

Causeway Coast & Glens District Council

Shadow Council Meeting Thursday 26th February 2015

Key Decisions

No	Item	Decision
3.	Minutes of Shadow Council Meeting held on 29 th January 2015	<i>Confirmed</i>
4.	Minutes of Shadow Council Meeting held on 12 th February 2015	<i>Confirmed</i>
5.	Minutes of Organisation Development Committee held on 22 nd January 2015 5.1 Convergence of Street Trading Fees (OD150122.7) 5.3 Adoption of Minutes	<i>Deferred to next Committee meeting Adopted with exception of 7.1, 4, 10, 11, 12, 13 previously agreed Shadow Council 29th January</i>
6.	Minutes of Transferring Functions & Group Committee Meeting held 28 th January 2015	<i>Adopted</i>
7.	Minutes of Transferring Functions & Group Committee Meeting held on 11 th February 2015	<i>Adopted</i>
8.	Minutes of Governance Committee Meeting held on 12 th February 2015 8.1 Flying of Flags (GC150212.5) 8.2 Seating Arrangements (GC150212.4.2) 8.3 Adoption of Minutes	<i>Policy to be brought in 12 weeks Use d'Hondt to allocate seats in wedge style arrangement Adopted with exception of items 5 & 4.2</i>
9.	Ice Cream Trading and Other Concessions Procedure (OD150219)	<i>One contract; sub contract to 3 others @ Benone Beach</i>
10.	Harbour and Marina Fees post 1 st April 2015 (OD150219)	<i>Approved</i>

No	Item	Decision
11.	Annual Tenders	<i>CP&R March Committee granted full Council powers</i>
12.	NILGA Response to Statutory Guidance for the Operation of Community Planning Local Government Act (NI) 2014	<i>Endorsed</i>
13.	Invitation from Mayor of Coleraine NW200 Launch	<i>Noted</i>
14.	Policing and Community Safety Partnership Framework (OD150219)	<i>Option 2; 1 manager, 3 officers review in one year</i>
15.	Grant Funding Policy Programme (OD150219)	<i>Committee recommendation adopted</i>
16.	Directorate of Performance Organisational Structure (OD150219)	<i>Committee recommendation Option 4 adopted</i>
17.	Development of Democratic Services Unit (OD150219)	<i>Committee recommendation Structure B adopted</i>
18.	Directorate of Leisure & Development Organisation Structure and Directorate of Environmental Services Organisation Structure (OD150219)	<i>Committee recommendation Option 4 Leisure & Development and Option B Environmental Services adopted</i>
19.	Local Government Reform Joint Circulars/Pensions Discretions Policy (OD150219)	<i>Committee recommendation adopted</i>

Shadow Council

Minutes of the Meeting of Causeway Coast and Glens Shadow Council held in the Council Chamber, Coleraine Borough Council on Thursday 26th February 2015 at 7.00pm

In the Chair: Councillor J Finlay, Presiding Councillor

Present: Councillors Baird, Beattie, Blair, Callan, Campbell, Chivers, Clarke, Cole, Douglas, Duddy, Fielding, Finlay, Fitzpatrick, Hickey, Hillis, Holmes, King, Knight-McQuillan, Loftus, McCandless, McCaul, McCorkell, McGuigan, McKeown, McKillop MA, McKillop S, McLean, McShane C, Mulholland, Mullan, Nicholl, Quigley, Robinson, Stevenson, Watton, Wilson

In attendance: Mr D Jackson, Clerk and Chief Executive
Mr D Wright, Lead Officer Finance
Mr R Baker, Lead Officer Leisure & Development
Mrs P Donaghy, Committee Administrator
Mrs S Duggan, Programme Administrator
Ms S Kelly, Lead Officer Organisation Development
Mrs E Beattie, Head of Policy

Also in attendance: Press x 1; Public x 2

1. Apologies

Councillors Harding, Hunter, McGlinchey.

2. Declarations of Interest

None.

