

# Causeway Coast and Glens Borough Council

Shadow Council Meeting Thursday 26<sup>th</sup> March 2015

## Key Decisions

No	Item	Decision
3	Minutes of Shadow Council Meeting held 26 <sup>th</sup> February 2015	<i>Confirmed</i>
4	Minutes of Organisation Development Committee 19 <sup>th</sup> February 2015 <b>4.1</b> Ice Cream Trading and other concessions procedure (OD 150219.5.1) <b>4.2</b> Adoption of Minutes	<i>Policy matters to be discussed at CP&amp;R Adopt subject to amendment at 4.1</i>
5	Minutes of Organisation Development committee 12 <sup>th</sup> March 2015 <b>5.1</b> Rural Development Programme 2014-2020 (OD 150312.6.3) <b>5.2</b> Adoption of Minutes	<i>Write Adopt subject to amendment at 5.1</i>
6	Minutes of Corporate Policy & Resources Committee Meeting 5 <sup>th</sup> March 2015 <b>6.1</b> Street Naming and Property Numbering policy (CP&R 150315.6) <b>6.2</b> Adoption of Minutes	<i>Proposal lost Adopt subject to inclusion of addendum (credit cards)</i>
7	Minutes of Transferring Functions & Group Committee Meeting 11 <sup>th</sup> March 2015 <b>7.1</b> Car Parking Charges (TF&G 150311.7) <b>7.2</b> Adoption of Minutes	<i>Proposal lost Adopt</i>
8.	Minutes of Governance Committee Meeting held 18 <sup>th</sup> March 2015 Matters Arising: <b>8.1</b> Apologies <b>8.2</b> Dates and frequency of Committees (GC 150318.4.1) <b>8.3</b> The Chair's/Mayor's Chain (GC 150318.4.5) <b>8.4</b> Local Government (Transitional, Incidental, Consequential and Supplemental Provisions) Regulations (Northern Ireland) 2015 (GC 150318.6.5) <b>8.5</b> Adoption of Minutes	<i>Record apologies Cllr Fitzpatrick Adopt original timetable  Proposal lost Apply Borough Status (Proposal lost)  Adopt subject to amendments at 8.1, 8.2, 8.4</i>

Appendix A:

No	Item	Decision
9	Special Responsibility Allowances	<i>Adopt Option "C", add review</i>
10	Assignment of Taxation Claims	<i>Approve as set out</i>
11	Pension Apportionment Agreement	<i>Approve as set out</i>
12	Financial Arrangements	<i>Delegate authority</i>
13	Grant Assistance requests	<i>Grant</i>
16	Notice of Motion	<i>Refer next CP&amp;R committee</i>

## Appendix A:

### Shadow Council

Minutes of the Meeting of Causeway Coast and Glens Shadow Council held in the Council Chamber, Coleraine Borough Council on Thursday 26<sup>th</sup> March 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, Fitzpatrick, Harding, Hickey, Hillis, Holmes, King, Knight-McQuillan, Loftus, McCandless, McCaul, McCorkell, McGlinchey, McGuigan, McKeown, McKillop MA, McKillop S, McLean, McShane C, McShane, P, Mulholland, Mullan, Nicholl, Quigley, Robinson, Stevenson, Watton, Wilson

In attendance: Mr D Jackson, Clerk and Chief Executive  
Mr R Baker, Director of Leisure & Development Designate  
Mrs D Dickson, Area Planning Manager  
Mr A McPeake, Director of Environmental Services Designate  
Mrs M Quinn, Director of Performance Designate

Mrs E Beattie, Head of Policy  
Mrs P Donaghy, Committee Administrator  
Mrs S Duggan, Programme Administrator  
Ms S Kelly, Lead Officer, Organisation Development  
Mr D Wright, Lead Officer, Finance

Also in attendance: Press  
Public

#### 1. Apologies

Apologies were recorded from Councillor Hunter.

#### 2. Declarations of Interest

There no Declarations of Interest.

#### 3. Minutes of Shadow Council Meeting held 26<sup>th</sup> February 2015

**It was proposed by Councillor King, seconded by Councillor Fitzpatrick and AGREED:** that the Minutes of the Shadow Council meeting held 26<sup>th</sup> February 2015 be confirmed.

#### 4. Minutes of Organisation Development Committee 19<sup>th</sup> February 2015

Councillor Nicholl presented the Minutes.

