



SPECIAL COUNCIL MEETING MONDAY 27 MARCH 2023

Table of Contents

No.	Item	Decision
1.	Apologies	None
2.	Declarations of Interests	None
	'In Committee' (Items 3-6 inclusive)	
3.	Extraordinary Audit Independent Adviser's Report to Council	<p><i>That Council accept the Findings in these reports in full. Furthermore, that an implementation oversight panel is established (similar to what was taken forward with the Planning Review) to oversee the resolution of the issues outlined in these reports; to produce and progress an Action Plan and the implementation of these associated recommendations; the membership of 6 Elected Members by d'Hondt and a representative from the Department for Communities who have ultimate oversight authority to make sure there is change throughout this organisation and that it is overseen and engaged with.</i></p> <p><i>Council agreed to send the reports to the Department for Communities and to</i></p>
4.	Review of Record Keeping in response to Extraordinary Audit recommendation 3, Professor Gordon Anthony	
5.	Review of Land and Property in response to Extraordinary Audit recommendations 2 and 5, Steve Mungavin, Integritas	
6.	Review of Governance in response to Extraordinary Audit recommendation 1, Steve Mungavin, Integritas	

		<p><i>note that progress continues to be made in respect of Recommendations 6 and 7 of the Extraordinary Audit.</i></p>
--	--	--

**MINUTES OF THE PROCEEDINGS OF THE SPECIAL MEETING OF
COUNCIL HELD IN THE COUNCIL CHAMBER AND VIA VIDEO CONFERENCE
ON MONDAY 27 MARCH 2023 AT 7:00PM**

In the Chair : The Mayor, Councillor Wallace (C)

Present : Alderman Baird (C), Boyle (C), Duddy (C), Fielding (C), Hillis (C), Knight-McQuillan (R), McKeown (R), S McKillop (R), McLean (C)

Councillors Anderson (C), Bateson (R), Beattie (R), Callaghan (C), Callan (R), Chivers (R), Dallat O'Driscoll (C), Holmes (C), Hunter (R), McAuley (R), McCaw (C), McCorkell (C), MA McKillop (C), McGurk (R), McGlinchey (R), McMullan (R), A McQuillan (C), C McQuillan (C), C McShane (R), P McShane (C), Mulholland (C), Nicholl (R), Peacock (C), Quigley (C), Schenning (R), Scott (C), Storey (C), Watton (C), Wilson (C)

Officers Present : A McPeake, Director of Environmental Services (C)
P Donaghy, Democratic and Central Services Manager (R)
E Beattie, Head of Policy and Community Planning (R)
A Ruddy, Audit, Risk and Governance Manager (C)
S Duggan, Civic Support and Committee and Member Services Officer (C)
J Keen, Committee and Member Services Officer (C/R)

In Attendance: M O'Donnell, Deputy Permanent Secretary, Department for Communities (C)
E Murray, Independent Adviser (C)
S Mungavin, Independent Consultant, Integritas Consultancy (C)
Professor Dr G Anthony BL (C)
C Campbell, Divisional Solicitor, Belfast City Council (R)

J Winfield, ICT Operations Manager (R)
C Thompson, ICT Officer (C)
C Ballentine, ICT Officer (C)

Key – C = Attended in the Chamber
R = Attended Remotely

The Director of Environmental Services undertook a roll call.

The Mayor introduced M O'Donnell, Deputy Permanent Secretary, Department for Communities, E Murray, Independent Adviser, S Mungavin, Independent Consultant, Professor Dr G Anthony and C Campbell, Belfast City Council.

The Mayor advised Council of its obligations and protocol whilst the meeting was being audio recorded; and with the remote meetings protocol.

1. APOLOGIES

There were no apologies recorded.

2. DECLARATION OF MEMBERS' INTEREST

There were no declarations of interest.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Councillor Quigley
Seconded by Councillor Scott and

AGREED – that Council move '*In Committee*'.

The information contained in the following item is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

3. EXTRAORDINARY AUDIT INDEPENDENT ADVISER'S REPORT TO COUNCIL

Confidential report, previously circulated presented by Independent Adviser, E Murray.

Independent Adviser, E Murray updated Council since the last report on 20 February 2023 and progress in the intervening period, and that recommendation 4 had been completed, in relation to Elected Member Training. She advised Council were now in a position where the reports could be considered and were not prejudicial to the progress of Recommendations 6 and 7.

