

NEWRY AND MOURNE DISTRICT COUNCIL

COMHAIRLE AN IÚIR AGUS MHÚRN

Report of Finance Committee Meeting held on Thursday 14 May 2009 in the Boardroom, District Council Offices, Monaghan Row, Newry

In the Chair Councillor J Feehan

In Attendance Councillor W Burns
Councillor J Patterson
Councillor M Ruane
Councillor A Williamson

Officials In Attendance: Mr R Dowey, Director of Finance
Mr G McGivern, Director of District Development
Mr E McManus, Deputy Director of Technical/Leisure Services
Ms E McParland, Assistant Director of Administration (General Services)
Ms L Dillon, Committee Administration

Apologies: Councillor I Hanna
Councillor G Stokes
Mr T McCall, Clerk Council
Mr E Curtis, Director of Administration

F/98/2009:- REPORT OF FINANCE COMMITTEE MEETING
- THURSDAY 16 APRIL 2009
(REF: F/1/1)

Read: Report of Finance Committee Meeting held on Thursday 16 April 2009. **(Copy Circulated)**

It was unanimously agreed to note the above Report and the recommendations contained therein, which were formally adopted at the Monthly Meeting of Council held on Tuesday 05 May 2009.

FINANCIAL MATTERS

F/99/2009:- FINANCIAL REPORTS - 1 MONTH PERIOD ENDED 30 APRIL 2009

It was noted that due to preparation of year end accounts, financial reports for the 12 month period ended 30 April 2009 would not be available until late June 2009.

F/100/2009:- SALARIES/WAGES ANALYSIS (DRAFT) - 12 MONTH PERIOD ENDED 31 MARCH 2009 (REF: F/1)

Read: Salaries and Wages Analysis (Draft), by account code, year to date as at 31 March 2009. ***(Copy circulated)***

It was agreed to mark the above report noted.

Mr Dowey explained the above Report showed an underspend figure of £124,000 – underspend in wages - £105,000, underspend in salaries £12,000. He said the above report did not include a figure to reflect the annual pay rise and he said the budget appeared quite tight for this stage of the year.

F/101/2009:- CORPORATE CREDIT CARD (REF: M/1)

Read: Memo dated 01 May 2009 from R Dowey, Director of Finance regarding credit card policies and procedures. As part of the 2008/2009 Internal Audit by Pricewaterhouse Cooper (20 March 2009) the issue regarding credit card policies and procedures, ie Issue No. 26, was highlighted.
It was noted that in future, where a Councillor or Officer wishes a spouse, or other person, to accompany them, then the additional cost will either have to be paid for by the Councillor/Officer, or, they will have to provide the Council Officer booking the flight, etc, with their personal credit card number to facilitate the booking.
(Copy circulated giving full detail)

It was agreed to mark the above information noted.

**F/102/2009:- PURCHASE OF TABLES AT EXTERNAL EVENTS
(REF: M/42/7/A)**

Read: Correspondence dated 23 April 2009 from E Curtis, Director of Administration regarding Council policy in relation to purchase of tables at external events. At the Councils Scrutiny Committee Meeting held on Monday 09 March 2009 the following recommendation was agreed in relation to this matter:-

It was agreed the Council do not purchase tables at external functions/events for Members or their partners, but instead only purchase tables for the Mayor and partner, and/or Deputy Mayor and partner, and expenditure come from the Mayor and Deputy Mayor's budgets. (Copy circulated)

Councillor W Burns said it was his understanding that an option was also available that should a Councillor wish to attend an external event that they may do so, subject to the costs coming from within their own individual budget and he asked for clarification on this point.

Mr Dowey confirmed it was still the case that should a Member wish to attend an external event that they may do so subject to the cost been taken from within their own individual budget.

It was therefore unanimously agreed to note the decision taken at the Scrutiny Committee Meeting held on Monday 09 March 2009, ie that the Council do not purchase tables at external functions/events for Members or their partners, but instead only purchase tables for the Mayor and partner, and/or Deputy Mayor and partner, and expenditure come from the Mayor and Deputy Mayor's respective budgets.

It was also agreed to note that should a Council Member wish to attend an external event that they may do so subject to the cost for same being taken from within their individual Conference/Training budget.

