

**NEWRY, MOURNE & DOWN DISTRICT COUNCIL**

Ref: NMD/GC/6

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**Minutes of the Meeting of Newry, Mourne and Down District Council  
Governance Committee held on Tuesday 11 November 2014 at 6.00pm in the  
Mourne Room, Downshire Civic Centre, Downpatrick**

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**In attendance:**

**(Councillors)**

Councillor N Bailie  
Councillor S Burns  
Councillor M Carr (Chairperson)  
Councillor P Clarke  
Councillor G Craig  
Councillor L Devlin  
Councillor S Ennis  
Councillor C Enright  
Councillor G Fitzpatrick  
Councillor V Harte  
Councillor H Harvey  
Councillor L Kimmins  
Councillor K McAteer  
Councillor C McGrath  
Councillor H McKee  
Councillor B Ó Muirí  
Councillor H Reilly  
Councillor M Ruane  
Councillor G Stokes  
Councillor JJ Tinnelly

**Also in attendance:**

Councillor T Andrews  
Councillor R Burgess  
Councillor C Casey  
Councillor D Curran  
Councillor G Hanna  
Councillor D Hyland  
Councillor K Loughran  
Councillor B Quinn  
Councillor W Walker

**(Officials)**

Mr L Hannaway, Chief Executive Designate  
Mr J McBride, Change Manager

Mrs C Miskelly, Head of Human Resources  
Mrs E McParland, Democratic Services Manager  
Mrs D Starkey, Committee Administrator

Mr G McGivern, Director of District Development  
Mrs M Ward, Group Chief Building Control Officer  
Mrs A Robb, Assistant Director Corporate Services (Legal  
&Administrative Services)  
Mr L McLernon, Policy & Equality Officer  
Mr C Moffett, Equality Officer

Mr R O'Rawe, Stellar Leadership

**GC/56/2014: APOLOGIES**

Apologies were received from Councillor Donnelly and Mr M Lipsett, Director of Recreation and Community Development.

**GC/57/2014: DECLARATIONS OF INTEREST**

Mr J McBride declared an interest in item 13: Organisational Design – Draft Structures for the new Council.

Mr Hannaway said all Senior Officers had an interest in item 13 and would leave the Meeting for discussion on this matter.

**NOTED:** In response to a query in relation to declarations of interest, the Chief Executive advised Members to refer to the Councillors Code of Conduct and declare interests in accordance with the requirements of the Code.

**NOTED:** In response to a query as to whether there would be one telephone number for the new Council, Mr McBride confirmed there would be a 0300 telephone number.

**GC/58/2014: ACTION SHEET ARISING FROM GOVERNANCE COMMITTEE MEETING HELD ON 15 OCTOBER 2014**

**Read:** Action Sheet arising from Governance Committee Meeting held on 15 October 2014. **(Copy circulated)**

**NOTED:** The Chief Executive confirmed all actions had either been completed or were progressing as planned with reports to be presented to future Governance Committee Meetings.

**AGREED:** It was agreed to mark the action sheet 'noted'.

**GC/59/2014:** **DRAFT EQUALITY SCHEME & ACTION PLAN – SUMMARY OF CONSULTATION RESPONSES**

**Read:** Report dated 11 November 2014 from Mr McLernon and Mr Moffett on draft Equality Scheme and Action Plan with summary of consultation responses. **(Copy circulated)**

**NOTED:** It was requested that Castlewellan Community Partnership be added to the list of consultees.

**AGREED:** It was **AGREED** on the **PROPOSAL** of Councillor Burns, **SECONDED** by Councillor Ruane to await the receipt of the Equality Commission For Northern Ireland's legal definition of good relations before making any decision to change the current definition.

The Chairman requested a show of hands, the results of which were as follows:

**FOR:** 17  
**ABSTENTIONS:** 1

The Chairman declared the proposal **CARRIED**.

**NOTED:** Members were asked to consider decoupling good relations from the screening questions and decide whether to retain or remove two good relations screening questions contained within the draft Newry, Mourne and Down Equality Scheme as follows:

- I) To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?
- II) Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?

**AGREED:** It was **AGREED** on the **PROPOSAL** of Councillor Reilly, **SECONDED** by Councillor Fitzpatrick to retain the two good relations screening questions (as above) within the draft Newry, Mourne and Down Equality Scheme.

Mr McLernon and Mr Moffett left the meeting at this point – 6.35pm.