#### Matters Arising:

## Appendix A:

### 4.1 Ice Cream Trading and other concessions procedure (OD 150219.5.1)

Councillor S McKillop stated she did not agree that Policy matters should be discussed at a sub-committee.

It was proposed by Councillor S McKillop, seconded by Councillor Douglas: **that Policy matters are discussed and agreed at the Corporate Policy and Resources Committee.**

Chair put the amendment to the Minutes to the Council to vote, 5 voted for, 0 voted against, Chair declared amendment to the Minutes carried.

### 4.2 Adoption of Minutes

It was proposed by Councillor Nicholl, seconded by Councillor Loftus and **AGREED: that the Minutes of the Organisation Development Committee held on 19<sup>th</sup> February be adopted and the recommendations contained therein approved, subject to the amendment noted at 4.1.**

## 5. Minutes of Organisation Development committee 12<sup>th</sup> March 2015

Councillor Nicholl presented the minutes.

### Matters Arising:

#### 5.1 Rural Development Programme 2014-2020 (OD 150312.6.3)

**IT WAS AGREED** to write to the Local Action Group (LAG) addressing the rural representation imbalance.

#### 5.2 Adoption of Minutes

It was proposed by Councillor Nicholl, seconded by Councillor Mullan and **AGREED: that the Minutes of the Organisation Development Committee held on 12<sup>th</sup> March 2015 be adopted and the recommendations therein approved, subject to the amendment at 5.1.**

## 6. Minutes of Corporate Policy & Resources Committee Meeting 5<sup>th</sup> March 2015

Councillor Wilson presented the Minutes.

### Matters Arising:

#### 6.1 Street Naming and Property Numbering policy (CP&R 150315.6)

It was proposed by Councillor McGuigan, seconded by Councillor McGlinchey that Council incorporate a Policy for Street Naming and allow Officers to develop a proposal to bring back.

Chair put the proposal to the Council to vote, 14 voted for 23 voted against, Chair declared the proposal had fallen.

#### 6.2 Adoption of Minutes

It was proposed by Councillor Clarke, seconded by Councillor S McKillop and **AGREED: that the Minutes of the Corporate Policy & Resources Committee**

## Appendix A:

**Meeting held 5<sup>th</sup> March 2015 be adopted and the recommendations therein approved together with the addendum (Credit Cards) that the Chief Executive is removed from list of officers and to amend the Director of Performance limit to £5,000.**

### 7. Minutes of Transferring Functions & Group Committee Meeting 11<sup>th</sup> March 2015

Councillor Mullan presented the Minutes.

#### **Matters Arising**

##### **7.1 Car Parking Charges (TF&G 150311.7)**

It was proposed by Councillor Chivers, seconded by Councillor McGuigan that Council approve Option 2.

Chair put the proposal to the Council to vote, 8 voted for, 28 voted against, Chair declared the proposal had fallen.

##### **7.2 Adoption of Minutes**

It was proposed by Councillor Mullan, seconded by Councillor Baird and **AGREED: that the Minutes of the Transferring Functions & Group meeting held 11<sup>th</sup> March 2015 be adopted and the recommendations therein approved.**

### 8. Minutes of Governance Committee Meeting held 18<sup>th</sup> March 2015

Councillor Cole presented the Minutes.

#### **Matters Arising:**

##### **8.1 Apologies**

Councillor Fitzpatrick advised he had submitted his apologies for the meeting and it had not been recorded.

##### **8.2 Dates and frequency of Committees (GC 150318.4.1)**

**It was proposed by Councillor Fielding, seconded by Councillor Duddy that Council adopt the original committee timetable as circulated at the meeting.**

Chair put the proposal to the committee to vote, 13 voted for, 10 voted against, Chair declared the proposal carried.

##### **8.3 The Chair's/Mayor's Chain (GC 150318.4.5)**

It was proposed by Councillor Hickey, seconded by Councillor C McShane, that Council are presented with the historical detail of all 4 of the legacy council chains, so that an informed decision may be made and that, in the interim, any Chain may be used.

Chair put the proposal to the Council to vote, 13 voted for, 22 voted against Chair declared the proposal had fallen.

Appendix A:

**8.4 Local Government (Transitional, Incidental, Consequential and Supplemental Provisions) Regulations (Northern Ireland) 2015 (GC 150318.6.5)**

Chief Executive advised that Council may now proceed to apply Borough status.