Independent Adviser, E Murray advised that the Mayor had written to the Department for Communities providing the updates, including an extension to the timetable to complete the work until 4 April 2023 and the Department had agreed.

Independent Adviser, E Murray clarified Recommendations 6 and 7 continue to progress.

Independent Adviser, E Murray advised, that by considering the recommendations within her report, Elected Members should consider each of the following reports in turn, and thereafter return to the recommendations within section 4 of her report.

4. REVIEW OF RECORD KEEPING IN RESPONSE TO EXTRAORDINARY AUDIT RECOMMENDATION 3, PROFESSOR DR GORDON ANTHONY

Confidential report, previously circulated presented by Dr Gordon Anthony.

Dr Anthony stated he had prepared a report on recommendation 3 of the Extraordinary Audit, the starting point, the Allister Judgment of the High Court, which had been critical of the standards of record keeping within Council. Within the Extraordinary Audit report it was also found there were problems of record keeping.

Dr Anthony referred Council to paragraph 3, compliance of Legal and Accountability requirements, focusing on record keeping in the context of Legal requirements. Dr Anthony stated accountability, a concept found in Governance and a further report on this was being presented later in the meeting. Dr Anthony referred to Public Law Principles that apply to the work of Council.

Dr Anthony presented briefly, referring Council to the following paragraphs within the report:

- Paragraph 3, Terms of Reference and Methodology;
- Paragraphs 8 to 28 the typology, nature of Council's obligations, and what Council was required to do;
- Paragraph 29 to 32, summarised the key points in the Allister Judgment, Legal Requirements, that had also been referenced within the Extraordinary Report, in a broader view;
- Paragraph 33 to 41, which provided more detail;
- Paragraph 37, a trawl of Information Law held by Council;
- Paragraph 42 to 44, Conclusion and 7 Recommendations, which were cited.

Dr Anthony invited questions.

The Mayor ruled Elected Members were invited to ask one question per report, for five minutes.

Councillor Storey queried whether the onus was on the Department to disseminate all relevant Legal and Policy changes that impact on this area, to the Local Authority.

Dr Anthony provided a response in relation to the responsibilities of Council as a body Corporate for Information Law, that the Department had its own responsibilities for its own work under the pieces of legislation.

Councillor A McQuillan referred to recommendation 1, he requested clarification of 'Senior Officers'.

Dr Anthony clarified the Tier referred to within the Appendix, that Training had been provided down to Heads of Service level.

Councillor P McShane referred to paragraph 43, the Allister ruling, he stated he was still not obtaining Information, under Freedom of Information, in order to hold Council to account.

Dr Anthony, referring to paragraph 43, advised there were more changes that could be made, and would assist in the processing of requests.

Councillor Scott stated he did not disagree with the recommendations that would make Council better. Councillor Scott stated that if an Elected Member was not provided with Information, they should let Council know what it was they had asked for, in order that it could be addressed.

5. REVIEW OF LAND AND PROPERTY IN RESPONSE TO EXTRAORDINARY AUDIT RECOMMENDATIONS 2 AND 5, STEVE MUNGAVIN, INTEGRITAS

Confidential report, previously circulated presented by Independent Consultant, S Mungavin.

Independent Consultant, S Mungavin provided a summary of his background, advising Council he was a freelance Governance specialist, he had two main clients including the Chief Executives Forum NI, and Department of Finance and his background included Head of CIPFA NI (Chartered Institute of Public Finance and Accountancy) and provided further detail of previous positions held throughout his career.

Independent Consultant, S Mungavin outlined the approach taken, highlighted the main observations and reflections on the Findings and Recommendations and identified the opportunities that exist for Council.

Independent Consultant, S Mungavin detailed what had worked well for Council and to be built upon and sustained and also identified areas to be improved and developed further. He advised Council had made some progress in the Land and Property function, Council has a clear and robust Estates Strategy, a good foundation of a Land and Property Policy. He stated the Land and Property Sub Committee was functioning well and Officers were working to progress Legacy issues.

Independent Consultant, S Mungavin stated implementation of the Estates Strategy was critical and development of the Land and Property Policy further, to implement the latest Guidance from the Audit Office and Strategic Investment Board. Independent Consultant advised there was an opportunity for Council to give the Land and Property function greater priority. Areas of development point to a weakness in leadership in the Council, as a Governing body, to provide greater oversight and scrutiny of the Estates Strategy Policy to ensure it was fit for purpose.

