

Derry City and Strabane District Council

Governance and Strategic Planning Committee

Open Minutes of Governance and Strategic Planning Committee held in the Council Chamber, Guildhall on Tuesday 1 March 2016 at 4.00pm.

Present:- Councillor Carlin (in the Chair); Aldermen Hussey, Kerrigan, Ramsey and Thompson, Councillors Boyle, C Kelly, McGuire, McMahan, O'Reilly, Reilly and Robinson.

Non-Member of Committee:- Councillors Carr, Cusack, Donnelly, Gallagher, Hastings, D Kelly and P Kelly.

In Attendance:- Chief Executive (Mr J Kelpie), Director of Environment & Regeneration (Mrs K Philips), Director of Health & Community (Ms K McFarland), Director of Business & Culture (Mr S Gillespie), Lead Democratic Services & Improvement Officer (Ms E Cavanagh), Lead Human Resources Officer (Ms P Donnelly), Lead Finance Officer (Mr A Dallas), Business Support and Change Manager (Ms R Craig) and Administrative Assistant (Mrs M Doherty).

GSP50/16 Notice and Summons for Meeting

The Chief Executive read the Notice and Summons for the Meeting.

GSP51/16 Apologies

Apologies were received from Councillors Cooper, Dobbins and McGuire.

GSP52/16 Declarations of Members' Interests

Alderman Kerrigan and Councillor P Kelly declared an interest in relation to agenda item 17 – NAC Correspondence Re - Facilities for Elected Members.

Open for Decision

GSP53/16 Deputation - DSD Northwest Development Office on Future Collaboration Arrangements between DSD/Council

The Chairperson welcomed Ms Pauline Campbell and Mr Paul McNaught, of the DSD Northwest Development Office to the Meeting. She invited Mr McNaught, to make his presentation to the Committee.

Mr McNaught proceeded to deliver his presentation (a copy of which had been previously distributed to Members) highlighting the following:

- Extending Regeneration and Community Development Powers to a local Level.
- Why there has been a deferral on the decision to transfer regeneration powers to Council.
- What happens next in the process.
- Closer working partnerships with Council.
- Past collaborations that DSD and Council have worked on.
- Going forward - what this collaboration will involve.
- Large capital projects that DSD and Council are currently involved in.
- Budgets both capital and revenue.
- DSD and Derry City and Strabane District Council Joint projects.
- DSD priorities.
- Other funding streams that exist.

A Member of the SDLP grouping thanked Mr McNaught for his presentation. He welcomed the past collaboration that Council has had with DSD, this work has enabled vast investment in local areas. He stated that there has been no clear indication as to when the transfer of the regeneration powers to Council will happen. He raised concerns he had with the level of funding being provided as part of this transfer; it was originally agreed that the figure would be around £7.2m but it was his understanding that the figure is more likely to be £6.2m which is a significant reduction and there may be further cuts. He added that it was important that Council in progressing forward engaged with the new structure/new department being proposed by the Executive and the new Minister that will be appointed after the elections.

In response to the Members comments, Ms Campbell advised that the Minister is still fully committed to the transfer of regeneration powers to Council. She stated that the Executive's position has not changed and that local decisions should be made at a local level. After the election in May, legislation and budget will be better known. She

explained that the budget reduction that has been mentioned is as a result of reductions in the central budget and thus DSD can only transfer what is available. The election in May will see further ministerial change and Members comments will be advised to the current and new Minister.

A non-committee Independent Member of Council thanked Officers for the presentation and he highlighted the good working collaboration that Council and DSD have always had. He raised his concerns as to the need for the transfer and queried if there was any real benefit of the transfer to Council. He stated that Council cannot bid for capital monies and the revenue projects will exhaust what money is available and thus no new money will be available as part of this transfer. He added that the collaboration with DSD has always worked and the money invested made a difference on the ground, so why change it? He felt the powers would be better placed staying with DSD who could bid for future money on behalf of Council.

In response to the above comments, Ms Campbell stated that the Member had raised a very valid point but the Executive's position is that local decisions should be made at a local level. She advised that there is no other money available within DSD for regeneration. She further advised that a further consultation on the transfer will be held after the May elections and this will be Members opportunity to have their voice heard and to influence policy. She stressed that difficult decisions have to be made and year on year budget cuts have to be made going forward. The money that was available before is no longer there and all departments are feeling the impact.

