

Derry City and Strabane District Council

Minutes of Meeting of the Governance and Strategic Planning Committee (Open) held in the Guildhall, Derry on Tuesday 8 May 2018 at 4.00 pm

Present:- Councillor Fleming (in the Chair), Aldermen Hussey, Kerrigan, Ramsey and Thompson, Councillors Boyle, Cooper, Donnelly, C Kelly, McKeever, McKnight, McMahan, Robinson and Tierney.

Non-Members of Committee:- Councillors Carr, Gallagher and P Kelly.

In Attendance:- Director of Health and Community (Mrs K McFarland), Lead Assurance Officer (Mrs D McDonnell), Lead Democratic Services and Improvement Officer (Miss E Cavanagh), Lead Legal Services Officer (Mr P Kingston), Head of Human Resources (Mrs P Donnelly), Business Support and Change Manager (Mrs R Craig) and Committee Services Assistant (Ms N Meehan).

GSP77/18 Notice and Summons of Meeting

The Director of Health and Community read the Notice and Summons for the Meeting.

GSP78/18 Apologies

There were no apologies for absence.

GSP79/18 Declarations of Members' Interests

There were no declarations of Members' interests.

GSP80/18 Deputations

There were no deputations.

Chairperson's Business

GSP81/18 Jazz Festival

The Chairperson referred to the major success of the 2018 Jazz Festival which took place in the City the previous weekend. He stated that there had been a notable increase in numbers visiting the City for the Festival this year. He congratulated all those staff involved in the organising the event.

GSP82/18 Condemnation

The Chairperson condemned the disruption caused in the City the previous weekend as a result of a number of hoax bomb alerts. He stated that this had caused unnecessary hardship and fear to a number of pensioners throughout the City. He said these hoax attacks were planned to cause mass disturbance but thankfully had not impacted on the success of the Jazz Festival.

Councillor Boyle reiterated the above sentiments and appealed to those responsible to desist from such activities which were non-productive and caused unnecessary personal and economic hardship.

Councillor Cooper stated that during the alert he had spent time speaking to residents who were unable to access their properties. He stated that those responsible were aware of the disruption these bomb alerts would cause and the potential damage and economic impact. He concluded that this was a cynical act without any apparent rationale which had created anger and discord.

GSP83/18 Best Wishes

The Chairperson extended his best wishes to the victim of a horrendous attack which had taken place in Strabane the previous weekend.

Councillor P Kelly concurred with the Chairperson's comments and suggested that Council's best wishes be extended to the victim of the attack. He requested that a business case be prepared in respect of the provision of CCTV cameras in Strabane town centre which it was anticipated might reduce the occurrence of similar attacks. He acknowledged budgetary cuts within the PCSP but suggested that this was necessary expenditure. He said those using the town centre had a right to feel safe. He requested that a report be presented to a future Meeting of the Committee outlining a business case in respect of the provision of CCTV cameras for Strabane town centre.

Alderman Hussey also condemned the dreadful attack which had taken place in Strabane the previous weekend. He pointed out that the Strabane Town Forum had been sanctioned to consider the provision of CCTV Cameras in Strabane.

Alderman Hussey expressed concern that a business in Newtownstewart had endured a third robbery at its premises since the beginning of the year.

Following some discussion the Committee

Recommended that a report be presented to a future Meeting of Committee on the provision of CCTV Cameras in Strabane town centre in conjunction with Strabane Town Forum.

GSP84/18 Confirmation of the Open Minutes of the Governance and Strategic Planning Committee held on Tuesday 10 April 2018

The Open Minutes of Meeting held on 10 April 2018 (GSP54/18-GSP74/18) were submitted.

Councillor Boyle referred to the first sentence of paragraph 7 of Minute GSP71/18 and requested that the words 'did not regard' be replaced with the words 'He regarded'.

It was agreed that the Minutes would be amended accordingly.