**It was proposed by Councillor Duddy, seconded by Councillor Hillis, that Council apply Borough status with immediate effect.**

Chair put the proposal to the Council to vote, 24 voted for, 6 voted against, Chair declared the proposal carried.

\* **Councillor MA McKillop arrived at the meeting at 7.30pm.**

It was proposed by Councillor Cole, seconded by Councillor Clarke, that the name of the Council is called, "The Causeway Borough Council".

An amendment was proposed by Councillor P McShane, seconded by Councillor C McShane that Council apply no change to the Council name.

It was proposed by Councillor Hickey, seconded by Councillor Loftus, that the item is placed upon a future Governance Committee agenda for consideration.

Councillor McGuigan requested a recorded vote.

Discussion ensued. Councillor Hickey withdrew her proposal.

Chair put the proposal by Councillor Cole to the Council to vote, 12 voted for, 24 voted against, 3 abstained, Chair declared the proposal lost.

	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAIN</b>
Councillor Baird		✓	
Councillor Beattie		✓	
Councillor Blair			✓
Councillor Callan		✓	
Councillor Campbell	✓		
Councillor Chivers		✓	
Councillor Clarke	✓		
Councillor Cole	✓		
Councillor Douglas			✓
Councillor Duddy	✓		
Councillor Fielding	✓		
Councillor Finlay	✓		
Councillor Fitzpatrick		✓	
Councillor Harding		✓	
Councillor Hickey		✓	
Councillor Hillis		✓	
Councillor Holmes		✓	

Appendix A:

Councillor Hunter	Apologies		
Councillor King		✓	
Councillor Knight-McQuillan	✓		
Councillor Loftus		✓	
Councillor McCandless		✓	
Councillor McCaul		✓	
Councillor McCorkell	✓		
Councillor McGlinchey		✓	
Councillor McGuigan		✓	
Councillor McKeown		✓	
Councillor MA McKillop		✓	
Councillor S McKillop			✓
Councillor McLean	✓		
Councillor C McShane		✓	
Councillor P McShane		✓	
Councillor Mulholland		✓	
Councillor Mullan		✓	
Councillor Nicholl		✓	
Councillor Quigley		✓	
Councillor Robinson	✓		
Councillor Stevenson	✓		
Councillor Watton	✓		
Councillor Wilson		✓	
<b>Count: 40</b>	<b>12 For</b>	<b>24 Against</b>	<b>3 Abstain</b>

### 8.5 Adoption of the Minutes

It was proposed by Councillor Cole, seconded by Councillor Mullan and **AGREED: that the Minutes of Governance Committee Meeting held 18<sup>th</sup> March 2015 be adopted and the recommendations therein approved, subject to the amendments noted at 8.1, 8.2 and 8.4.**

### 9. Special Responsibility Allowances

D Wright presented the report, attached as Appendix A.

It was proposed by Councillor Hillis, seconded by Councillor Homes that Council approve Option B.

It was proposed by Councillor Hickey, seconded by Councillor McGuigan that Council approve Option A.

**It was proposed by Councillor Duddy, seconded by Councillor Stevenson that Council approve an "Option C" as outlined:**

<b>"Option C"</b>	<b>Per Member</b>
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## Appendix A:

Chairperson	£7,000
Deputy Chairperson	£4,000
Partnership Panel Representative	£1,000
Committee Chair (x4)	£3,000
Committee Vice-Chair	£350
Audit Committee Chair	£750
Audit Committee Vice-Chair (x4)	£150

At the request of a Member, Chair declared a 5 minute recess from 8.10pm-8.15pm.

Councillor Hickey, Councillor Hillis and Councillor McGuigan withdrew each of their proposals subsequently.

Chair put the proposal by Councillor Duddy, seconded by Councillor Stevenson to the Council. **IT WAS AGREED with the addition that the adoption is reviewed and brought back to committee in 10 months' time.**

### 10. Assignment of Taxation Claims

D Wright presented the report, summarised as undernoted:

***The four legacy councils have at this time ongoing claims with HMRC regarding Value Added Tax VAT) and landfill tax. The claims have not yet been settled and therefore it is vital that the onus passes to Causeway Coast and Glens District Council so that should these claims crystallise then the new combined council area will not lose out on what could be a substantial cash windfall.***

***Some legal advice has been sought on these matters and is of the opinion that in order to safeguard the new Council's claim to subsequent funds arising out of any settlement these claims need to be assigned by way of agreement from each legacy council to Causeway Coast and Glens District Council. The four assignment agreements, one for each legacy council, are attached as appendices. The physical signed copies are available for counter signature after the meeting should council approve.***

