrow and

Resolved that approval be given to Head of Finance to send to auction this Saturday with Technical Services items residue of old tables (2 no) and chairs (approx 19) from the Council offices.

1.5 Deposit Account, Tullyvar

Proposed by Councillor Gildernew
Seconded by Councillor Daly and

Resolved that it be recommended to the Council that Head of Finance be given approval to open a bank account with the Northern Bank in the name of Tullyvar Waste Disposal Closure Provision Account.

1.6 VODAFONE

At the Full Council meeting in October 2003 member had raised a question re payment to Vodafone. Head of Finance distributed list of mobile telephones which itemised holder and charges for the month of September 2003. Chief Executive advised that there was a claw back for personal calls on a number of the telephones listed.

2.0 **PERSONNEL MATTERS**

The report (appendix 2) and addendum (appendix 3) of the Head of Human Resources were presented reference being made to the undernoted:

2.1 Christmas and New Year Closure 2003/4

Head of Human Resources advised that the Council Offices would be closed on Thursday 25 December, Friday 26 December, Monday 29 December and New Years Day.

2.2 Replacement of Council Enforcement Officer

Head of Human Resources circulated report on same (appendix 4). After discussion it was

Proposed by Councillor Canning
Seconded by Councillor Cuddy and

Resolved that it be recommended to the Council that the recommendation as outlined be approved.

2.3 Staffing Environmental Health Department

Head of Human Resources advised that he had received a request from the Director of Environmental Health regarding support for the position of Deputy Director in the continuing absence of Mr T Stewart. He sought approval for the following:

- Senior EHO's Fiona McClements and Kieran Donnelly will act up in Mr Stewart's absence on a 50/50 basis
- EHO's Philip Anderson and Melanie Patterson in turn take on the Food/Pollution Control Senior role of Kieran and Fiona when they are engaged in Deputy Director functions
- A support EHO to be provided through the Southern Group Environmental Health Service on a full-time basis to undertake Environmental Health functions which Philip and Melanie would normally be providing.

Proposed by Councillor Cavanagh
Seconded by Councillor Cuddy and

Resolved that it be recommended to the Council that the request as listed be approved.

2.4 Staff Support – LA21 Function

Head of Human Resources advised that Ms Yvonne Zellmann was on maternity leave and he has a request from the Director of Environmental Health that Mr R Brachi whose contract with Arena Network in respect of the Farmers Market finishes at the end of October 2003 covers this part-time position (2 1/2 days/week).

2.5 Temporary Finance Manager

Head of Human Resources advised that the temporary position to cover maternity leave had closed on 2 October 2003 and no appointment was made. Permission was sought to recruit cover from agencies at a maximum of £150/day.

2.6 Flexi Time

In response to query Head of Human Resources advised that flexi time was currently running as pilot scheme for employees within the Council Offices. While not all posts were suited to flexi the scheme would be widened to include all suitable staff at all locations. Member advised that it should be available to all employees otherwise there could be inequality.

2.7 Grievances

In response to query Head of Human Resources advised that at the present time there were 2 formal complaints, one due for hearing on 18 November and the other case involved an employee who was now in Australia and no date could be fixed for the hearing at this time.

2.8 Adoption of report and addendum

Resolved that it be recommended to the Council that the report and addendum of the Head of Human Resources be adopted and that all recommendations, subject to the foregoing, be approved.

(Mr Currie and Mrs Kerr left at 8.30 pm).

3.0 **MISCELLANEOUS MATTERS**

3.1 Ranfurlly Papers – Lady Caroline Simmonds

Chief Executive presented his report on the matter which included the most recent correspondence from Bonhams to PRONI and was self explanatory. Mr Beattie advised that Head of Finance, Director of

Development and himself would be meeting with the Permanent Secretary of Department of Culture, Arts and Leisure on the 10 November 2003. A future report would be brought to Committee for guidance.

Agreed that Councillor Cavanagh should accompany officers as he was initially involved.

3.2 Births, Marriages and Deaths – report on statistics for six months 1 March 2003 – 30 September 2003

For information

(Councillor Monteith left at 8.36 pm)

- 3.3 Requirement of Auditor that members and officers be reminded on a regular basis of the need to ensure that the following registers are completed when necessary:
The offer to, or receipt of, hospitality or gifts to members
The offer to, or receipt of, hospitality or gifts to staff and
The pecuniary interests of members
(copy of policy/information in relation to same was distributed with agenda)

For members and officers attention.

4.0 **OTHER BUSINESS**

4.1 NILGA Information

Chief Executive circulated to members for information copy of email from NILGA dated 20 October 2003 which outlined a comparison of Chairmans' salaries of various organisations.

4.2 Chairman's/Councillors Christmas Party

Chief Executive circulated to members for information copy of a letter from Local Government Audit Office dated 17 October 2003 which materialised as a result of a council seeking an audit perspective on plans for a chairman's/councillors Christmas party.

4.3 Attendance at Fund Raising Function at Club Tyrone

Chief Executive read correspondence received from the Council Solicitor which attached legal Opinion from Mr Stephen Elliott Barrister at Law and advised that the correspondence would be circulated to members. Council's solicitor advised if the Council resolve to make a

direct contribution to Club Tyrone that Mr Elliott's Opinion be copied to the Auditor and that he be notified of the Council's intention to make a direct contribution.

Chief Executive advised that in future if situation arises where we take a table and if part of the money is for food, entertainment it would be contrary to law.

Resolved that on the advice of the Chief Executive it be recommended to the Council that £1000 be paid to Club Tyrone subject to Club Tyrone confirming in writing that the £1000 would be used entirely for the development of Club Tyrone.

In response to query Chief Executive confirmed that no payment would be made until clearance was obtained.

4.4 CCTV

Chief Executive advised that he had been made aware of possible funding for CCTV by way of the Community Safety Unit of the NIO. He had requested the Community Safety Officer of the Council to call a meeting of the 3 CCTV companies to discuss the way forward and deal with present unsatisfactory situation in relation to elected members and officers who are at present directors of the companies.

4.5 Refurbishment of Council Offices Sub Committee

Chief Executive advised that the Sub Committee had met on 1 October 2003 to progress refurbishment of the Council Offices. The Committee agreed that the existing site of the Council Offices be developed and a number of other Councils and multi functional centres would be visited. Intention after the visits would be to write a brief of the requirements and travel by way of competition for design and build. A loan would be raised to cover costs.

5.0 **CONFERENCES/SEMINARS**

5.1 NILGA Local Government Conference 2003: 'Foundations for the Future', Tower Hotel, Londonderry 26 – 27 November 2003, Fee £180 + vat, 1 day subsistence, 2 days attendance, mileage

Chief Executive advised that Mr Frazer had expressed an interest in attending.

5.2 The Future of Public Administration in Northern Ireland, 3 December 2003, Stormont Hotel, Belfast, Fee £255 + vat, 1 day attendance, mileage

Read

5.3 The Power of Well Being the Northern Ireland Context, Sustainable Northern Ireland, 3 November 2003, Craigavon Civic Centre – no fee, attendance allowance, mileage

Chief Executive expressed an interest in attending.

6.0 DURATION OF MEETING

The meeting was called for 7.30 pm and ended at 9.10 pm.