3. Minutes of Shadow Council meeting held on 29th January 2015

It was proposed by Councillor Fitzpatrick, seconded by Councillor Cole and AGREED: **that the minutes of the Shadow Council meeting held on 29th January 2015 be confirmed.**

4. Minutes of Shadow Council meeting held on 12th February 2015

It was proposed by Councillor Campbell, seconded by Councillor Duddy and AGREED: **that the minutes of the Shadow Council meeting held on 12th February 2015 be confirmed.**

Matters arising:

4.1 Motions and amendments recorded domestic and non-domestic rate factor

At the request of Councillor S McKillop the Chief Executive confirmed that the first amendment to the motion would be reworded to reflect the information made available to Members at the meeting.

5. Minutes of Organisation Development Committee held on 22nd January 2015

Councillor Nicholl presented the minutes.

5.1 Matters arising

Convergence of Street Trading Fees (OD 150122.7)

It was proposed by Councillor S McKillop, seconded by Councillor Douglas and **AGREED: that the item be deferred back to Committee and that further information be provided in relation to fees for other festivals.**

5.2 Provision of Tourism Marketing Services to GB and International Markets (OD 150122.13)

In response to a query from Councillor McGuigan, the Chief Executive confirmed that the tender process had attracted a number of applications.

5.3 Adoption of Minutes

It was proposed by Councillor Nicholl, seconded by Councillor Campbell and **AGREED: that the minutes of the Organisation Development Committee held on 22nd January 2015, be adopted and the recommendations contained therein approved with the exception of item 7.1 and items 4, 10, 11, 12, and 13, previously agreed at Shadow Council Meeting held on 29th January 2015.**

6. Minutes of Transferring Functions & Group Committee Meeting held 28th January 2015

Councillor Mullan presented the report.

It was proposed by Councillor Mullan, seconded by Councillor Baird and **AGREED: that the minutes of the Transferring Functions & Group Committee held on 28th January 2015, be adopted and the recommendations contained therein approved.**

7. Minutes of Transferring Functions & Group Committee Meeting held on 11th February 2015

Councillor Mullan presented the report.

It was proposed by Councillor Mullan, seconded by Councillor Loftus and **AGREED: that the minutes of the Transferring Functions & Group Committee held on 11th February 2015, be adopted and the recommendations contained therein approved.**

8. Minutes of Governance Committee Meeting held on 12th February 2015

Councillor Cole presented the report.

Matters arising

8.1 Flying of Flags (GC150212.5)

It was proposed by Councillor Hillis, seconded by Councillor S McKillop that: **in addition to the recommendation that the legacy Councils' flag flying arrangements roll over as an interim approach, the timescale for the development of a new policy to be brought before Council be set at 12 weeks from present date.**

Councillor McGuigan voiced concern at this amendment to the recommendation and stated that no timeframe should be put on the process to ensure that it is carried out thoroughly.

Councillor Mullan queried the rationale behind the amendment to the recommendation.

The Presiding Councillor put the amendment to the vote.

22 Members voted for and 11 Members voted against.

The Presiding Councillor declared the amendment carried.

Councillor Fielding requested that the minutes be amended to note the correct details of flag flying days at Portstewart Town Hall and Portrush Town Halls i.e. during the months of July and August and also on designated days at Portstewart Town Hall and Portrush Town Hall.

8.2 Seating Arrangements (GC150212.4.2)

It was proposed by Councillor Duddy, seconded by Councillor McCorkell: **that Council use d'Hondt to allocate seats in a wedge style arrangement.**

The Presiding Councillor put the amendment to the vote.

19 Members voted for and 12 Members voted against.

The Presiding Councillor declared the amendment carried.

8.3 Adoption of Minutes

It was proposed by Councillor Robinson, seconded by Councillor McCorkell and AGREED: **that the minutes of the Governance Committee held on 12th February 2015, be adopted and the recommendations contained therein approved, with the exception of items 5 and 4.2.**

*Councillor Beattie joined the meeting at 7.25pm.

