

SPECIAL COUNCIL MEETING MONDAY 16 JANUARY 2023

Table of Contents

| No. | Item | Decision |
|------------|---|--|
| 1. | Apologies | None |
| 2. | Declarations of Interests | None |
| | 'In Committee' (Item 3-4) | |
| 3. | Update on the Implementation of Recommendations Contained within the Extraordinary Audit Report | <p><i>That Council notes the updates to the Action Plan and progress to date on the implementation of the Recommendations</i></p> <p><i>That Council notes the new deadline for the implementation of the recommendations to 28th February 2023 at the latest</i></p> <p><i>That Council notes the fortnightly meetings between the Council and the Department</i></p> <p><i>That Council notes the updated costs required for the delivery and implementation of the recommendations listed within this report as per paragraph 3.4</i> <i>Appointment of individual to carry out review of Records Management Policies and Procedures at an estimated cost of £15,000</i></p> |

| | | |
|----|---|---------------------|
| 4. | Update on the Implementation of Recommendations Contained within the Extraordinary Audit Report | <i>Noted</i> |
|----|---|---------------------|

**MINUTES OF THE PROCEEDINGS OF THE SPECIAL MEETING OF
COUNCIL HELD IN THE COUNCIL CHAMBER AND VIA VIDEO CONFERENCE
ON
MONDAY 16 JANUARY 2023 AT 7:00PM**

In the Chair : The Mayor, Councillor Wallace (C)

Present : Alderman Baird (R), Boyle (C), Fielding (R), Hillis (C),
Knight-McQuillan (C), A McQuillan (R), McKeown (R),
S McKillop (R), McLean (R)

Councillors Anderson (C), Bateson (R), Beattie (R),
Callan (C), Chivers (R), Callaghan (R), Holmes (R),
Hunter (R), MA McKillop (R), McGurk (R), McCaw (R),
C McShane (R), P McShane (C), McCorkell (R),
McMullan (R), Mulholland (C), Nicholl (R), Quigley (C),
Peacock (C), Scott (R), Watton (R), Wilson (R)

Officers Present : A McPeake, Director of Environmental Services (C)
P Donaghy, Democratic and Central Services Manager (R)
I Owens, Committee and Member Services Officer (C)

E Murray-Wallace, Independent Advisor (C)

Key – C = Attended in the Chamber
R = Attended Remotely

The Director of Environmental Services undertook a roll call.

The Mayor welcomed the Independent Advisor.

The Mayor advised Council of its obligations and protocol whilst the meeting was being audio recorded; and with the remote meetings protocol.

1. APOLOGIES

There were no apologies.

2. DECLARATION OF MEMBERS' INTEREST

There were no declarations of interest.

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Councillor Callan
Seconded by Alderman Boyle

AGREED – that Council move ‘*In Committee*’.

The information contained in the following item is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

The Mayor advised Council of its obligations and protocol whilst the meeting was being audio recorded.

3. UPDATE ON THE IMPLEMENTATION OF RECOMMENDATIONS CONTAINED WITHIN THE EXTRAORDINARY AUDIT REPORT

Confidential report, previously circulated, presented by the Director of Environmental Services.

Purpose of Report

The report updates Council in relation to the progress made in the implementation of the recommendations as contained within the Extraordinary Audit Report.

Background

On 30th November, the Minister for Communities directed the Local Government Auditor to hold an extraordinary audit of Causeway Coast and Glens Borough Council concentrating on land disposals and easements and related asset management policies and procedures.

On 7th July 2022 the Local Government Auditor published a report summarising the findings of an extraordinary audit of Causeway Coast and Glens Borough Council, it details the findings and recommendations emanating from the audit of land disposals and easements since the Council was formed in April 2015.

At the Special Council Meeting held on 26th July 2022 the Council resolved:

“That this Council accepts the findings contained within the extraordinary audit. That this Council immediately moves to implement all eight recommendations contained within the Extraordinary Audit. That the Ministerial letter of the 7th July 2022 be responded to confirming all the above and an action plan be completed by the 8th August 2022 that shows how the Auditor’s recommendations will be fully implemented by 30 December 2022.”