**GC/60/2014: CIVIC STATUS**

**Read:** Report dated 5 November 2014 from Mrs McParland on Council Status; Consultation on Council Charters and Status; Chain of Office and Council Seal. **(Copy circulated)**

**AGREED:** It was agreed to await completion of appropriate NI Assembly procedure which will finalise Local Government (Transitional, Incidental, Consequential and Supplemental Provisions) Regulations (NI) 2014 on Charters and Status and then commence the process to petition the Secretary of State for the grant of a new Borough Charter under section 2 of the Local Government Act (NI) 1972. Note Council has already agreed to apply for Borough Status in order to secure the position of Mayor.

**AGREED:** It was agreed to respond to the Department of Environment Consultation on Charters and Status in line with the draft response as presented within the report.

**AGREED:** It was **AGREED** on the **PROPOSAL** of Councillor McGrath, **SECONDED** by Councillor Burns for an options report to be presented to the Governance Committee in December 2014 to include costings for a new Council Chain, use of existing Council Chains and the possibility of sponsorship.

**AGREED:** It was **AGREED** on the **PROPOSAL** of Councillor Burns, **SECONDED** by Councillor Craig to defer making a decision regarding the Council Seal until the Corporate Branding exercise was finalised. It was also agreed that in the interim authority be granted to use existing Council Seals.

**GC/61/2014: DOCUMENTS AND RECORD MANAGEMENT**

**Read:** Report dated 6 November 2014 from Mrs Robb and Mrs McKenna entitled Documents and Record Management, outlining recommendations for aligning of filing arrangements after vesting day. **(Copy circulated)**

**AGREED:** It was **AGREED** on the **PROPOSAL** of Councillor Burns, **SECONDED** by Councillor P. Clarke to approve to proceed with the following recommendations:

- Legacy Councils to ensure filing systems are up to date as per their respective Retention and Disposal Schedules.
- Live legacy files will continue to be processed in line with existing filing arrangements.

- A project team of key staff to work urgently with IT to identify system requirements, agree a timetable for the roll out of training in the DOCOVA system across all staff in the new Council and develop user protocols.
- A Courier Service to be put in place for a trial period to ensure the safe and secure transfer of Council files between Downshire Civic Centre, Greenbank and Monaghan Row.
- A Working Group of key staff in both legacy Councils to develop a system for dealing with incoming mail and emails in the new Council.
- A new file referencing system to be developed upon confirmation of organisational design.

Councillor Burgess left the meeting during consideration of the above item - 6.45pm.

**GC/62/2014: DRAFT POLICIES AND PROCEDURES AND DRAFT PUBLICATION SCHEME**

**Read:** Report dated 20 October 2014 from Mrs Robb on Newry, Mourne and Down District Council – Draft Policies and Procedures on Freedom of Information, Data Protection and Environmental Information Regulations and Draft Publication Scheme. **(Copy circulated)**

**AGREED:** It was **AGREED** on the **PROPOSAL** of Councillor Craig, **SECONDED** by Councillor Burns to approve the following:

- Draft Freedom of Information Policy & Procedures
- Draft Data Protection Policy & Procedures
- Draft Environmental Information Regulation Policy & Procedures
- Draft Publication Scheme

Mrs Robb left the meeting at this point – 6.55pm

**GC/63/2014: LOCAL GOVERNMENT REFORM PROGRAMME – UPDATE REPORT**

**Read:** Report dated 11 November from Mr J McBride outlining an update on Local Government Reform Programme. **(Copy circulated)**

**Read:** Correspondence regarding a DSD News Release – Regeneration Bill to be implemented in April 2016. **(Copy circulated)**

**NOTED:** Mr McBride reported all work was progressing as planned.

Members were advised it was proving problematic to get detailed information on car parks transferring from Department for Regional Development. Concerns were raised at the October Development Committee Meeting about the state of car parks which would be transferring and the money required for upgrading and maintenance works.

Mr McBride referred to a news release received on 11 November 2014 from the Social Development Minister confirming the Department for Social Development function would now transfer from 1 April 2016, and not 1 April 2015. Mr McBride highlighted this would have resource implications for Council with the budget of £4million being retained by DSD.

The Chief Executive made reference to recent budget proposals and cuts to Departments and commented it was questionable if the DSD budget would remain for the forward work plan.

**AGREED:** It was **AGREED** on the **PROPOSAL** of Councillor McGrath, **SECONDED** by Councillor Devlin to write to the Minister for Social Development to request what input Council will have on the shape of DSD responsibilities when they transfer to Council. It was further agreed to request benchmarking of the work delivered in 2014, what is due to be delivered in 2015 and what will transfer to Council in 2016.