9. Ice Cream Trading and other Concessions Procedure (OD150219)

The following report was presented at the Organisation Development Committee meeting on 19th February 2015.

The rights to trade on Council owned car parks and beaches in the legacy Council areas (Coleraine, Ballymoney and Moyle) has been undertaken through an application and auction process. The current allocation is due for expiration at 31st March 2015.

New Council arrangement April 1st 2015

It is considered that the right to trade the following concessions at the locations identified below could be made available within the Causeway Coast and Glens District Council area. This will include the rights to trade on the Council owned section of Benone Beach. These rights would operate from 1st April 2015 with an option to extend the Licence on an annual basis up to 31st March 2018.

<i>Location</i>	<i>Rights to Trade</i>
<i>1. Ballintoy Harbour</i>	<i>Photography/Pictures</i>
<i>2. Waterford Slip, Cushendall</i>	<i>Hot Food</i>
<i>3. Waterford Slip, Cushendall</i>	<i>Ice cream</i>
<i>4. Portaneevy Car Park, Ballintoy</i>	<i>Hot Food</i>
<i>5. Portaneevy Car Park, Ballintoy</i>	<i>Ice cream</i>
<i>6. Ballycastle Sea Front</i>	<i>Children's Amusements</i>
<i>7. Garron Road Car Park, Glenariffe</i>	<i>Ice Cream</i>
<i>8. Legge Green Car Park, Cushendall</i>	<i>Ice Cream</i>
<i>9. Pier Yard Car Park, Ballycastle</i>	<i>Ice Cream</i>
<i>10. Quay Road Play Park, Ballycastle</i>	<i>Ice Cream</i>
<i>11. Riada Stadium, Ballymoney</i>	<i>Hot Food</i>
<i>12. East Strand Car Park, Portrush</i>	<i>Ice Cream</i>
<i>13. West Strand Car Park, Portrush</i>	<i>Ice cream</i>
<i>14. White Rocks Car Park, Portrush</i>	<i>Ice Cream</i>
<i>15. Promenade Car Park, Castlerock</i>	<i>Ice cream</i>
<i>16. The Beach, Down Hill</i>	<i>Ice Cream</i>
<i>17. Magheracross Car Park, Portrush</i>	<i>Ice Cream</i>
<i>18. Benone Beach</i>	<i>Ice Cream</i>

Administrative Process

The following administrative processes is proposed:-

- 1. Advertisement placed in local press to invite applications to take part in a public auction week commencing 23rd February 2015***
- 2. Closing date for successful applications 18th March 2015***
- 3. Auction for successful applicants 23rd March 2015***
- 4. Successful bidders provide an Access NI Criminal Record Check Valid to 12 months prior to 1st April 2015***
- 5. Payment received for Year 1 and License agreement signed for period of trading***

The Organisation Development Committee recommended that Council approves the procedure as outlined and allow a twin pitch on a single contract arrangement.

During lengthy debate on the report and Committee's recommendation

- a. It was proposed by Councillor Robinson, seconded by Councillor Fielding that: four separate contracts be awarded for ice cream trading at Benone Beach.
- b. It was proposed by Councillor Wilson, seconded by Councillor Baird that: one contractor bids for the contract and can sub contract to 3 others for ice cream trading at Benone Beach, the others to be specified on the contract bid and approved.

*During discussion Councillor C McShane left the meeting at 7.45pm.

- c. It was proposed by Councillor Douglas, seconded by Councillor S McKillop that: Council accepts the Committee's recommendation.
- d. Councillor Robinson withdrew his motion, seconded by Councillor Stevenson and submitted an amended motion, seconded by Councillor Stevenson that: before proceeding with tender process Council seeks legal advice and refers the matter back to Committee.

Following further discussion Councillor Douglas withdrew his motion, seconded by Councillor S McKillop.

The Presiding Councillor put Councillor Wilson's motion to the vote.

