

September 22nd, 2023


**Notice Of Meeting**

You are requested to attend the meeting to be held on **Wednesday, 27th September 2023** at **7:00 pm** in **City Hall, Bangor.**

# Agenda

## Agenda

(Attached)

 *C 27.09.2023 Agenda.pdf*

*Not included*

**1. Prayer**

**2. Apologies**


**3. Declarations of Interest**

**4 Mayor's Business**

**5 Mayor and Deputy Mayor Engagements for the Month of September 2023**

**6 Minutes of Council Meeting held dated 20 August 2023**

(Copy attached)

 *C 30.08.2023 Minutes.pdf*

*Not included*

**7 Minutes of Committees**

**7.1 Planning Committee dated 5 September 2023**

(Copy attached)

 *Minutes PC.05.09.23.pdf*

*Not included*

 *Minutes PC.05.09.23 PM.pdf*

*Not included*

**7.2 Environment Committee dated 6 September 2023**

(Copy attached)

 *230906 EC Minutes.pdf*

*Not included*

 *230906 EC MinutesPM.pdf*

*Not included*

**\*\*\*IN CONFIDENCE\*\*\***

## **7.2.1 Matter Arising - Governance Arrangement for Management of Council Harbours Appointment of 'Duty Holder'**

## **7.3 Place and Prosperity Committee dated 7 September 2023**

(Copy attached)

📄 *PP 07.09.2023 Minutes.pdf* *Not included*

📄 *PP 07.09.2023 Minutes PM.pdf* *Not included*

## **7.4 Corporate Services Committee dated 12 September 2023**

(Copy attached)

📄 *CS 12.09.2023 Minutes.pdf* *Not included*

📄 *CS 12.09.2023 Minutes PM.pdf* *Not included*

## **7.4.1 Matter Arising - Report on the Consultation Response to Northern Ireland's 2030 and 2040 Emissions Reduction Targets and First Three Carbon Budgets and Seeking views on Climate Change Committee (CCC) Advice Report: The Path to Net Zero Northern Ireland**

(Report attached)

📄 *Item 7.4.1-Matter Arising-Report on the Consultation response to Northern Irelands 2030 - 2040 Emissions Reduction Targets and First Three Carbon Budgets a.pdf* *Not included*

📄 *Item 7.4.1 - Matter Arising - Appendix 1 - Carbon Budget Consultation Document.pdf* *Not included*

📄 *Item 7.4.1 - Matter Arising - Appendix 2 - Draft consultation response revised Full council.pdf* *Not included*

## **7.5 Community and Wellbeing Committee dated 13 September 2023**

(To follow)

## **7.5.1 Matter Arising - Report on the Funding Offer from Department of Business Energy and Industrial Strategy (BEIS) for Capacity and Capability Building Programme in Northern Ireland: Non-Good Products 2023/24**

(Report attached)

- 📎 **7.5.1 Matter Arising Funding Offer from BEIS Capacity & Capability Building Programme.pdf** **Not included**

## **7.6 Audit Committee dated 18 September 2023**

(Copy attached)

- 📎 **AC 18.09.2023 Minutes.pdf** **Not included**
- 📎 **AC 18.09.2023 MinutesPM.pdf** **Page 1**

## **8. Requests for Deputation**

### **8.1 Re-Gen**

(Copy attached)

- 📎 **8.1 Request for Presentation - Re-Gen.pdf** **Not included**
- 📎 **8.1 Appendix 1 - Letter from Re-Gen.pdf** **Not included**

## **9. Nomination to East Border Region Members Forum**

(Report attached)

- 📎 **9. Nomination to East Border Region Forum.pdf** **Not included**

## **10. NILGA Accredited Provision for Elected Member Development 2023/2024**

(Report attached)

- 📎 **10. NILGA Accredited Provision for Elected Member Development 23 24.pdf** **Not included**
- 📎 **10. Appendix 1 - NILGA Accredited Provision Nominations LetterANDAug2023.pdf** **Not included**
- 📎 **10. Appendix 2 - NILGA Local Development Planning Leadership Programme 2023-24 Promotion.pdf** **Not included**
- 📎 **10. Appendix 3 - NILGA Leadership Development Programme 2023 -24 Promotion August 2023.pdf** **Not included**
- 📎 **10. Appendix 4 - NILGA Accredited Learning Provision Indicative Costs (2023-24).pdf** **Not included**