Independent Consultant, S Mungavin concluded, this was an opportunity for Council to look forward, and demonstrate excellence in this area across the sector. He advised Council was required to develop an appetite for

improvement of this function and strengthen the leadership in the Council at Corporate and Senior Executive level to take forward.

Independent Consultant, S Mungavin invited questions from Council.

Councillor Storey queried the timescale for a marked improvement, in order to indicate progress.

Independent Consultant, S Mungavin advised some recommendations could be done quickly, Council should look at Legacy and administration and resources, there was an opportunity for the new Council in May. The journey could take approximately two years to get everything done, in order to show progress.

Councillor A McQuillan referred to recommendation 4, he queried whether refreshing the Land and Property Sub Committee every two years would be beneficial, and to take it out of Corporate Policy and Resources Committee. Councillor A McQuillan considered Council could add this as part of the recommendations to be taken forward.

Independent Consultant, S Mungavin stated Council could consider strengthening the profile of the Land and Property Sub Committee, balancing continuity and renewal, referring to the recommendations on oversight of the Land and Property Sub Committee.

Alderman Boyle welcomed the report, noting summary paragraph 4, the Estates Strategy had not been implemented and helpful to have this highlighted. Alderman Boyle added the Scrutiny and Challenge Training was also beneficial.

Independent Consultant, S Mungavin advised a Policy or Strategy in any area needed to have oversight and be embedded in the organisation, it was important to periodically review.

Councillor Holmes referred to paragraph 79, he felt there had been scrutiny from the Land and Property Sub Committee he queried what more needed to be done. Councillor Holmes commented on the inability to deliver the Estates Strategy that may have been held back by Councillors with local issues.

Independent Consultant, S Mungavin stated Scrutiny needed to be effective, and would depend what the Committee was looking at. He stated the work was operational and would be more effective to have scrutiny of the Estates Strategy and its implementation.

Councillor MA McKillop referred to paragraph 7, community groups applying for a lease, and suggested there should be a timeframe, due to associated funding applications.

Independent Consultant, S Mungavin advised Council could look at prioritising leases for Ministerial approval, this would require close working with the Department to build up a system of working higher.

Alderman Duddy questioned balancing staff resilience with Councillor scrutiny and information needs. Alderman Duddy further questioned whether working out of many different buildings and under resourcing in the Local Government amalgamation had impacted on accessibility of information.

Independent Consultant, S Mungavin advised Council could look at the balance of scrutiny, as a Governing body, and Member Officer roles in order to constructively challenge the Executive, supportively and helpfully.

Independent Consultant, S Mungavin stated as a general principle, to have all information and resources in one place, was easier than having it fragmented across a number of Offices, however he had made no analysis of resources to arrive at a judgement. With hybrid working productivity across public services was being maintained if not improved. He could not state if that had impacted on the backlog.

Councillor Quigley stated the report was shocking, she cited from page 20, paragraph 78 and 79, and requested a comment.

Independent Consultant, S Mungavin commented on the culture of the Governing body, the Chief Executive and Senior Leadership Team needed to set the parameters of the organisation, the role of any Government body, to exemplify values.

Councillor Scott commented that this was the only Council that had four legacy Council's merged into one with different sets of rules, and lack of records. He referred to the recommendation of a PA (Personal Assistant) that was required for the Chief Executive. Councillor Scott stated he was grateful for the new Finance presentation of Accounts that Council were able to understand that had taken the first years of Council to complete, on top of Covid.

Independent Consultant, S Mungavin advised a recommendation in the Governance report was PA (Personal Assistant) or Executive support for the Chief Executive.

Independent Consultant, S Mungavin commented the four legacy Council's coming together was known at the time and in the setting, and planning of resources, may have called for a greater priority.

Councillor Mulholland stated she would like to see an improvement sooner, that it was owed to the ratepayer. She referred to the opportunity to move forward on page 7 in the report and cited from it. Councillor Mulholland questioned how Council could take the steps and make it as a matter of priority.

Independent Consultant, S Mungavin advised Council could look at the structure of the Leadership Team, it was small, there was a lack of Leadership Training and Development, to look at its functions, to ensure Council achieves its objectives.

Alderman Baird questioned how Elected Members could contribute to a changed culture, as they were still operating within the four Legacy Council's.