17 Members voted for and 12 Members voted against.

The Presiding Councillor declared Councillor Wilson's motion carried.

Councillor S McKillop asked if information could be provided on the amounts brought in by each of the concessions listed in the report and was advised that the request would be brought to the attention of the Lead Officer Environmental Services.

10. Harbour and Marina Fees post 1st April 2015 (OD150219)

The following report was presented at the Organisation Development Committee meeting on 19th February 2015 and previously circulated.

The Causeway Coast & Glens District Council has responsibility for the maintenance and operation of Harbours in Redbay, Ballycastle, Rathlin, Ballintoy, Dunseverick, Portballintrea, Portrush & Portstewart. There are marina's in Ballycastle, Rathlin, Coleraine, and Drumaheglis, as well as, additional slipways at Waterford and Dalriada (Both in Cushendall).

The operational budget associated with the harbours and marinas is approximately £306,000. The income generation is approximately £245,000

The proposed schedule of charges attached in Appendix C, previously circulated, follows a review of all Harbour and Marina facilities within the Causeway Coast and Glens Council. The review involved both management and operational Council staff with the aim of aligning services and charges where possible. Some charges have remained static with no change (blue boxes), some have proposed increased where necessary (yellow boxes) and some facilities required new charge structures to be created where none currently exist (green boxes).

An explanation of the amendments proposed were summarized in the papers previously circulated.

The Harbours & Marina Working Group has also developed a proposed 'Terms & Conditions of Use' for all Council Harbours and Marinas. A copy was attached in Appendix E, previously circulated.

It is recommended that the Organisation Development Committee approve the proposed fees for all Council harbours, marinas and slipways as tabled in Appendix C, previously circulated.

It is further recommended that the Organisation Development Committee approve the proposed 'Terms and Conditions of Use' for all Council harbours and marinas as tabled in Appendix E, previously circulated.

Explanation of Charges

- ***Purple Boxes - charges have been aligned across all facilities.***
 - ***The review of existing charges for slipway facilities concluded that the current level of charge at all facilities was lower than other similar facilities. The proposed annual has risen to £100.00 and the proposed daily fee has risen to £12.00 across all slipways. It was also agreed that in paying one Annual fee the customer would have full access to all other slipways within the new Council area.***
- ***Blue Boxes – charges remain static as per 2014 – 2015 rates.***
 - ***The review concluded that these fees were at an appropriate level and comparable to other facilities. No changes necessary.***
- ***Yellow Boxes – charges have been increased.***
 - ***Seasonal berthing charges at Portrush harbour have increased by 3.9% and 2% respectively. The proposed increase at Portrush is still in line of charges at other similar facilities. Revenue will increase at the level of percentage increase.***
 - ***Monthly berthing charges proposed for Rathlin harbour and marina, Coleraine marina, Portrush and Portstewart harbours have been aligned with a (per metre) charge rather than a set fee. This gives greater value and affordability to customers depending on the size of their vessel. The larger the boat the more it costs. The proposed rates have been averaged from historical figures in order to minimise impact on income levels. It is expected that these new rates will not raise the charge outside the level of other similar facilities.***

