

CASTLEREAGH BOROUGH COUNCIL

Minutes of the proceedings of the Special Council Meeting held in the Council Chamber, Civic & Administrative Offices, Bradford Court, Upper Galwally, Castlereagh, BT8 6RB on Wednesday 2 June 2010 at 7.00 p.m.

PRESENT: Councillor M Copeland
(in the Chair)

ALDERMEN: J White

COUNCILLORS: Mrs A Beattie
J Beattie
Mrs M Chambers
Mrs J Cochrane (from 7.06 p.m.)
B Hanvey
T Jeffers
M Long
G Robinson
S Skillen
J Spratt MLA
C Tosh

IN ATTENDANCE: Acting Chief Executive (Director of Leisure Services), Director of Technical & Environmental Services, Director of Administration & Community Services, Director of Finance, Change Manager and Assistant Member Services' Officer

APOLOGIES: Apologies were received on behalf of Aldermen Henderson and Norris, Councillors Bunting, Duncan, Drysdale, Hall, Hughes, McCoy and Walker

2010/323 : SUSPENSION OF STANDING ORDERS

Following a proposal from Councillor Spratt, it was

RESOLVED : That the Council agrees to the suspension of the relevant Standing Order to enable a matter to be raised which was not on the Agenda.

2010/324 : TRAGIC SHOOTINGS IN WEST CUMBRIA

Councillor Spratt stood on behalf of his Party colleagues to express his sincere sympathy to those who had been murdered or injured in shootings across a number of towns and villages in West Cumbria.

He proposed that a letter be forwarded to Cumbria County Council conveying Members' heartfelt sympathy.

Councillor Copeland seconded the proposal and outlined that he was sure that all Members of Council would be fully supportive of the proposal.

RESOLVED (unanimously) That the Council agrees to write to Cumbria County Council expressing heartfelt sympathy for those murdered or injured as a result of the tragic shootings.

Councillor Cochrane arrived at 7.06 p.m.

**REPORT FROM THE ACTING CHIEF EXECUTIVE
(circulated at the meeting)**

2010/325 : REVIEW OF PUBLIC ADMINISTRATION

The Acting Chief Executive referred Members to the report which had been distributed earlier that day in advance of the meeting. She apologised for this evening's meeting having to be convened at such short notice and asked if Members would like a postponement to enable them to read the report and the various appendices. The Acting Chief Executive advised that the purpose of the report was also to give Members the chronology of the sequence of events that led to the recent request from the Minister in terms of funding for RPA.

Councillor Long stood on a point of order and indicated that he appreciated the timing of the Minister's letter and the urgent need to convene a Special Council meeting on this occasion. He outlined that as Members had not received at least three days' notice, this was in breach of Standing Orders and he sought clarification that it would not set a precedent.

Councillor Chambers indicated that given the implications for all ratepayers of the Borough, she wished to congratulate the Acting Chief Executive for dealing with the matter so promptly.

Councillor Spratt also passed on his appreciation to the Acting Chief Executive for the speedy manner in which she had dealt with this issue.

Councillor Hanvey outlined that given the timing of the Minister's letter he had no difficulty with the meeting being convened. He added that Councillor Long was merely clarifying whether this would set a precedent, and he fully supported the Councillor in this respect.

Councillor Long stated that he was not criticising Officers but highlighting that by not adhering to Standing Orders there could be an issue of precedent.

Councillor Copeland outlined that due to the very short timeframe, Members had not been given an opportunity to discuss the content of the Minister's letter, and having taken the advice of the Acting Chief Executive, he had taken the decision to convene a Special Council meeting. He added that he would also like to pass on his thanks to the Acting Chief Executive, Directors and the Change Manager for putting together the report so promptly.

Councillor Robinson outlined that if there was nothing within Standing Orders to permit the Council to convene a meeting in exceptional circumstances, he asked if the Acting Chief Executive could have this rectified. He added that the convening of Special Council meetings would still be subject to the approval of the Mayor/Deputy Mayor.

The Director of Administration & Community Services advised that a proposal could be put forward to suspend the relevant Standing Order, in terms of the three days' notice.

The Acting Chief Executive asked if Members wished to progress in this way.

Councillor Spratt proposed that there be no further discussion on this matter and that the meeting resume consideration of the Agenda item. Alderman White seconded the proposal.

Councillor Robinson left the Chamber at 7.12 p.m.

The Acting Chief Executive referred to the various appendices attached to her report, as follows:

- copy letter dated 28 May 2010 which the Minister had forwarded to the President of NILGA regarding progressing the deliver of Local Government Reform
- chart showing the sequence of events
- copies of submissions from various bodies to the Minister

Councillor Robinson returned to the meeting at 7.15 p.m.