**F/103/2009:- COMMUNITY SUPPORT GRANTS
(REF: CC/1 CC/48/1)**

Read: Report May 2009 giving details of NMDC contributions to Advice Services 2008/2009 and proposals for 2009/2010 (**Copy circulated**):-

The following figures were noted with regard to Community Support grants for 2008/2009:-

- Total paid Advice Services (ie CAB) - £139,539
- Grant received DSD (ie paid over) - £79,922
- Net cost NMDC - £59,617 (£89,617 minus £30,000)

Options for 2009/2010:-

Option 1:- To enable the DSD maximum contribution towards Advice Services to be drawn down 2009/2010, NMDC must agree to make a contribution to local advice provision from its own resource of at least £89,617, as follows:-

- Total to be paid Advice Services (ie CAB) - £169,539
- Grant offer DSD - £79,922
- Net cost NMDC £89,617
- Additional cost NMDC (this sum is not in budget 2009/10) - £30,000

Option 2:- If NMDC were to keep the total paid to Advice Services at the same level as 2008/2009, ie, £139,539, then grant available from DSD would be adjusted proportionally and a total of £65,722 can be drawn down. DSD have confirmed that the balance left between the original offer of £79,922 and £65,722, which is £14,200, can be reallocated to other community support programme general areas of the expenditure profile, but DSD would require a statement from NMDC stating that they were satisfied that the amount of advice provision being provided was adequate to provide general advice to the citizens of NMDC and they would require confirmation of where the £14,200 was being transferred to.

- Total to be paid Advice Services (ie CAB) - £139,539
- Grant offer DSD - £65,722
- Net cost NMDC - £73,817
- Additional cost NMDC £14,200
- Additional grant available for NMDC CSP £14,200
- Additional net cost NMDC (which would agree with budget) – nil

Mr Dowey went through the figures and options as outlined in the above Report and stressed that the Council did not have the additional £30,000 within its current budgets. He said it was important Members were aware of this information and asked that they report same back to their respective parties.

With regard to the Local Community Fund Mr McGivern explained this was a separate fund which was similar to Neighbourhood Renewal but targets areas outside Newry. He said it had a fund of £126,000 for the current year.

Mr Dowey said Officers would be recommending a preference for selecting Option 2, as outlined above.

On the proposal of Councillor Ruane seconded by Councillor Williamson it was agreed the Council select option 2, as outlined above with regard to Council contributions to Advice Services for 2009/2010.

Councillor Burns said the economic situation this year was very different from that of previous years. He said this area had been very badly affected by the economic downturn and there had been large increases in people claiming unemployment benefit. He said Advice Services were badly needed and if monies can be diverted into these services then it should be.

**F/104/2009:- WINDING UP ARRANGEMENTS
(DOE CIRCULAR LG 08/09)
(REF: G/4/A/3)**

Mr Dowey referred to DOE Circular LG 08/09 advisory note on winding up arrangements for Councils in advance of the amalgamation of Councils under the Review of Public Administration. Paragraph of 5.1 of this Circular requires Councils to now designate a Winding Up Manager.

On the proposal of Councillor Patterson seconded by Councillor Williamson it was agreed the Councils Director of Finance be designated as the Councils Winding Up Manager and the Councils Assistant Director of Finance (Accounting) be designated to assist the Director of Finance in this role.

LAND AND PROPERTY

**F/105/2009:- LAND AT MARY STREET, NEWRY
(REF: G/1/7/1)**

Read: Correspondence dated 28 April 2009 from R McShane & Co Solicitor regarding land at Mary Street, Newry (their client Mathew Patterson). In view of the very small area of land concerned and of the fact that it is of no use to anyone other than their client, Mr Patterson, and also in view of the fact their client donated land to Rivers Agency to facilitate flood alleviation scheme, that Mr Patterson would make a one off offer, not to be increased, of £1,000 to secure title.

Mr Dowey pointed out that Land & Property Services would need to be involved if the Council wished to dispose of this land and he also pointed out there would be a right of way issue for other nearby businesses if the Council decided to sell this land.

On the proposal of Councillor Feehan seconded by Councillor Ruane it was agreed Council Officials engage the Council's Valuers to investigate the

possible disposal of this land taking into account any right of way issues which would be involved with regard to access for other nearby businesses.

It was also agreed this matter be reported back to the Councils Finance Committee in due course.