- **Weekly berthing charges at all facilities, with the exception of Drumaheglis Marina, have been aligned with a (per metre) charge rather than a set fee. This gives greater value and affordability to customers depending on the size of their vessel. The larger the boat the more it costs. The proposed rates have been averaged from historical figures in order to minimise impact on income levels. It is expected that these new rates will not raise the charge outside the level of other similar facilities.**
- **Visitor overnight berthing at Rathlin Harbour and Marina has increased from £14.00 to £20.00 per night per vessel. This increase reflects the significant works that have been completed providing an improved marina facility. The increase also reflects an increase in continual and periodic maintenance costs required for the new facility. The new level of charge remains competitive amongst the marketplace.**
- **Summer charges at Coleraine marina are increased by approximately 7%. This proposed increase is to encourage boat owners to opt for a 12 month contract which offers benefits to both Council and customer. Coleraine marina has a healthy waiting list for marina berths therefore it is anticipated that the increase will not affect the income to the facility.**
- **Visitor overnight berthing at Portstewart Harbour has a proposed increased from £17.50 to £20.00. This increase has aligned charges to be the same as other comparable facilities within the new Council area. The new level of charge remains competitive amongst the marketplace.**
- **Short stay visitor charge at Coleraine marina has been increased from £6.00 to £10.00. The proposed increase has aligned charges to be the same as other comparable facilities within the new Council area. The new level of charge remains competitive amongst the marketplace.**
- **Green Boxes - Newly created charges.**
 - **Annual charges have been created for Coleraine marina. The new charges proposed reflect an increased trend of some boat owners to combine the summer and winter seasons into a 12 month contract. The new Council will benefit from the commitment given by the customer resulting in less administration effort and securing income continued for the facility. The customer benefits in the guarantee of a continuous berthing arrangement with Council and can avail of any other services only offered to annual berth holders.**
 - **Short stay visitor rates have been newly created for Rathlin harbour and marina, Portstewart harbour and Portballintrae harbour. No charging method existed and these proposed rates will enable the new Council to charge for short stay use if required. The new level of charge remains competitive amongst the marketplace.**
 - **A new 3 month summer season berthing charge of £22.00 per metre is proposed for Dunseverick harbour. This new charge will enable Council to charge vessels that moor alongside the pier seasonally.**

Approximately 1-2 vessels moor at this harbour during the summer months. Currently no such charge exists.

- ***A new 3 month summer season berthing charge of £22.00 per metre is proposed for Portballintrae harbour. This new charge will enable Council to charge vessels that moor alongside the pier seasonally. Approximately 10 vessels moor at this harbour during the summer months. Currently no such charge exists.***
- ***A new overnight berthing charge of £20.00 is proposed for Portballintrae harbour. This new charge will enable Council to charge vessels that moor alongside the pier overnight. Currently no such charge exists.***

Committee AGREED:

To recommend that Council approve the proposed fees for all Council harbours, marinas and slipways as tabled.

To recommend that Council approves the proposed Terms and Conditions of Use for all Council harbours and marinas as tabled.

It was proposed by Councillor Baird, seconded by Councillor S McKillop that: **Council defers the matter back to the Organisation Development Committee and that consultation takes place with the harbour users to address concerns.**

The Presiding Councillor put the motion to the vote.

5 Members voted for and 16 Members voted against.

The Chair declared the motion lost.

AGREED: to approve the proposed fees for all Council harbours, marinas and slipways as tabled and the proposed Terms and Conditions of Use for all Council harbours and marinas as tabled.

11. Annual Tenders

The Lead Finance Officer presented the report, as undernoted and previously circulated.

At the Corporate, Policy and Resources Committee on 6 November 2014 it was proposed that Council proceed with a new round of annual tenders for the new organization.

Detail

Following on from full council approval to initiate the procurement process for annual tenders tender lots were advertised and tenders have been received from a good number of interested parties. These tenders have subsequently been evaluated and a report is being prepared to be brought before Council. There were however a couple of issues arising out of the evaluation process which means the report will now be tabled at our Corporate, Policy and

Resources Committee in March. Consequently this means that normally the report would not receive full council approval until the Council meeting at the end of March but due to the timelines thrust upon Council as a result of European Union regulation the full Council meeting is too late in the month for full compliance therefore Committee will require full Council powers for the award of these tender contracts.

It is recommended that the Causeway Coast and Glens District Council grants full council powers to the Corporate, Policy and Resources Committee in March for the purposes of receiving an evaluation report on annual tenders and the awarding of those contracts.

It was AGREED: that Council grants full council powers to the Corporate, Policy and Resources Committee in March for the purposes of receiving an evaluation report on annual tenders and the awarding of those contracts.