The Chief Executive advised that this Council is very supportive of the transfer of regeneration powers and recognises a great advantage from the alignment. He added that the issue with the transfer is with the finances not the powers. The money being transferred is less than the previous budgets and Council should be calling for Central Government to address this. He added that Council should be calling for the revenue budget allocation model to be analysed, and stressed it was critical going forward that the correct allocation of funding is allocated. He also highlighted the excellent collaboration work that DSD and Council have always had and will always have in the future.

In response to queries raised by a Member of the SDLP grouping, Mr McNaught advised that in relation to the Factory Girls Sculpture project the process has been difficult and there were still some difficulties to be overcome. He stated that DSD are committed to resolving the issues and having the project completed. He also advised that in relation the

shop front scheme in the Waterside tenders have been assessed and work has begun. He added that there are 22 properties as part of this scheme and it is anticipated that work will be completed over the next 3-4 months. He also advised that a review will be carried out after the completion and a decision to extend the scheme will be investigated.

A Member of the Sinn Fein grouping thanked Mr McNaught for the presentation. He queried if DSD would be inputting into the Community Planning Process which carries through into the Development Plan. In response Mr McNaught advised that DSD have begun working on the different elements of the Community Plan with Council Officers, he also stated that DSD has always worked well with Council and will work hand in hand with Council until the Regeneration Bill transferring powers goes forward.

A Member of the UUP grouping stated that DSD's focus was mainly urban and queried going forward if that the transfer of these powers will enable Council to make the decision as to how this money is allocated. He suggested that this will allow Council to spread this money throughout the entire Council area; in urban and rural areas.

In response Ms Campbell advised that DSD's focus was primarily urban regeneration in neighbourhood renewal areas. Going forward when the powers transfer, that will be a decision for Council as to what to do with the money; Council can develop their own policy within the legislation. She highlighted however that there is no extra money to be shared out across the same area. She further added that DARD's primary focus is to fund projects in rural areas. The UUP Member welcomed Ms Campbell's response.

A Member of the DUP grouping also thanked officers for the presentation. He stated his party's support for the transfer of the regeneration powers but raised their concerns at the reduction in finances that comes with it, he stressed that the finances have to be right. He also highlighted the plight of revenue funded projects currently in receipt of this funding which have been caused a great deal of stress and anxiety as they have been told that their jobs are finishing. He stressed the importance of the work that these community projects provide and the continued provision of these projects needed to be a priority of this Council to secure them.

Ms Campbell in response advised that overall efficiencies of 5.7% have to be found across the Northwest Development Department and that she has worked to try and make these efficiencies manageable but unfortunately hard decisions have had to be made and will have to be

made going forward. She stated that it was hoped that the new contract for those projects that are going forward, will be issued prior to Easter.

An Independent Member of Council sought clarity around staffing levels which will be part of this transfer and queried what would this mean for Council in terms of payroll matters. Ms Campbell advised that currently it is the regeneration powers that are transferring and there are no plans for TUPE of staff, however a secondment arrangement can be arranged if staff and Council are willing. She added that she had to pay credit to her staff as they have a wealth of knowledge and work very hard. The Chief Executive added that this is discussion for another time and that both Council and the Northwest Development Office will work out any such detail when it is appropriate.

The Chairperson thanked Ms Campbell and Mr McNaught for their presentation and they left the meeting.

Deputation – Northern Ireland Housing Executive

The Chairperson welcomed Mr Clark Bailie and Ms Avril McAllister to the meeting. She invited Mr Bailie to make his presentation.

Mr Bailie provided Members with a verbal presentation and he highlighted the following:

- The proposed small scale transfer.
- The Savills stock condition survey that has been carried out.
- The investment needed by the NIHE to address maintenance of current stock over the next 5 years.
- The two tranche approach carried out by NIHE in identifying the proposed stock as part of this transfer.
- The constraints facing the NIHE.
- The lack of Capital Receipts Government Fund.
- The process that tenants will be involved in as part of this transfer process.
- The tenant will have the final say on the transfer of their property.
- The aspiration of the NIHE to begin building social housing again.
- Housing Associations proposals for the transfer of the stock
- The neutral role that the NIHE will play in the transfer of stock they will not encourage or discourage the tenant; it is ultimately the tenants decision.