Independent Consultant, S Mungavin outlined Council had set out its values within the Corporate Plan, referred to page 15 and cited from this. He advised Council should conduct itself with respect, working together, bridging political differences, taking responsibility for decisions and being open and transparent.

6. REVIEW OF GOVERNANCE IN RESPONSE TO EXTRAORDINARY AUDIT RECOMMENDATION 1, STEVE MUNGAVIN, INTEGRITAS

Confidential report, previously circulated, presented by Independent Consultant, S Mungavin.

*** Audit, Risk and Governance Manager left the Chamber at 8.19pm.**

Independent Consultant, S Mungavin described the report approach, public service and values to improve the lives of citizens, to be helpful and constructive and balanced, sharing what works well and what could be improved.

Independent Consultant, S Mungavin advised on the number of Governance reviews and assessments he had carried out to date and this Council was one of the poorest, within the lower quartile. The report had identified a number of steps Council could take to move up, if the recommendations were effectively implemented. The report linked to set of Governance Standards, an International Framework published by CIPFA (The Chartered Institute of Public Finance and Accountability) and IFAC (International Federation of Accountants) bench marking against that.

Independent Consultant, S Mungavin stated Elected Members have given their public service over a long period of time and that had to be recognised. Staff that he had engaged with were highly professional and diligent and also needed to be recognised.

Independent Consultant, S Mungavin referred to the values of the organisation, he did not see these coming through in the organisation. The values, the culture, the tone was required to come from the top of the organisation.

Secondly, Independent Consultant, S Mungavin referred to leadership roles, responsibilities, scrutiny and oversight, there was an opportunity for Council to do better to implement the roles, and to be more strategic.

Independent Consultant, S Mungavin stated Elected Members worked well together the majority of the time, but there were instances when that did not happen. There was a requirement to reset, re-establish relationships, Council did need to find a way of bridging the political divide.

Independent Consultant, S Mungavin advised of a number of challenges, self-awareness, a key skill, to understand what was good and what needed to be improved and developed further. There was a requirement for an appetite for change, moving Council from where it is to where it could be.

Independent Consultant, S Mungavin stated thirdly, there needed to be an Action Plan, if Council does agree the recommendations that was the start of the process, actions would be required to enable the recommendations to be met.

Independent Consultant, S Mungavin stated the final challenge and opportunity Council had, was around the capacity of Council to make the necessary changes to improve and the capability to enable to change and make developments and improvements.

Independent Consultant, S Mungavin concluded and presented three 'A's'

- Awareness - of the need for change and improvement;
- Appetite - for change;
- Action - through a plan and building capacity in Council and the Senior Leadership Team.

The Mayor invited questions from Council.

Councillor Callaghan referred to priorities within paragraph 22 deemed urgent, and questioned how Council could implement them.

Independent Consultant, S Mungavin advised Council should look at the structure of the Senior Leadership, its size, and responsibilities, including Executive support, the end-to-end Human Resource function, Training and Development.

Councillor A McQuillan considered the report one sided, he stated all Elected Members had been considered collectively, however, he did not have an issue with Member Officer roles.

Independent Consultant S Mungavin disagreed, that the report refers to some members, some officers, and not all; and talking collectively as a Council, the recommendations do apply to the Council as a Governing body.

Councillor McCaw commented that Councillors and Officers should be able to work together, in spite of their personal issues.

Councillor Quigley stated her disappointment she queried whether the recommendations could be effectively implemented, was there capacity given the Legacy and current position, given the tone, culture and lack of trust.

Independent Consultant, S Mungavin stated the status quo was not an option, with the pressures of the external environment, organisations had to change, the move does require strong leadership, there was a need for awareness, possibilities of the potential for improvement, an appetite for change, and action to take it forward, without capacity and capability it would take a lot longer.

Councillor Peacock noted the Asset Management Champion position an important recommendation and, would expect it to be a Senior position; the report highlighted the work of the GIS Team (Geographic Information System) and Land and Property Sub Committee working well, albeit with recommendations. Councillor Peacock referred to the failure to implement the Estates Strategy, Council lacks the leadership to effect change and culture of compliance. The Governance report highlighted weakness of the rate setting process, the Governance Working Group not fit for purpose, the good work of Internal Audit highlighted. Councillor Peacock stated concerning comments and Findings in relation to the Chief Executive, whilst being aware of the parallel process. Councillor Peacock referred to the lack of leadership of the Governing body, Chief Executive and at SLT level (Senior Leadership Team) and cited from the report.