Matters Arising

GSP85/18 Ten Month Financial Outturn (GSP62/18)

Alderman Hussey referred to a request he had made at the April Meeting of Committee that proposals in relation to the proposed enhancement works to the Castle site at Castlederg be displayed in the area together with a timetable in respect of the said works. He referred to assurances given by the Chief Executive that information regarding the works would be displayed in Castlederg and queried if this had been progressed. He enquired as to the current position regarding procurement and the carrying out of the works and anticipated that these would be completed prior to the Derg Fest.

The said Member sought assurances that the information regarding the works together with a proposed timetable would be displayed in Castleberg and circulated to Members accordingly.

The Director of Health and Community undertook to request the Director of Environment and Regeneration to update Members on this matter.

GSP86/18 Standing Orders

The Lead Legal Services Officer presented the above report a copy of which had previously been circulated. He advised that the purpose of the report was to seek Members' views and approval for the draft Standing Orders set out in Appendix 1.

Councillor P Kelly enquired if there was any possibility of reducing the number of Motions submitted to Council Meetings.

The Lead Legal Services Officer advised that the issue in relation to what was included in the Standing Orders was entirely a matter for Members. He stated that whilst the issue of Motions had been raised during discussions, as there had not been any specific emphasis, Officers had not feel this should be included in the amendments. He reiterated however that this was a matter for Members to decide.

Councillor Boyle said the SDLP did not think there was any merit to be had by placing a cap on the number of the number of Motions submitted to Council Meetings. He supported Officer's recommendations in this regard.

Councillor Gallagher said he welcomed a number of the changes outlined.

In response to a query from Councillor Gallagher regarding the legality in terms of the definition of Community which was included for the purposes of a Call-In under Section 41.1b to align with Section 75 of the Northern Ireland Act 1998, the Lead Legal Services Officer advised that legal opinion indicated that there was a defect in Council Standing Orders in that the definition of communities was not as it should be. He stated that in the absence of this it was felt a category of Section 75 groups would be sufficient and would cover the gap which existed.

Alderman Hussey queried why the Annual Meeting was held at 7.30 pm.

In regards to Motions, Alderman Hussey assumed that Motions must comply with all of the four points in order to be acceptable. He referred to previous occasions when the relevance of Motions had caused concern to Members. He queried as to who was the final determinant in regards to the relevancy of a Motion.

The Lead Legal Services Officer explained that the Annual Meeting was historically and traditionally held at 7.30 pm which reflected the ceremonious aspect of the Meeting and possible attendance by members of the public who may not be able to attend earlier in the day.

In terms of Motions, the Lead Legal Services Officer confirmed that the Motions must meet all of the requirements of Standing Order 16 to be acceptable and changes and the inclusion/deletion of a word was to reflect the actual position of Council. He advised that the arbiter of this was the Chairperson of the Meeting and once a decision had been made in this regard it could not be overturned. The Chairperson would take advice prior to reaching a decision. He continued that the Chief Executive would initially decide whether or not a Motion would appear on the agenda for the Meeting.

Alderman Hussey queried if, in the event of a challenge to any of the four points, the Chairperson would be obliged to explain the rationale to Members.

The Lead Legal Services Officer said the Standing Orders stated that the wording shall not be challenged. He referred to 28 of the Standing Orders which stipulated "that the ruling of the Chairperson as to the interpretation, construction or application of any of these Standing Orders or as to any proceedings of the Council, shall not be challenged at any meeting of the Council."

Subsequently the Committee

Recommended that the draft Standing Orders set out in Appendix 1 be approved.

GSP87/18 Strategic Growth Plan- Carnegic Trust Embedding Wellbeing in Northern Ireland Project

The Business Support and Change Manager presented the above report a copy of which had previously been circulated. She advised that the

purpose of the report was to brief the Committee on the submission of two 'Expression of Interest' forms for Phase 1 of the selection process to participate in the Carnegie UK Trust's 'Embedding Wellbeing in Northern Ireland' project.

Councillor McMahon referred to the second sentence of 2.3 of the report and enquired as to the make-up of the peer learning partnership during Phase 1. He welcomed the collaboration with other Sperrin based Councils.