12. NILGA Response to Statutory Guidance for the Operation of Community Planning – Local Government Act (Northern Ireland) 2014

The Department of the Environment proposes to introduce statutory guidance to assist councils and their community planning partners in the operation of their new duty of community planning from 1st April 2015.

NILGA's draft response to the consultation document was previously circulated to Members for consideration.

It was AGREED: that Council endorses the NILGA draft response to the consultation.

13. Invitation from the Mayor of Coleraine Borough Council North West 200 Launch

The following invitation was tabled ***“Coleraine Borough Council is a partner in this year’s launch of the Vauxhall International North West 200 which will take place in the Titanic Building, Belfast on 24th March 2015. The Mayor of Coleraine invited all Members to attend with transport to be provided. A number of Ministers, sponsors and NW200 riders will be in attendance, which is by invitation only, prior to the opening of the event to the public during the evening.”***

Members were requested to RSVP.

***It was AGREED: that Council considers the remaining items of business ‘in committee’.**

***Members of the press and public left the meeting at 8.00pm.**

14. Policing and Community Safety Partnership Framework (OD150219)

Report, previously circulated.

The Organisation Development Committee, at its meeting on 19th February, had approved Option 2, as outlined in the report.

Motion

It was proposed by Councillor Mulholland, seconded by Councillor McCaul that: Council approves Option 1.

Amendment 1

It was proposed by Councillor Stevenson, seconded by Councillor Robinson that Council approves Option 2 with staffing of 1 manager and 2 officers.

Amendment 2

It was proposed by Councillor Holmes, seconded by Councillor Hickey that: Council approves Option 2 with staff of 1 manager and 3 officers, as recommended by Committee.

Following lengthy discussion on the motion and amendments the Presiding Councillor put the motions to the vote.

Amendment 1

15 Members voted for and 19 Members voted against.

The Presiding Councillor declared the amendment lost.

Amendment 2

15 Members voted for and 18 against.

The Presiding Councillor declared the amendment lost.

Motion

5 Members voted for and 22 against.

The Presiding Councillor declared the motion lost.

In order to progress the matter the Chief Executive suggested a short recess.

Members agreed to deal with the remaining business, followed by a short recess and further consideration of the item.

15. Grant Funding Policy Programme (OD150219)

Report, previously circulated.

The Organisation Development Committee had agreed to recommend, at its meeting on 19th February 2015 that:

The total sum of £655,500 (14/15 sum £690,000 less 5%) is allocated for the purpose of grant funding for the financial period 1st April 2015 to 31st March 2015.

Officers accelerate the process detailed for activities and events (and other identified need) that occur in the first quarter of the financial period 1st April 2015 to 31st March 2015.

Notwithstanding Point 2, the Grant Funding process and programme is implemented, as presented.

The recommendation of Committee, as noted above was **AGREED**.

16. Directorate of Performance Organisational Structure (OD150219)

A report, previously circulated was presented to the Organisation Development Committee at its meeting on 19th February 2015. The recommendation of Committee was: **that Council adopt the Performance Directorate structure in Option 4 of the report.**

The recommendation of Committee, as noted above was **AGREED**.

17. Development of Democratic Services Unit (OD150219)

A report, previously circulated was presented to the Organisation Development Committee at its meeting on 19th February 2015. The recommendation of Committee was: **that Council proceeds to develop a new Democratic Services Unit on the basis of Structure B, as outlined in the report.**

The recommendation of Committee, as noted above was **AGREED**.

Councillor McGuigan asked if there would be accommodation for Elected Members to meet with constituents in the Council's buildings. The Chief Executive advised that this would be considered as part of Council's Estates Strategy.

18. Directorate of Leisure & Development Organisation Structure and Directorate of Environmental Services Organisation Structure (OD150219)

A report, previously circulated was presented to the Organisation Development Committee at its meeting on 19th February 2015. The recommendation of Committee was: **that Council adopts Option 4 as outlined in the report for Leisure & Development and that Council adopts Option B as outlined in the report for Environmental Services.**

The recommendation of Committee, as noted above was **AGREED**.