**F/106/2009:- LAND AT MIDDLEBANK, NEWRY
(ST CHRISTOPHER'S PARK)
(REF: PH/13/2)**

Read: Letter received 22 April 2009 from John Kennedy requesting to lease a portion of land at Middlebank, Newry ie St Christopher's Park, to be used for holding a Flea Market/Car Boot Sale on Sundays.

Mr Dowey pointed out the Council were currently in the middle of discussions with Parker Green International regarding Council land at Middlebank, Newry.

On the proposal of Councillor Patterson seconded by Councillor Williamson it was agreed to respond to Mr Kennedy advising the Council refuses with regret his request to lease a portion of land at Middlebank, Newry for use as a Flea Market/Car Boot Sale on Sundays, but to offer the use of the Newry Market facility for this use.

**F/107/2009:- LAND AT REAR OF NOS. 1-2 DERRYBEG VILLAS,
NEWRY
(REF: G/21)**

Read: Correspondence dated 22 April 2009 from Land & Property Services regarding disposal of land at the rear of Nos. 1-2 Derrybeg Villas, Newry. This property has been declared surplus to the Department's requirements and the Council are invited to comment as to whether or not this land would be of interest to the Council.

It was unanimously agreed to reply to Land & Property Services confirming that land to the rear of Nos. 1-2 Derrybeg Villas, Newry, is of no interest to the Council.

**F/108/2009:- LAND AT HIGH STREET/COURTNEY HILL, NEWRY
(REF: M/43/1)**

Read: File note of Meeting held on Monday 27 April 2009 to discuss issues relating to lands at Courtney Hill, Newry. **(copy circulated)**

Read: Correspondence dated 30 April 2009 from R McShane Co Solicitors enclosing correspondence dated 28 April 2009 from Donnelly Neary & Donnelly Solicitors, who are acting on behalf of the Sisters of St Clare in connection with their property at High Street, Newry.

Mr McGivern pointed out that a Report of a Newry Town Councillors Site Meeting held on Wednesday 29 April 2009 with local community representatives would be included on the agenda for the District Development Committee Meeting to be held on Monday 18 May 2009.

Mrs McParland confirmed the Council had sent a letter to Bannon Commercials, the Agent acting on behalf the Sisters of St Clare advising of concerns raised by the Community Association in relation to land ownership and requesting that they provide details of their title. She confirmed no reply had yet been received.

On the proposal of Councillor Patterson seconded by Councillor Williamson it was agreed as follows:-

- **A copy of the Council's letter dated 1 May 2009 to Bannon Commercial be forwarded to the Council's Solicitor, R McShane & Company.**
- **The Council's Solicitor be requested to investigate and confirm the Council's boundaries in relation to land owned at High Street/Courtney Hill, Newry.**
- **Correspondence from Donnelly & Neary & Donnelly, as above, be forwarded to the Council's Solicitor for comment.**
- **This matter to be reported back via the Finance Committee in due course.**

**F/109/2009:- LAND AT BALLSMILL, SILVERBRIDGE
(REF: R/S/77/48)**

Read: Correspondence dated 24 April 2009 from R McShane & Company Solicitors regarding request to purchase land at Ballsmill, Silverbridge. The Council is obliged to offer the land in the first instance, to the several persons, whose land shall immediately adjoin the lands so proposed to be sold, and where more than one such person is entitled to such right of pre-emption, such offer shall be made to such persons in succession, one after another, in such

The Report recommended the following:-

1. Updated valuations be obtained from Land & Property Services as a matter of urgency, and a letter of offer sent to the Club based on these valuations with the inclusion of loan charges, etc.
2. Department approval, etc, to be obtained to enable this matter to proceed.
3. The Council's Solicitor and the Club's Solicitor to liaise on the way forward in order that the position can be regularised as soon as possible.
4. The Club be permitted to continue working on the site in advance of the legal formalities being completed subject to any legal issues arising being resolved between the Council's Solicitor and the Club's Solicitor.

Read: Correspondence dated 07 May 2009 from Land & Property Services in response to the Council's letter of 23 April 2009 regarding proposed sale of playing fields in Newtownhamilton to St Michael's GFC and advising no change to those valuations as stated in their previous Report of 16 November 2006.