Proposed by Councillor Peacock
Seconded by Councillor C McQuillan

- That Council accept the Findings in these reports in full. Furthermore, that an implementation oversight panel is established (similar to what was taken forward with the Planning Review) to oversee the resolution of the issues outlined in these reports; to produce and progress an Action Plan and the implementation of these associated recommendations; the membership of 6 Elected Members by d'Hondt and a representative from the Department for Communities who have ultimate oversight authority to make sure there is change throughout this organisation and that it is overseen and engaged with.

Independent Consultant, S Mungavin concurred the Asset Champion was an important role within the Estates Strategy and reinforced that it had to be implemented.

Independent Consultant, S Mungavin spoke generally around the culture of compliance, Chief Executives generally had to balance getting things done and achieving the organisations' objectives. He stated being a publicly funded body also required compliance with public accountability rules and regulations. Independent Consultant stated there were also recommendations for the Department to consider around strengthening the public accountability role of

those designated Chief Financial Officers, and providing training as Central Government does for all designated Chief Financial Officers.

Alderman Boyle commented on the opportunity for Council to improve, a political Council and, expressing the politics of identities based on the values within the Corporate Plan.

Councillor Storey stated the reality was a political Chamber and no different than elsewhere, whilst recognising the motive, he questioned does motive not also have to be incorporated into those values.

Independent Consultant, S Mungavin referred to Councillors objectives and motives for being a Councillor, highlighting this was a political entity. Independent Consultant referred to Chartered Institute of Public Finance and Accountancy (CIPFA) and The International Federation of Accountants (IFAC), it was good practice for public entities to have the over arching mission to ensure that they are acting in the public interests at all times. This means Governing bodies taking a longer term view and being transparent about whether potential conflicts between an entity's intended outcome and short term factors, such as political cycles that favour short term decision making and other external pressure including loyalty to a Political party.

The Mayor advised the proposal by Councillor Peacock, seconded by Councillor C McQuillan would be considered at the conclusion of Independent Adviser, E Murray's report.

Alderman Baird considered that in the first term of Council there was a social activity at Council Meetings in the form of a meal and this could aid informal discussion and break down barriers.

Independent Consultant, S Mungavin concurred to encourage board Members to work together outside of the board room, socialisation and team dynamics were important.

Alderman S McKillop referred to the lack of people and financial resources and considered a lot of officer time had been given to the recommendations within the Extraordinary Audit. She questioned whether this had been looked at as regards its impact. Alderman S McKillop stated the basics should have been implemented pre-Shadow Council.

Independent Consultant, S Mungavin stated issues could take up an incredible amount of resources, time and effort, there could be a direct cost associated, and it was important to get the basics right and in place. Independent Consultant stated to get the Governance foundations right and spend more

time, resources, money on that, should be a worthwhile investment, because in the longer term, it could cost Council considerably more. He advised there was an opportunity with the new Council in May to get the basics right. Independent Consultant also stated there needed to be learning in the lesson of the Review of Public Administration.

Councillor MA McKillop referred to Paragraph 170, 171, 172 and requested elaboration on the next steps.

Independent Consultant, S Mungavin advised Council had two options, it can either carry on as they are, or embrace the opportunities and implement the recommendations; and given some weaknesses in the report, the former was not an option.

Councillor C McShane sought clarification and reassurance of the timeframe for completion of the outstanding report.

Independent Adviser, E Murray advised around the timeline for completion of recommendation 6, a confidential process.

Councillor McAuley stated he agreed with most of the comments, however Councillor Officer relationships that had broken down, he advised was down to personal vendetta and should be put aside.

Councillor Mulholland responded to Councillor McAuley, requesting the names of the Councillors he was alluding to.

The Mayor disallowed the comment to be answered, he stated Council was trying to mend relationships.

* **Councillor McCaw left the meeting at 9.20pm.**

Councillor P McShane welcomed the understanding of the language of the reports, the onus on the Corporate body and The Department to follow up, he stated the Corporate body had failed, to include Councillors, Council now has an opportunity to show leadership.

Councillor Holmes reflected on accusations of corruption, he questioned whether evidence had been found of corruption.