Annexe 1, previously circulated, lists eight recommendations to be addressed and implemented by Council by 30th December 2022. An extended deadline to the 28th February 2023 has been approved by the Department for the implementation of all recommendations. This update report lists steps taken to address these recommendations since Council was presented with the Council’s

Action Plan. Members should review and consider these actions to ensure that they are content with regards to the Council's response to date.

Progress update was provided within the confidential report, previously circulated.

Recommendation(s)

The Council is committed to further improving the weaknesses identified in the extraordinary audit report and acknowledges the oversight of the Department. It is recommended that:

That Council notes the updates to the Action Plan and progress to date on the implementation of the Recommendations.

That Council notes the new deadline for the implementation of the recommendations to 28th February 2023 at the latest.

That Council notes the fortnightly meetings between the Council and the Department.

That Council notes the updated costs required for the delivery and implementation of the recommendations listed within this report as per paragraph 3.4 *Appointment of individual to carry out review of Records Management Policies and Procedures at an estimated cost of £15,000.*

*** Councillor Callaghan joined the meeting at 7.09 pm**

The Director of Environmental Services advised the report, while out of date, needed to be considered and contained a recommendation to Council.

The Director of Environmental Services provided commentary on the report and advised that he and the Independent Advisor were in attendance to take questions from Elected Members.

Councillor P McShane referred to costs incurred to date, including staff costs since 2017 in relation to numerous investigations. Councillor P McShane said he had many unanswered questions from the Department and the Northern Ireland Audit Office and the only option to him now, was to have PSNI undertake a criminal investigation.

Councillor P McShane suggested there had been VAT irregularities and Senior Officers had been selective when providing information requested and individuals had something to gain from the process. He questioned the lines of communication between the Director of Environmental Services and named Senior Officers being investigated.

Councillor P McShane asked the Director of Environmental Services whether he had spoken with, or taken direction from, those being investigated, the Director of Environmental Services responded and said he did not believe so.

Alderman A McQuillan stated that Councillor P McShane was making allegations with no evidence and suggested that he and others in the Chamber were the reason there was an ongoing investigation. Alderman A McQuillan

asked Councillor P McShane to name those gaining, financially or otherwise, from the process and suggested he was stating untruths. Alderman A McQuillan pointed out that the PSNI had deemed there was no case to answer.

Councillor Quigley asked for it to be put on record that she refuted and disagreed with Alderman A McQuillan’s reference to, ‘*Councillor P McShane and his cohorts in the Chamber*’, referring to the Extraordinary Audit Findings which she said clearly presented evidence.

Proposed by Alderman A McQuillan
 Seconded by Councillor Anderson and

RESOLVED -that:

The Council is committed to further improving the weaknesses identified in the extraordinary audit report and acknowledges the oversight of the Department. It is recommended that:

That Council notes the updates to the Action Plan and progress to date on the implementation of the Recommendations.

That Council notes the new deadline for the implementation of the recommendations to 28th February 2023 at the latest.

That Council notes the fortnightly meetings between the Council and the Department.

That Council notes the updated costs required for the delivery and implementation of the recommendations listed within this report as per paragraph 3.4 *Appointment of individual to carry out review of Records Management Policies and Procedures at an estimated cost of £15,000.*

Councillor P McShane requested a Recorded Vote.

The Mayor put the Proposal to the Council to Vote.
 29 Voted For; 3 voted Against; 0 Members Abstained.
 The Mayor declared the Motion Carried.