19. Local Government Reform Joint Circulars/Pensions Discretions Policy (OD150219)

The report, previously circulated and as undernoted below was presented to the Organisation Development Committee at its meeting on 19th February, by the Lead Officer Organisation Development.

The purpose of the Local Government Reform Joint Forum is to facilitate consultation and negotiation between Employer and Employee representatives on a range of Human Resource related matters. Membership comprises Trade Union side representatives from NIPSA, UNITE and GMB and Employer side representatives

from the Northern Ireland Joint Council, Joint Negotiating Committee, Northern Ireland Civil Service, DSD and other transferring functions.

Summary of Previous Circulars Issued

A number of Circulars have already been issued and adopted by Council. These are summarised below:

Circular/Date	Title
Circular LGRJF/03 – October 2012	'Vacancy Control System Detailed Procedure'
Circular LGRFJ/04 – October 2012	'Model Terms of Reference and operating arrangements for Local Consultation and Negotiating Forums at Transition Committee Level'
Circular LGRJF/05 – April 2013	'RPA Staff Severance Scheme for Local Government' (replaced by Circular LGRJF/11)

Circular/Date	Title
Circular LGRJF/06 – April 2014	'Extension of Vacancy Control system to include potentially 'At Risk' posts
Circular LGRJF/07 – June 2014	'Scheme of Transfer for Local Government staff
Circular LGRJF/08 – July 2014	'Procedure for the Filling of Posts in the New Council structures and related guidance'
Circular LGRJF/09 – November 2014	'Code of Conduct for Local Government Employees'

Recent Circulars

We are now in receipt of the following Regional Circulars and guidance documents:

Circular LGRJF/10 – February 2015 ' (name) Council Internal One Step Grievance Procedure to link with the RPA independent Third Party Dispute Resolution Procedure.'

Circular LGRJF/11 – February 2015 'RPA Staff Severance Scheme for Local Government Staff.'

Guidance on the Interpretation and application of the RPA Staff Severance Scheme Circular LGRJF/11 February 2015

Circular LGRJF/10 – February 2015 ‘(name) Council internal One Step Grievance Procedure link with the RPA independent Third Party Dispute Resolution procedure.’

This procedure has been introduced to replace each of the legacy Council’s grievance procedure in cases where there is either a claim of non-adherence to the transfer scheme associated with the transfer of functions, a dispute against the designated employer or in the case of a dispute in relation to a change in workplace location which has been made as a result of the implementation of Review of Public Administration decisions.

It is issued by the Local Government Staff Commission as a statutory recommendation for adoption by Councils with immediate effect.

Recommendation: It is recommended that Council adopt the Circular LGRJF/10 – February 2015, ‘One step Grievance procedure link with the RPA independent Third Party Dispute Resolution procedure’.

Circular LGRJF/11 – February 2015 ‘RPA Staff Severance Scheme for Local Government Staff.’

This revised Circular replaces Circular LGRJF/05 issued in April 2013. The RPA Scheme will apply specifically in cases of both voluntary and compulsory redundancy which is linked exclusively to the reform of Local Government. It applies to staff who are surplus under the new structures and who cannot be offered suitable alternative employment.

It is important to note that the scheme is based on the provisions of the Northern Ireland Executives 5th Guiding principle, and is underpinned by the Local Government Reorganisation (Compensation for Loss of Employment) Regulations (NI) 2015 which have not been issued and are currently being progressed by the Department of the Environment.

This revised scheme takes account of:

- (a) The provisions contained within Section 123 of the Local Government (NI) Act 2014 and***
- (b) The provisions of the Local Government Pension Scheme Regulations (NI) 2015 which will take effect from April 2***
- (c) 015.***

The RPA Scheme will operate up to 31st December 2019, subject to monitoring by the Joint Forum.

Recommendation: It is recommended that Council adopt Circular LGRJF/11 – February 2015 ‘RPA Staff Severance Scheme for Local Government Staff’ and implement Staff Severance in accordance with the detail of the scheme.