A non-committee Member of the SDLP grouping thanked Mr Bailie for his presentation. She raised her concerns over the proposed stock transfer and the bigger question that she feels it poses for the NIHE. She queried if there would ever be a likelihood that the Executive would be in a position to start building social housing again. She also queried what would happen NIHE staff with the transfer of stock and the introduction of the universal credit. She stated that she was very concerned as this could lead to the dismantling of the NIHE.

In response Mr Bailie advised Members that it would be an ambition of the NIHE to get back into building social housing, however it is a matter of timing and as things currently stand, the NIHE do not have access to the substantial grant that housing associations avail of. He stated that as part of the NIHE strategy it would be a longer term aspiration to build social housing. He also advised in terms of housing benefit staff and the introduction of universal credit that staff are being assisted in working through the changes that are being introduced.

A Member of the Sinn Fein grouping voiced his party's concerns at the proposed stock transfer he advised that he had been inundated with calls from NIHE tenants who are concerned about what is being proposed. He stated that there is a lot of long term residents who have been happy with the NIHE and unaware of the workings of the housing associations. He also stressed the importance of the NIHE being on a level playing field with the housing association in terms of building new social housing.

A non-committee Independent Member of Council welcomed Mr Bailie to the meeting and thanked him for the presentation that he had provided. He stated that the corporate position of this Council was that they were against the sale of NIHE homes to Housing Associations. He advised that some of the tenants that were affected by this proposed transfer have been NIHE tenants for up to 50 years. He queried if tenants opt to stay with the NIHE will there be funding to maintain the standard of living which they require. He also highlighted concerns in relation the Housing Associations and what will happen should they get into financial difficulty, would that in turn result in the bank repossessing homes.

In response Mr Bailie advised that there are difficult funding challenges ahead for all government departments as Members are aware. He stated that NIHE very much value the relationships that they have with their tenants, the NIHE see the tenants as their critical friend who have

every right to hold the NIHE to account and inform us if our standards have slipped. He advised that looking ahead, a debate on public finance will have to occur but focus will remain on getting the best deal for the NIHE and its customers.

An Independent Member of Council raised his concerns over the transfer. He stated that any transfer of stock could be the beginning of a more large scale transfer. In response, Mr Bailie stated that he did not take on the role of the Chief Executive of the NIHE to see the demise of the organisation. He added that he wanted to deliver good quality homes and provide a good efficient service for its customers. He stressed that the final say will be the tenants who will be balloted on the decision. He reiterated that no tenant will be forced to transfer to the Housing Associations.

Another non-committee Independent Member of Council also raised his concerns at the proposed transfer. He commended the NIHE for the service that they provide and he maintained that Housing Associations will not be able to provide the same service. He queried the spend on the Stock Survey in the region of £6m that equates to £3,000 per house. He stated that this small transfer could result in the privatisation of the NIHE and that the NIHE must oppose this and protect the service they provide. He echoed the sentiments of a recent meeting of Council were there was an all-party agreement against the transfer of any of the NIHE stock.

In response, Mr Bailie advised that the Stock Survey which was carried out was essential as it gave the NIHE a better picture of the state of the NIHE stock. He reiterated his previous comments that the tenants will have the final decision on the transfer of their homes and the NIHE will respect their choice.

In response to a query from a Member of the SDLP grouping Mr Bailie advised that in terms of the Empty Homes Strategy the NIHE had undertaken a lot of work alongside Land and Property Services. The process of securing information did prove difficult however NIHE were now analysing such.

A Member of the DUP grouping also thanked Mr Bailie for his presentation. He concurred with the remarks already made in the Chamber and stressed that there is a real fear out there that the NIHE will be privatised. He further welcomed the comments and aspiration that the NIHE would like to begin building social housing again. He stated that this should be an indicator to the public that the NIHE is not going away.

A non-committee Member of the SDLP grouping raised concerns he had with the recent closure of the Strabane Office. He said that he had been informed that due to staff shortages the office had to be closed early with no prior notice. He stated that this was unacceptable and that resources from other offices should have been provided. Mr Bailie in response, advised that it was very unfortunate that this had happened and it was a result of exceptional circumstances and he apologised for any inconvenience that this may have caused. He advised that the office hours have been reinstated and that it was a short term measure.