To assist Members in their consideration, the Acting Chief Executive referred to her report in which she had highlighted a number of points, as follows:

- (i) It would be unwise for the Council to commit itself to funding the upfront implementation costs of RPA until such time as clarification has been provided by the Department of the Environment on the key issues previously highlighted in her report. These reports highlight a requirement for clarity and agreement around the savings which are achievable and a robust framework being required of savings which are achievable by Local Government through voluntary co-operation in the absence of BSO.
- (ii) Accurate cost of conversion – the Minister's letter states that at the moment PwC calculations of implementation costs stand at £118m. This figure needs to be qualified and accurately quantified.
- (iii) Timelines – clear agreement on a reasonable and practical timeframe for reform is required. This Council cluster has currently met all deadlines to date for the reform programme but other key milestones required to meet the May 2011 deadline have not been met by other stakeholders in the

reform process which makes achievement of the May 2011 deadline unrealistic. Clarity on the timelines to which Local Government must work and associated impact on savings must be made clear as a matter of urgency.

- (iv) Savings Apportionment – a fair apportionment of target savings is necessary. Target cost savings should be fully reflective of the level of efficiency which Councils are currently demonstrating through their rates as a baseline or starting point for any process going forward. Apportionment should therefore be agreed based upon a robust and mutually agreed business case.
- (v) Robust Benefits Measurement – repayment of ‘borrow to save’ loans should only be made when Councils have realised the targeted demonstrable savings, and indeed confirmation of the position to be taken by the Department where such anticipated savings are not made is sought.
- (vi) Tripartite Arrangements – addressing specific issues relating to the tripartite arrangements between Castlereagh Borough Council, Lisburn City Council and Belfast City Council is crucial, namely relating to agreement on boundaries and associated staff transfers, rate base and asset transfers.

The Acting Chief Executive indicated that taking account of all the issues highlighted, she recommended that it would be unwise for the Council to commit itself to funding the upfront implementation costs of RPA until such time as clarification had been provided by the Department of the Environment on the key issues highlighted above.

She further stated that, in keeping with the Wednesbury principles and in consideration of the Minister’s request, the Council must consider matters to assist in the decision reached and not ignore or neglect them. In the absence of answers to the matters already queried with the Department, it would therefore not be advisable to make any decision on this basis.

Councillor Chambers concurred with the Acting Chief Executive’s comments in relation to conversion costs, particularly as it did take account of staff severance.

Councillor J Beattie outlined that the Acting Chief Executive had produced an excellent report and he was totally in agreement with her recommendation. He added that there were a lot of questions that needed to be answered and if the Council acted hastily it could put financial pressure on ratepayers.

Councillor Hanvey expressed the view that to proceed without having all the facts would be naïve. He commented that the Councillors nominated to attend the meeting organised by NILGA on 4 June should be putting forward a corporate view.

Councillor Long expressed his support for the Acting Chief Executive's recommendation.

Councillor Skillen and the Assistant Members' Services Officer left the meeting at 7.30 p.m.

Councillor Chambers indicated that from the outset government officials had given assurances that the reform process would be cost neutral to the ratepayer, but she had always doubted that this would be the case. The implementation costs of £118 million did not include set up or ongoing costs, and in the absence of a detailed breakdown, she doubted the validity of the £408 million savings, as stated by PwC.

The Assistant Members' Services Officer returned to the meeting at 7.34 p.m.

Councillor Spratt indicated that the economic climate was much better when RPA was first muted. He added that a significant amount of work had been carried out by Castlereagh and Lisburn Councils through transition, in terms of shared services. He expressed the view that there was no reason why this should not be built upon, on the basis of human resources, payroll, procurement etc., in an effort to achieve savings on behalf of the ratepayers.

Councillor Skillen returned to the meeting at 7.35 p.m.

Councillor Spratt commented that the Department had never provided clarity on Lisburn/Castlereagh/Belfast Councils' unique situation, despite writing letters on a monthly basis to the Department and raising the matter at meetings with Belfast City Council. He continued by stating that the Acting Chief Executive was correct that it would be unwise to commit the Council to fund the upfront implementation costs of RPA.

Councillor Spratt indicated that, in addition to the Council's NILGA representatives, he proposed that Alderman White and Councillor Hanvey attend the meeting in Templepatrick on Friday 4 June 2010.

Councillor Chambers seconded the proposal.

Following further discussion, it was

RESOLVED (unanimously) That the Council agrees to

- (a) accept the Acting Chief Executive's recommendation that the Council would not commit to funding the upfront implementation costs of the Review of Administration until such time as clarification had been provided by the Department of Environment on key issues highlighted in the Acting Chief Executive's report
- (b) that the Acting Chief Executive, Alderman White, Councillor Hanvey and any available Directors attend the meeting of NILGA being held in Hilton Hotel, Templepatrick on 4 June 2010 S to present the position of the

Council, in terms of responding to the Minister's request as detailed in the letter of the 28 May 2010

CHIEF EXECUTIVE

MAYOR