On the proposal of Councillor Williamson seconded by Councillor Patterson it was agreed to approve the above report and the recommendations contained therein, subject to Building Control Department checking the position on the ground, to ensure no amendments are required to previous maps, which could affect the valuation.

**F/112/2009:- LAND AT CARNAGET, NEWRY
(MULTI PURPOSE PLAY AREA)
(REF: CC/49)**

Read: Report of Newry Town/Fews Councillors Meeting held on Thursday 12 March 2009 regarding a Multi Purpose Play Area at Carnaget, Newry. **(Copy circulated)**

The Report recommended the following:-

1. The Council officially write to NIHE requesting land transfer for the purposes of a Multi Purpose Play Area.
2. A Project Team is set up comprising of Council Officials, Architect, DSD, Community Association and Confederation of Community Groups that would meet on a monthly basis to oversee the Project.
3. Planning permission was sought and the issues regarding the land transfer were done in tandem

4. The Council consider, in principle, a sum of £10,000 in 2010/2011, towards this Project subject to DSD funding and the February 2010 Rate Estimates Meeting.
5. Council Officials obtain authority to source other possible external funding for this Project.
6. In order to expedite the process this Report be considered at the March 2009 District Development Committee Meeting.

It was agreed to mark the above Report noted.

**F/113/2009:- LEASE – LAND AT KILFEAGHAN ROAD, ROSTREVOR
(FROM MR K WHITE TO COUNCIL)
(REF: G/4/1/30)**

Read: Correspondence dated 27 April 2009 from Luke Curran & Co Solicitors advising their client Mr Kieran White, is seeking a rent review of £1,000 per annum, in respect of the lease of land at Kilfeaghan Road, Rostrevor to the Council.

It was noted the previous 5 year rental term was at a cost of £300 per annum for an area of 0.84 acres used for amenity. This is a 50 year lease. Land has since transferred from the Estate of Mr P White to Mr Kieran White.

Mr E McManus advised that £1,000 per annum for this portion of ground was a large increase and would not present value for money for this small amenity area and in light of the fact rent had previously been £300 per annum. If Council wishes to retain this amenity area it should seek a revised valuation to reflect a more reasonable rent.

It was agreed to proceed as follows:-

- (a) **The Council respond to Luke Curran & Co Solicitors, acting for Mr K White, stating the Council are not agreeable to a rent review in the sum of £1,000 for the lease of land at Kilfeaghan Road, Rostrevor for an amenity area, and asking for a more reasonable increase to be applied.**
- (b) **If (a) above does not resolve this, issue, the Council to seek a valuation from it's own Valuers and refer this to Mr White's Legal Representatives for consideration.**
- (c) **This matter to be reported back to the Finance Committee in due course.**

**F/114/2009:- LEASE
- ACCOMODATION AT NEWRY TOWN HALL
(FROM COUNCIL TO BBC)
(REF: CP/4/9)**

On the proposal of Councillor Patterson seconded by Councillor Williamson it was agreed to approve the granting of a 3 year lease to the BBC in respect of leasing accommodation at Newry Town Hall for a Recording Studio, subject to the review of rent being agreed between the BBC and the Council.

**F/115/2009:- LEASE
- FIELD AT CRANFIELD
(FROM CHESTNUT HOLIDAY PARKS TO COUNCIL)
(REF: R/S124/16)**

On the proposal of Councillor Patterson seconded by Councillor Williamson it was agreed to accept a revised rental in the sum of £575 – 2009 season and £580 – 2010 season, in respect of the rent of a field at Cranfield from Chestnut Holiday Parks, to provide overflow parking for the 2009/2010 summer seasons.

It was noted previous rental for 2008 period was in the sum of £573.

**F/116/2009:- AGREEMENT
- LAND AT CORRY SQUARE
(EURO SERVICES)**

It was noted that a request from Euro Services for permission to use a small works compound on Council land at Corry Square, Newry (30 sq metres), for storage of stones and pipes for a period of 4 weeks was considered and approved at Scrutiny Committee Meeting held on 11 May 2009 at circ £13 per month.

There being no further business the meeting ended at 4.10pm.

FOR CONSIDERATION AT THE MONTHLY MEETING OF THE COUNCIL TO BE HELD ON MONDAY 01 JUNE 2009.

**Signed: R Dowey
Director of Finance**