In thanking the NIHE representative's for their presentation the Chairperson added that the NIHE has always provided the human touch to the service provided. She highlighted that the bottom line of the housing associations is profit and the bottom line of the NIHE has always been service. She concluded by stating that in terms of social housing the NIHE will always be the Council's first choice.

GSP54/16 Chairperson's Business

There was no Chairperson's business.

GSP55/16 Confirmation of the Open Minutes of the Governance and Strategic Planning Committee held on Tuesday 2 February 2016

The open Minutes of Meeting held on 2 February 2016 (GSP27/16 – GSP46/16) were confirmed and signed by the Chairperson.

GSP5/16 Matters Arising

There were no matters arising from the minutes.

GSP57/16 Capital Projects

The Lead Finance Officer presented the above report, a copy of which had previously been circulated to Members. The report sought Members approval of an allocation of capital funding towards a number of projects following consideration by the Capital Projects and Corporate Planning Programme.

A Member of the Sinn Fein Grouping in proposing his party's support for the report, stated that the report had to be welcomed and that he

was pleased to see the focus on leisure and community facilities within the Council area.

A Member of the SDLP grouping thanked Officers for the report, he told of his excitement about the plans Council has for capital works and seconded the proposal. He advised of recent conversations that he had with his party's MLA at which they discussed the City of Culture Legacy Fund and outlined areas and projects that were in receipt of this money. He sought clarification as to what if any money had this Council received from the Department of Culture Arts and Leisure, City of Culture Legacy Fund adding that after all, Derry City was the City Of Culture. He stated that this Council should be asking questions in relation to this fund; such as what is available and how much can be applied for. He further added that if this money is being made available to other Councils then this Council should investigate getting money from this Fund into the City and District.

The Chief Executive thanked Members for their endorsement of the report. He advised that the capital works programme which is being proposed is second to none and future reports on Councils plans for Capital Investment will be provided. He also advised that this Council will investigate every opportunity or avenue to access any available funds. In relation to the comments about the City of Culture Legacy Fund he advised that the Director of Legacy will compile a report for Members answering questions such as the scale of the City of Culture Legacy Fund, were this fund has been spent and if there is any opportunity for Council to avail of this fund.

In response to a non-committee Member of the SDLP grouping the Chief Executive advised that it was a legacy project of Strabane District Council that a leisure facility be developed on the Score Site but on the basis of new information that this site has been deemed an historic monument, investigations will be carried out to ascertain if the site is suitable for such use and if not a feasibility study will be carried out to locate another suitable location. Moving forward Council will collaborate with DSD to make best use of the Score Site.

Another Member of the SLDP grouping also welcomed the report. He said that it was great to see the value that the rate payer was getting for the spend that Council would be making, he felt that the funding that is being invested in the area as part of this spend should be communicated to the public. In response the Chief Executive advised

that Council will do what it can to inform the public of the great projects that this spend has achieved.

The Member of the SDLP grouping further queried if further information be included on the table provided to include information in terms of the steering group related to each project highlighting what Councillors sit on this steering group and when they meet. The Chief Executive in response advised that the information requested will be provided on the table going forward.

In response to a Member of the DUP grouping the Chief Executive advised that Council will look at the naming associated with some of the projects to address that concerns that had been raised.

The Committee

Recommended **that Council approves the Capital Funding Strategy as identified and approve the recommendations and updates provided in respect of Councils projects in progress which had not been fully funded.**

GSP58/16 Local Community Planning

The Chief Executive presented the above report, a copy of which had previously been circulated to Members. The report updated Members on the progress of the development of the Community Plan in accordance with Part 10 of the Local Government Act (2014) and the statutory guidance for the Operation of the Community Planning. The report also advised Members of the initiation of eight local community planning processes and sought their endorsement of the draft terms of reference for the local community planning processes.

The Committee

Recommended **that Council endorses the approach adopted to date, including the draft terms of reference for the local community planning processes.**

GSP59/16 Consensual decision Making – Pilot Project

The Lead Democratic Services and Improvement Officer presented the above report, a copy of which had previously been circulated to Members. The report sought Members approval for, and commitment to, engagement in a pilot project on consensual decision making.

A Member of the Sinn Fein grouping raised his Party's concerns in relation to the report. He queried where this pilot project had come from and sought clarity on which other Council areas were involved in the pilot. He also queried how Council's to be involved were selected and how many hours of commitment would the pilot project require.