It was proposed by Councillor Harding, seconded by Councillor Duddy and **AGREED that Council approve the assignment agreements as set out, each one is signed by the Presiding Councillor and Chief Executive and notice given to HMRC of each agreement, attached as Appendix B.**

### 11. Pension Apportionment Agreement

D Wright presented the report, summarised as undernoted:

***The four legacy councils have included in their balance sheets accounted for their respective share of the shortfall in funding for pensions under the NILGOSC pension scheme.***

***The liabilities are quantified by way of an annual actuarial report for inclusion in each council's accounts in accordance with relevant accounting standards. From a legal standpoint when an employer ceases to exist this shortfall in effect crystallises and becomes payable to the pension fund provider. Under the Local Government Review whilst the legacy councils will legally cease to exist on 31 March 2015, they are being replaced by Causeway Coast and Glens District Council therefore the liability that is the pension shortfall for each of the four legacy councils will simply be aggregated and this combined figure will become the liability for the new Council. The advice from our pension provider is that to avoid the need to have councils make a payment to NILGOSC in this regard and continue on an on-going basis there needs to be an apportionment agreement in place legally transferring the liability in totality to the new organization. A copy of this apportionment agreement has been attached as an appendix. A copy of the agreement has been signed by the relevant officials of the four legacy councils and requires approval and counter signature.***

**IT WAS AGREED** that the Causeway Coast and Glens District Council approves the apportionment agreement as set out transferring the liability relating to pension funds from each legacy council to Causeway Coast and Glens District Council and the countersignature by Presiding Councillor and Chief Executive, attached as Appendix C.

## **12. Financial Arrangements**

D Wright presented the report, summarized as undernoted:

***From 1 April 2015 Causeway Coast and Glens District Council becomes the legally employing body for staff and suppliers/contractors. With that in mind authority needs to be delegated to staff to enable Council to pay staff and suppliers in a timely fashion.***

***Both Council staff and suppliers are paid on a weekly basis meaning that Council approval will not be physically possible for each and every payment run. At present this authority is delegated to the senior finance officer to make those payments and report to Council in arrears. Causeway Coast and Glens District would need to replicate this arrangement in order to allow for continuity of service. It should be noted that detailed financial procedures will be drawn up in the next few months taking into account all the variations in operations across the legacy councils and where possible harmonizing these arrangements or replacing them where more appropriate. These arrangements will come before Council as they are developed.***

**IT WAS AGREED** that the Causeway Coast and Glens District Council delegates authority to the Chief Finance Officer (Lead Finance Officer to proxy in the interim) to make payments to staff and suppliers as necessary and report these payments to Council retrospectively.

## **13. Grant Assistance requests**

R Baker reported, attached as Appendix D.

**It was proposed by Councillor Loftus, seconded by Councillor Duddy and AGREED:** that these special requests for funding are accepted and approved by Council. Subsequent applications from these organisations will be made under the approved Grants Policy.

## Appendix A:

### 14. Consultations

Council noted the following consultation documents:

- Draft NILGA response to NILGA proposals for Rural Proofing Bill
- Proposals for a New Regulatory Framework for Social Housing Providers in Northern Ireland
- Translink Public Consultation Ulsterbus Services Changes

### 15. Correspondence

Council noted correspondence from Department for Social Development – Budgetary Position for 2015/16.

### 16. Notice of Motion

The following Notice of Motion was received from Councillor M Fielding, of which due notice was given:

*'Propose that the New Council retains the practice of opening the Council Meeting in Prayer which existed in the Council Chamber under Coleraine Borough Council.'*  
*Prayer read at Coleraine Borough Council and proposed to be read in New Council.*  
*Almighty and most merciful Father,*  
*We humbly pray thee so to guide us in*  
*our deliberations for this Borough and its*  
*Inhabitants, that we may have a right*  
*Judgement in all things and may have*  
*grace to shape our decisions according*  
*to thy Holy will.*  
*Amen*

The Chief Executive advised the Notice of Motion would be referred to the next Corporate Policy and Resources Committee.

**This being all the business the meeting closed at 8.35pm.**

Appendix A: [Special Responsibility Allowance](#)

Appendix B: [Assignment of Taxation claims](#)

Appendix C: [Pension Apportionment Agreement](#)

Appendix D: [Grant Assistance Requests](#)