**AGREED:** It was agreed to mark the update report 'noted'.

**GC/64/2014:** **PARTNERSHIP PANEL FOR NORTHERN IRELAND – COUNCIL NOMINATIONS**

**Read:** Correspondence from Department of the Environment dated 5 November 2014 in relation to Partnership Panel for Northern Ireland – Council Nominations. **(Copy circulated)**

**NOTED:** The Chief Executive advised the Minister of the Environment was requesting in the writing a response (no later than 19<sup>th</sup> November 2014) on the following:

- Council nomination to the Partnership Panel;
- Council's view on which representative body or association should be represented on the Partnership Panel; and
- Confirmation of the two local government Chief Executives that will support local government members to participate fully in the business of the Panel

**AGREED:** Councillor Burns was nominated as the Partnership Panel Representative for Newry, Mourne and Down District (as agreed at the AGM on 10 June 2014).

It was **AGREED** on the **PROPOSAL** of Councillor Ruane, **SECONDED** by Councillor Burns for NILGA to be represented on the Partnership Panel.

Members agreed that the Chief Executive seek confirmation of two local government Chief Executives to participate in the business of the Panel at the next Chief Executives Group Meeting.

**GC/65/2014: DRAFT GUIDANCE IN EXECUTIVE ARRANGEMENTS AND THE DRAFT COUNCIL CONSTITUTION FRAMEWORK**

**Read:** Correspondence from Department of the Environment dated 5 November 2014 in relation to Draft Guidance in Executive Arrangements and the draft Council Constitution Framework. **(Copy circulated)**

**AGREED:** It was agreed to mark the correspondence 'noted'.

**GC/66/2014: GUIDANCE ON FILLING POSITIONS OF RESPONSIBILITY AND APPOINTING COUNCILLORS TO COMMITTEES**

**Read:** Correspondence from Department of the Environment dated 5 November 2014 in relation to Guidance on Filling Positions of Responsibility and Appointing Councillors to Committees. **(Copy circulated)**

**AGREED:** It was agreed to mark the correspondence 'noted'.

Mr McBride and Mrs Ward left the meeting at this point – 7.05pm.

**GC/67/2014: FINANCIAL ARRANGEMENTS TO COVER COSTS OF THE NORTHERN IRELAND COMMISSIONER FOR COMPLAINTS**

**Read:** Correspondence from Department of the Environment dated 3 November 2014, in response to a letter dated 14 October 2014, regarding the financial arrangements for Councils to cover the costs of the Northern Ireland Commissioner for Complaints in relation to the Local Government ethical standards framework. **(Copy circulated)**

**AGREED:** It was agreed to mark the correspondence 'noted'.

**GC/68/2014: TENDER REPORT FOR ECONOMIC REGENERATION VISION & INVESTMENT STRATEGY**

**Read:** Report dated 11 November 2014 from Mr McGivern on Newry, Mourne and Down Economic Regeneration Vision and Investment Strategy. **(Copy circulated)**

**NOTED:** In response to concerns raised regarding the presentation of tender information to Committees, the Chief Executive advised information was presented in a manner based on procurement legal advice.

**AGREED:** It was **AGREED** on the **PROPOSAL** of Councillor Craig, **SECONDED** by Councillor P. Clarke to approve the recommendation to appoint the most economically advantageous tender (A) to deliver the project: Newry, Mourne and Down Economic Regeneration Vision and Investment Strategy (Tender Ref: 35-2014). Official award of the tender to be made following the completion of a 10 day standstill period.

Mr McGivern left the meeting at this point.  
Councillor Hyland joined the meeting at this point – 7.15pm.

**IN-COMMITTEE**

**GC/69/2014: ORGANISATIONAL DESIGN – DRAFT STRUCTURES FOR THE NEW COUNCIL**

**AGREED:** It was **AGREED** on the **PROPOSAL** of Councillor Ruane, **SECONDED** by Councillor Burns to discuss this item “In Committee” due to the sensitive nature of the business to be discussed as it related to staffing matters.

**Read:** Report with recommendations on Governance and Management Structures from 1 April 2015. **(Copy circulated)**

**NOTED:** Presentation delivered by Mr R O’Rawe, Mrs C Miskelly and Chief Executive entitled ‘Proposed Structures for the New Council’.

**AGREED:** It was **AGREED** on the **PROPOSAL** of Councillor Fitzpatrick, **SECONDED** by Councillor McAteer to come “out of Committee”.

**AGREED:** The Chairman reported it was **AGREED** on the **PROPOSAL** of Councillor Stokes, seconded by Councillor Ruane to approve the recommendations contained in the report which was considered “in Committee” and that in relation



**to recommendation III, that the secondment of the Change Manager be extended to June 2016.**

There being no further business the Meeting ended at **7.40pm.**

**For consideration at the Special Shadow Council Meeting to be held on Tuesday 11 November 2014.**

**Signed: Councillor M Carr  
(Chairperson)**

**Signed: Mr L Hannaway  
(Chief Executive Designate)**