A Member of the SDLP grouping stated that he felt value could be learned from the pilot, however he felt further work was required and that the item should be deferred to the Council meeting at the end of the month.

The Chief Executive in response to Members comments advised that a further meeting will be held with Members to move forward prior to the Council meeting.

The Committee

Recommended that (i) the item be deferred to the Council meeting of the 24 March 2016 and (ii) a further meeting be held with Members to move the pilot project forward.

GSP60/16 Employee Health & Wellbeing Membership

The Lead Human Resources Officer presented the above report, a copy of which had previously been circulated to Members. The report sought Members approval for the adoption of a Council Grievance Procedure Policy.

In response to a query from a Member of the UUP grouping the Lead Human Resources Officer advised that Council has in place a Health and Wellbeing working group that looks at a wide range of services across Council addressing both physical and mental wellbeing of staff.

The Committee

Recommended **that Council approves the recommendation for the proposed Derry City and Strabane District Council Employee Health and Wellbeing Membership Scheme.**

GSP61/16 Planners Pay Award

The Lead Human Resources Officer presented the above report, a copy of which had previously been circulated to Members. The report sought Members approval to implement a pay award for transferred Civil Servants (Planners) for 2015/2016.

The Committee

Recommended **that Council approves a 1% non-consolidated, non-pensionable payment on a pro-rata basis to cover the period from 1 August 2015 to 31 March 2016 for transferred Civil Service employees who were not entitled to incremental progression on 1 August 2015.**

GSP62/16 Correspondence form the Electoral Office for Northern Ireland

The Lead Democratic Services and Improvement Officer presented the above report, a copy of which had previously been circulated to Members. The report advised Members of correspondence received regarding reform of the Electoral Office for Northern Ireland.

In response to Members concerns, the Chief Executive advised Members that more detailed discussions need to be held to raise issues around Members concerns such as; the impact on employment, the actual cost implication to Council as a result of any reform; and more meaningful engagement. He stated that Council will be taking a cautious approach and that the Chief Electoral Officer will be invited to attend a meeting of this committee to discuss further.

The Committee

Recommended **that**
(i) Council notes this correspondence

- (ii) **Writes to the Chief Electoral Office requesting timely and meaningful engagement with the Council on any proposal for reform that impact on local citizens and services.**
- (iii) **Invites the Chief Electoral Officer to attend a meeting of the Committee to discuss issues further.**

GSP63/16 NILGA Work Plan

The Business Support and Change Manager presented the above report, a copy of which had previously been circulated to Members. The report provided Members with details of the Northern Ireland local Government Association (NILGA)'s Summary Product and Work Plan for 2016/17, together with the £48,430 investment subscription required to deliver it.

A Member of the SDLP grouping queried if Council should be approving the work plan on the basis of the concerns raised throughout the report before Members. The Chief Executive advised that Council is broadly content with the detail of the work plan submitted however will be requesting more information in terms of actions, performance indicators and time lines that will support the ethos of more accountability for the work plan.

The Committee

Recommended that Council approves the NILGA work plan and investment, in endorsing the work plan seeking further information and submit comments as outlined.

GSP64/16 Role of NIHE in Social Housing

The Business Support and Change Manager presented the above report, a copy of which had previously been circulated to Members. The report briefed Members on correspondence from the Northern Ireland Local Government Associations seeking Council views on whether the Northern Ireland Housing Executive's role of building social housing should be reinstated.

The Committee

Recommended that Council responds to NILGA supporting the Housing Council's view that the NIHE should be reinstated in its role of building social housing.

Open for Information

The Chair agreed that the following reports which had been previously circulated to Members would be noted for information:

GSP65/16 Partnership Panel

GSP66/16 NAC Correspondence regarding facilities for Elected Members

GSP67/16 Update on Procurement Exercise for Provision of assessment Centres

GSP68/16 Update on Civic Action for Syrian Refugees

GSP69/16 Mayoral Initiatives

A Member of the SDLP grouping asked that clarification be provided to Members in relation to a meeting of the culture subcommittee and a request to move forward Easter celebrations be confirmed with the Mayor and notice of the date circulated.

GSP70/16 Nine Month Financial Outturn

A Member of the Sinn Fein grouping in relation to the above item, noted the positive financial position of Council and thanked all involved for their hard work.

The Meeting then went into Confidential Business.

The Meeting terminated at 6.45 pm

Chairperson: _____

Date: _____