Minute correction approved and confirmed as noted (verbatim) at Council Meeting 4th April 2023.

Independent Adviser, E Murray responded "I think based on the reports that you have in front of you tonight, all three of them, there is nothing in those reports that talks about corruption. There is a lot in those reports that talk about the need for very fundamental and significant change if the Council wants to

move forward, but I can say a few more words about that when it comes to summing up and the recommendations that I am making to Council tonight”.¹

Independent Adviser, E Murray invited Deputy Permanent Secretary, Department for Communities to address the consequences of not taking forward the recommendations.

Deputy Permanent Secretary, Department for Communities referred to the number of strong recommendations within the report, to be taken with a huge amount of seriousness. He advised good Governance was ongoing work, to have a set of basics in place and there was Governance guidance available.

Deputy Permanent Secretary, Department for Communities advised The Department needed to be satisfied Council was taking this seriously. If Council accept the recommendations and move to Action Planning, that would be good evidence the issues were being dealt with. Deputy Permanent Secretary stated that if that did not happen, The Department would consider the need to call a Local Enquiry, and this would be the first in Northern Ireland, he detailed the nature of the process and the cost of which, would be borne by the Council.

Independent Adviser, E Murray commended the recommendations within the report to Council, advising there were 7 recommendations from the Record Keeping Report, 20 recommendations from the Land and Property report and 52 recommendations from the Governance report. Independent Adviser, E Murray further clarified within the Governance report 2 recommendations were identified as urgent, and fundamental to being able to take forward all the other recommendations.

Recommendations

The Council agreed to accept and progress with the recommendations of the Extraordinary Audit in full and the Implementation Team has made good progress. Council is presented with three reports today and following consideration of each of these reports, it is recommended that Council:

- i. Accept the report of the Review of Record Keeping and agree to develop an Implementation Plan in respect of the recommendations;
- ii. Accept the report of the Review of Land and Property and agree to develop an Implementation Plan in respect of the recommendations;
- iii. Accept the report of the Review of Governance and agree to develop an Implementation Plan in respect of the recommendations;
- iv. Send a copy of the reports to the Department for Communities confirming that Council has taken forward all of the steps expected and will now proceed to develop Implementation Plans to address the

¹ Minute correction approved and confirmed as noted (verbatim) at Council Meeting 4th April 2023.

recommendations of the Reviews of Record Keeping, Land and Property and Governance.

In respect of Recommendations 6 and 7, Council is requested to note that Council appointed the Local Government Staff Commission to take these confidential matters forward on its behalf and that progress continues to be made.

Councillor Peacock repeated her motion and clarified the membership did not have to be defined from Corporate Policy and Resources Committee. Councillor C McQuillan confirmed his seconding of the motion.

The Mayor granted a recess.

Amendment

Proposed by Councillor Quigley

Seconded by Councillor Mulholland

- I propose for the immediate suspension of those currently under investigation and Gardening Leave for the two other SLT (Senior Leadership Team) identified in these reports and an interim Leader placed in position to put together an Action Plan to carry out the recommendations and draw up the plan.

During debate, the Mayor clarified the Amendment did include the adoption of the Recommendations presented.

Minute correction approved and confirmed as noted (verbatim) at Council Meeting 4th April 2023.

The Independent Adviser, E Murray, stated, "thanks very much for those questions, so I took some advice earlier today on the possibility that something like this might be raised by Members tonight in view of all of the material you were sitting with and the advice that I received was it is possible for Council to take a decision in respect of whether they would want someone to be suspended at this stage because it's a separate matter at the moment from the recommendation, the process of recommendation 6. You have got all this material in front of you, and you can take a decision on the basis of that.

Alderman Duddy stated, "Thank you Mr Mayor, there is nothing in any of the papers here this evening or on the agenda here this evening that I see that suggests doing anything with the Senior Management Team. There is nothing that I have seen or even in the recommendations so it's not on the agenda but we are sitting now considering, not for the first time, not for the second time and quite possibly the third time of suspending our Senior Management Team. We've had it over the last number of meetings, we have, I suppose made decisions on it but yet here again this evening and it is not on the agenda so I'm wondering where Standing Orders come in in relation to this being over and above what we are actually being asked to decide upon. So I think Mr Mayor