Guidance on the Interpretation and application of the RPA Staff Severance Scheme LGRJF/11 February 2015

This Guidance has been developed to assist employers with the interpretation and application of the terms of the RPA Severance Scheme.

Recommended: It is recommended that Council apply this Guidance in the interpretation and application of the RPA Staff Severance Scheme as outlined above.

Local Government Pension Scheme Discretions

The new Local Government Pension Scheme (NI) 2015 requires employers to have a Policy Statement in place stating how they will exercise certain discretions under the new Pension Scheme, effective from April 2015.

The 2015 Pension Scheme stipulates a requirement for policies in four main areas, namely:

- ***Voluntary funding of additional pension via Shared Cost Additional Pension Contributions and awarding additional pension at whole cost to the employer;***
- ***Switching on the 85 year rule for members voluntarily drawing benefits on or after age 55 and before age 60;***
- ***Flexible retirement; and***
- ***Waiving of actuarial reductions.***

A policy in these areas must be forwarded to NILGOSC by 31st July 2015.

At this time it is necessary to have a Policy Statement in place for the purposes of implementing Circular LGRJF/11 – February 2015.

NILGOSC have provided appropriate wording, which the guidance document states, should be included by employers in their Policy statements for the purposes of implementing Circular LGRJF/11 – February 2015.

This wording is as follows:

'For redundancies which are being considered as part of the local government reform process under the RPA Staff Severance Scheme, the Local Government Act 2014 and the Local Government Reorganisation (Compensation for Loss of Employment) Regulations (Northern Ireland) 2015 the Council will adhere to the arrangements set out under the RPA Staff Severance Scheme.

In such circumstances the Additional Pension awarded will be up to the maximum permissible in the Local Government Pension Scheme Regulations (Northern Ireland) 2015 providing all costs associated with the severance package do not exceed the individual's gross annual salary costs multiplied by 3.25. Where an employee's costs do not fall within the 3.25 year payback period a reduced amount of Additional Pension may be awarded.

Additional Pension cannot be awarded to members who are being compensated under the terms of the Local Government (Early Termination of Employment (Discretionary Compensation) Regulations (Northern Ireland) 2007 except where the member exercises the option before their termination date and asks the council to use the value of their Compensation Payment (less the statutory element) to award Additional Pension as an alternative.

Recommendation: It is recommended that Council adopt the Local Government Pension Scheme Discretions as outlined within the Guidance Document, for the purposes of implementing Circular LGRJF/11 – February 2015. A further Discretions Policy will be brought back to council by 31st July 2015 outlining Councils positions in relation to the other discretionary areas outlined above.

At its meeting Committee AGREED the recommendations as presented.

It was AGREED: **that Council adopts the recommendations as presented in the report above.**

***8.30pm - On the proposal of Councillor Hickey, seconded by Councillor Stevenson it was AGREED: that Council recess for 15 minutes to allow party consultation on Item 14 Policing and Community Safety Partnership Framework.**

The Presiding Councillor reconvened the Council meeting at 8.45pm.

Policing and Community Safety Partnership Framework (Item 14)

Councillor Mulholland withdrew his amendment with the agreement of the seconder, Councillor McCaul and advised that his party would support Councillor Holmes' amendment with review of the structure in 12 months.

The Presiding Councillor put Amendment 1 to the vote proposed by Councillor Stevenson, seconded by Councillor Robinson that: **Council approves Option 2 with staffing of 1 manager and 2 officers.**

12 Members voted for and 22 Members voted against.

The Presiding Councillor declared the amendment lost.

The Presiding Councillor put Amendment 2 to the vote proposed by Councillor Holmes, seconded by Councillor Hickey that: **Council approves Option 2 with staff of 1 manager and 3 officers, as recommended by Committee, with review of structures in 12 months.**

22 Members voted for and 12 Members voted against.

The Presiding Councillor declared the amendment carried.

The meeting closed at 8.50pm.