Recorded Vote Table

| | |
|-------------|--|
| For (29) | Alderman Baird, Boyle, Fielding, Hillis, Knight-McQuillan, McKeown, S McKillop, McLean, A McQuillan |
| | Councillors Anderson, Bateson, Beattie, Callaghan, Callan, Chivers, Holmes, Hunter, McCaw, McCorkell, McGurk, MA McKillop, McMullan, P McShane, Nicholl, Peacock, Scott, Wallace, Watton, Wilson |
| Against (3) | Councillors Mulholland, P McShane, Quigley |

4. UPDATE ON THE IMPLEMENTATION OF RECOMMENDATIONS CONTAINED WITHIN THE EXTRAORDINARY AUDIT REPORT

Confidential report, previously circulated, presented by the Director of Environmental Services.

Purpose of Report

The report updates Council in relation to the progress made in the implementation of the recommendations as contained within the Extraordinary Audit Report.

Background

On 30th November, the Minister for Communities directed the Local Government Auditor to hold an extraordinary audit of Causeway Coast and Glens Borough Council concentrating on land disposals and easements and related asset management policies and procedures.

On 7th July 2022 the Local Government Auditor published a report summarising the findings of an extraordinary audit of Causeway Coast and Glens Borough Council, it details the findings and recommendations emanating from the audit of land disposals and easements since the Council was formed in April 2015

At the Special Council Meeting held on 26th July 2022 the Council resolved:

“That this Council accepts the findings contained within the extraordinary audit. That this Council immediately moves to implement all eight recommendations contained within the Extraordinary Audit. That the Ministerial letter of the 7th July 2022 be responded to confirming all the above and an action plan be completed by the 8th August 2022 that shows how the Auditor’s recommendations will be fully implemented by 30 December 2022.

Annexe 1, previously circulated, lists eight recommendations to be addressed and implemented by Council by 30th December 2022. An extended deadline to the 28th February 2023 has been approved by the Department for the implementation of all recommendations. This update report lists steps taken to address these recommendations since Council was presented with the Council’s Action Plan. Members should review and consider these actions to ensure that they are content with regards to the Council’s response to date.

Progress update was provided within the confidential report, previously circulated.

Recommendation(s) The Council is committed to further improving the weaknesses identified in the extraordinary audit report and acknowledges the oversight of the Department. It is recommended that:

That Council notes the updates to the Action Plan and progress to date on the implementation of the Recommendations

That Council notes the fortnightly meetings between the Council and the Department.

That Council notes the costs required for the delivery and implementation of the recommendations listed within this report as per paragraph 3.4.

It was **RESOLVED** that Council note the report.

Councillor Callan queried why Council had ceased to be member of SOLACE NI, given that the Chief Executive had been Chair of SOLACE NI, and asked what had led to the decision.

The Director of Environmental Services advised that, for a period of time, since the Chief Executive had completed his term as SOLACE NI Chair, approximately 18 months ago, Senior Officers had deemed it was not beneficial to continue its membership, however, Council were in the process of re-joining. At the request of Councillor Callan, the Director of Environmental Services agreed to report to the Extraordinary Audit on the expectations from a renewed relationship with SOLACE NI.

Councillor P McShane suggested that it was a mistake for Senior Management to cease membership of SOLACE NI.

At the request of Councillor Callan, the Director of Environmental Services advised the Independent Advisors' report will be considered at the next Special Council Meeting of the Extraordinary Audit and will be provided to Elected Members in advance of meeting. The Director of Environmental Services clarified the Independent Advisors will be in attendance at the next Special Council meeting to invite questions from Elected Members.

Councillor P McShane wished to note the relationship the Director of Environmental Services had with the Department and his peers and Line Manager at Causeway Coast and Glens Borough Council.

Councillor P McShane asked the Director of Environmental Services whether he had had discussions with Staff that were under investigation, on the detail on Notice of Motions he had previously submitted.

The Director of Environmental Services advised that he did not believe he had any such discussions but could look at historic records on the matter.

MOTION TO PROCEED *'IN PUBLIC'*

Proposed by Alderman Knight-McQuillan
Seconded by Councillor Peacock

AGREED – to recommend that Council move *'In Public'*.

There being no further business the Chair thanked everyone for their attendance and the meeting concluded at 7.30 pm.

Mayor