during the recess if you take a look at Standing Orders it may well be a case that it is over and above what we are actually being asked to deal with here, it is an additionality to what is on the papers. We have heard what quite stark criticism of the Senior Management Team here this evening Mr Mayor and I'm sure if there was anybody sitting listening to the process outside that independent process we have almost hanged drawn and quartered them. We have not taken into consideration Mr Mayor at any time during these proceedings the fact that their offices were bugged, the fact they have been continually scrutinised not only through media but also through this Chamber, we have not taken any consideration as to our duty of care to those members of staff whatsoever, not one mention of it but we have sat here and we have listened to those who have presented to us here this evening and do you know if I was sitting as a member of the public they have been hanged drawn and quartered without them even being able to represent themselves here this evening. Absolutely and now we are talking about suspending them yet again. Mr Mayor just a suggestion that you take a look at Standing Orders because I do think it is over and above what the recommendations actually are here.

The Mayor confirmed that Council's legal adviser would provide legal advice on the amendment following a recess.

Mayor allowed Councillor Wilson to seek clarity on proposal and amendment. Councillor Wilson queried consequences of following the amendment rather than the recommendations and directed his query to the Deputy Permanent Secretary.

The Deputy Permanent Secretary responded, stating that he would not tell Councillors if they can suspend employees.

Councillor Dallat O'Driscoll sought clarification that's what's on the table includes the adoption of the recommendations.

Councillor Storey stated that he was disappointed in comments about Senior Leadership in terms of Council's duty of care to staff.

The Mayor declared a recess at 9.55pm.

*** The meeting reconvened at 10.08pm**

The Independent Adviser, E Murray, responding to earlier concerns raised in relation to Council's duty of care to employees advised that any officers present had expressed a wish to attend and were aware of the issues which may arise during debate.

Divisional Solicitor, Belfast City Council, provided advice in relation to Standing Order 16.1(1) and cited from the Standing Orders, that the amendment proposed could not proceed on that basis. He read the Standing Order for the benefit of Members.

An amendment must be legitimate and within the scope of the notice convening the meeting. It must not be a direct negative; must be relevant to the proposal which it seeks to amend, and not inconsistent with anything already agreed upon at the same meeting. An amendment must relate solely to the proposal which it seeks to amend, and not be, in effect, a new proposition on a different matter, and must not place a greater responsibility on the meeting than the original proposal.²

The Mayor proceeded to the vote by Councillor Peacock, seconded by Councillor C McQuillan.

Councillor Wilson called a Recorded Vote.

36 Members voted For, 0 Members voted Against, 0 Members Abstained. The Mayor declared the motion carried unanimously.

During the vote, the Director of Environmental Services advised Councillor Bateson could use the Audio dial in to cast his vote, as his mic was not working.

Recorded Vote Table

For (36)	Alderman Baird, Boyle, Duddy, Fielding, Hillis, Knight-McQuillan, McKeown, S McKillop, McLean
	Councillors Anderson, Beattie, Callaghan, Callan, Chivers, Dallat O’Driscoll, Holmes, Hunter, McAuley, McCorkell, McGlinchey, McGurk, MA McKillop, McMullan, A McQuillan, C McQuillan, C McShane, P McShane, Mulholland, Nicholl, Peacock, Quigley, Schenning, Scott, Storey, Wallace, Wilson

RESOLVED - That Council accept the Findings in these reports in full. Furthermore, that an implementation oversight panel is established (similar to what was taken forward with the Planning Review) to oversee the resolution of the issues outlined in these reports; to produce and progress an Action Plan and the implementation of these associated recommendations; the membership of 6 Elected Members by d’Hondt and a representative from the Department for Communities who have ultimate oversight authority to make sure there is change throughout this organisation and that it is overseen and engaged with.

Council agreed to send the reports to the Department for Communities and to note that progress continues to be made in respect of Recommendations 6 and 7 of the Extraordinary Audit.

² Minute correction approved and confirmed as noted (verbatim) at Council Meeting 4th April 2023.

The Mayor thanked the representatives in attendance for their help with the process.

In response to a comment, Independent Adviser, E Murray stated the reports would be sent to the Department for Communities next week and become public documents at that stage.

MOTION TO PROCEED '*IN PUBLIC*'

Proposed by Alderman Baird
Seconded by Alderman Duddy and

AGREED – that Council move '*In Public*'.

This being all the business, The Mayor thanked everyone for their attendance and the meeting closed at 10.17pm.

Mayor