The Business Support and Change Manager advised that the peer learning partnership would consist of the three successful bidders. At this stage she understood that each of the eleven Councils would be submitting a bid. She added that the collaborative bids would also be looked at favourably by the Carnegie Advisory Panel. She stated that the process would provide an opportunity for Council to connect with the successful bidders initially and then the eleven other community planning partnerships as the programme was rolled out.

Alderman Hussey welcomed the proposed initiative and said it was encouraging that this had derived from the Future Search Programme and anticipated that Council's application would prove successful.

The Committee

Recommended that Members support the initiative to submit initial Expression of Interests (attached as Appendix 1 and 2) for Phase 1 of the selection process to participate in the Carnegie UK Trust Embedding Wellbeing in Northern Ireland Project.

GSP88/18 Service Delivery Plan 2018/19- Strategic Planning and Support Services

The Lead Democratic Services and Improvement Officer presented the above report a copy of which had previously been circulated. She advised that the purpose of the report was to present for consideration and Members' approval the Delivery Plan for the Strategic Planning and Support Services for the year 2018/19 (Appendix 1).

Councillor McKnight commended staff on their hard work and efforts in the delivery of the Service Plans.

The Committee

Recommended that the Strategic Planning and Support Services Delivery Plan 2018/19 is approved.

GSP89/18 Interim Negotiating Consultation Forum

The Lead Human Resources Officer presented the above report a copy of which had previously been circulated. She advised that the purpose of the report was to seek Members' approval to endorse the attached draft operating framework for a regional Interim Negotiating and Consultation Forum for Local Government.

The Committee

Recommended that Members endorse the draft Operating Framework and grant approval for the Lead Human Resources Officer to participate in the Regional Forum.

GSP90/18 Workplace Alcohol and Drugs Policy

The Lead Human Resources Officer presented the above report a copy of which had previously been circulated. She advised that the purpose of the report was to seek Members' approval for the adoption of a new Workplace Alcohol and Drugs Policy.

In response to a query from Alderman Thompson, the Head of Human Resources explained that a Programme of Awareness would commence for all employees regarding the Policy.

Councillor McKnight welcomed the report and commended those staff involved in the drawing up the policy. She said it was reassuring that employees with an identified problem would be addressed and welcomed Council's commitment to mental health and wellbeing.

The Committee

Recommended that Members adopt the Workplace Alcohol and Drugs Policy.

GSP91/18 Findings of Customer Satisfaction Survey

The Lead Democratic Services and Improvement Officer presented the above report a copy of which had previously been circulated. She advised that the purpose of the report was to brief Members on the findings of the Councillor Satisfaction Survey 2018 and obtain approval to the associated Action Plan.

In response to a query from Councillor P Kelly regarding 3.5, the Lead Democratic Services and Improvement Officer advised that the report reflected issues which had been noted during the consultation process.

In response to a query from Alderman Hussey regarding stipulations for deputations/presentations to Committee, the Lead Democratic Services and Improvement Officer advised that this was the responsibility of the Chairperson of the Meeting.

The Committee

Recommended (a) that Members note the findings of the satisfaction Survey 2018; and

(b) that Members approve the Action List arising from the areas of improvement identified from these findings.

GSP92/18 NI Charter Plus Accreditation for Elected Member Development

The Lead Democratic Services and Improvement Officer presented the above report a copy of which had previously been circulated. She pointed out that the purpose of the report was to advise Members of Council's successful accreditation against the Elected Member Development Charter Plus standard and of the feedback provided by the Assessment Panel.

Councillor C Kelly stated that as a member of the Development Working Group who had worked hard and met regularly in the lead-up to the award, he felt all the hard work and efforts had been evident on the day. He referred to a meeting of Nilga which he had attended when the prestige of having achieved this award had been acknowledged and commended. He congratulated all those Officers involved in achieving this prestigious award without whose input it would not have been possible.

Councillor Boyle stated that he was also a member of the Development Working Group. He extended his thanks to the other Members

involved and to the Lead Democratic Services and Improvement Officer, the Democratic Services Officer and the Members' Services Officer for their input and commitment towards achieving the award. He said it was pertinent to acknowledge that Derry City and Strabane District Council were the first Council in Northern Ireland to achieve this status and it was through such developments that Council was improving the skills of elected Members. He referred to the enthusiasm evident from both Members and Officers towards achieving this award and said he would be reflective of the recommendation for further improvement which he anticipated would be achieved in the following three years. Councillor P Kelly, as an Assessor of the Charter in another Council area, acknowledged the work involved from both Officers and elected Members and congratulated all those involved on this wonderful achievement.

Alderman Hussey also congratulated all those involved in achieving this award. He welcomed the fact that a process of achievement initiated by the former Strabane District Council had been maintained by the former Derry City Council in 2015 in achieving the NI Charter had now culminated in this amazing achievement for Derry City and Strabane District Council.

Councillor Donnelly welcomed this achievement and commended all those involved on their commitment. He thanked Council staff for their assistance and guidance in carrying out his duties as an Independent Member. He referred to the fact that upon joining Council each of the Independent Members had been considered as a Party Leader however this practice appeared to have stopped for no apparent reason. He expressed concern that as part of the development process a meeting of Party Leaders had taken place to which no Independent Members had been invited to attend. He queried the process of engagement with Independent Members.

The Lead Democratic Services and Improvement Officer undertook to investigate this matter and report thereon to a future Meeting of Committee.

The Committee

Recommended (a) that Members note Council's successful accreditation against the Elected Member Development Charter Plus Standard; and

(b) that Council explores the areas of improvement identified by the assessment panel and commits to continuous improvement over the 3 year lifespan of the standard.

GSP93/18 Reimbursement of Data Protection Fees

The Lead Democratic Services and Improvement Officer presented the above report a copy of which had previously been circulated. She pointed out that the purpose of the report was to advise Members of the information received from the Department for Communities regarding the reimbursement of data registration fees.

Councillor P Kelly queried what method other Councils used to pay these fees and queried why all Councils did not follow similar guidance.

The Lead Legal Services Officer stated that as outlined in 3.2 of the report Council had not sought its own legal opinion on the ability of the Council to pay the fees on behalf of Councillors and in the absence of advice to the contrary it was being recommended that Department for Communities guidance should be followed. He said Council had no knowledge regarding how other Councils operated in this regard. He stated that if Members wished, legal opinion could be sought.

Councillor Gallagher said he did not feel it would prove financially viable to seek legal opinion.

Councillor P Kelly referred to the fact that there were eleven Council models and each of the Councils should follow similar guidance to ensure equality.

Alderman Kerrigan referred to a meeting which he had attended in this regard when it had proved embarrassing that Council had not sought legal opinion. He suggested that the matter required clarification.

Councillor Tierney stated that his Party would be adopting Officers' advice on the matter.

GSP94/18 Job Shadow Report

The Lead Human Resources Officer presented the above report a copy

of which had previously been circulated. She advised that the purpose of the report was to update Members on a Job Shadow Day which took place on 25 April 2018.

Members noted the content of the report.

GSP95/18 Irish Language Week

The Lead Democratic Services and Improvement Officer presented the above report a copy of which had previously been circulated. She advised that the purpose of the report was to update Members on the success of events which took place as part of Irish Language Week 2018 in the Derry City and Strabane District Council area.

Councillor McMahon commended Council on their involvement in Irish Language Week 2018 and in particular the Policy Officer (Irish Language) who had worked alongside Conradh na Gaeilge in delivering this event. He stated that the Mayor had driven this forward and supported a number of initiatives in collaboration with Conradh na Gaeilge at no cost to Council and this had established a worthwhile marker. He referred to the number of local schools who had participated in the event and anticipated that this would be progressed in the future.

The meeting ended at 4.55 pm

The Meeting went into Confidential Business

Signed: _____
(Chairperson)

Date: _____