## 11. Implementation of New HRC Access Booking System Update

(To follow)

## 12. Nomination to Outside Bodies

(Report attached)

📎 *12. Nominations to Outside Bodies.pdf*

*Not included*

## 13. Sealing Documents

## 14. Transfer of Rights of Burial

## 15. Notice of Motion Status Report

(Report attached)

📎 *15. NOM Status Report.pdf*

*Not included*

📎 *15. NOM TRACKER LIVE.pdf*

*Not included*

## 16. Notices of Motion

### 16.1 Notice of Motion submitted by Councillor Moore and Councillor Creighton

This Council believes:

education should be accessible to all who seek it and embedding a culture of lifelong learning in our society is essential to enabling people to realise their potential.

part-time flexible learning is crucial to meeting the skills needed to build a modern, inclusive and green economy.

part-time students are a unique demographic, they are more likely to have disabilities, come from disadvantaged backgrounds, having caring responsibilities, such as children or elderly relatives, and in general, be part of a 'hard to reach' group who missed out on full-time study.

lifelong learning, including non-formal education, addresses social issues, strengthens communities and builds civic engagement. It is the most effective tool for meeting social policy objectives and creating positive social change.

recognises that lifelong learning must become a meaningful and developed policy area with tangible actions and outcomes, underpinned by the wealth of best practice and innovation from across the UK and Ireland.

This Council therefore resolves to:

work with the Lifelong Learning Alliance to develop a Lifelong Learning campaign, to inform and raise public awareness of how lifelong learning transforms lives and communities.

Engage with MLAs and MPs to prioritise funding for formal and informal part-time education when the Executive is formed.

Encourage MLAs to form an All- Party Group on Lifelong Learning to support an evidence and best-practice informed approach to policy making, in collaboration with adult education bodies to form a voice for Lifelong Learning in the Assembly when an Executive is formed.

## **16.2 Notice of Motion submitted by Councillor Woods and Councillor McKee**

That this Council, recognising its commitment as a responsible employer, and that staff are paid the current Living Wage, tasks officers to explore becoming 'Living Wage' accredited with the UK Living Wage Foundation, as well as ensuring any regularly contracted employees and workers, including those who are employed externally to deliver Council services, are paid the living wage hourly rate. It also explores also becoming Living Hours and Living Pensions accredited too.





## **16.3 Notice of Motion submitted by Councillor Adair and Councillor Douglas**

That Council notes the increasing complaints regarding the poor condition and appearance of our cemeteries across the Borough and tasks officers to bring back a report on options to improve the maintenance of our cemeteries which are places of special significance to those who have lost loved ones.

**\*\*\* IN CONFIDENCE \*\*\***

## **17. Disposal of Kinnegar Logistics Base Update**

(Report attached)

<a href="#"> 17. Disposal of Kinnegar Logistics Base -update.pdf</a>	<i>Not included</i>
<a href="#"> 17. Appendix 1 - Letter from Cleaver Fulton Rankin.pdf</a>	<i>Not included</i>
<a href="#"> 17. Appendix 1 - Legal Opinion.pdf</a>	<i>Not included</i>
<a href="#"> 17. Appendix 2 - Letter from Joe ONeil Belfast Harbour to Stephen Reid.pdf</a>	<i>Not included</i>

## **18. NIE Request for Use of Land Castle Place Car Park, Newtownards**

(Report attached)

<a href="#"> 18. Request for a lease to NIE - Kennel Lane Carpark Newtownards.pdf</a>	<i>Not included</i>
<a href="#"> 18. Appendix 1 - location map - request from NIE.pdf</a>	<i>Not included</i>

- 📄 18. Appendix 2 - substation drawing - request from NIE.png** **Not included**
  
- 📄 18. Appendix 3 - working area map - request from NIE.pdf** **Not included**

**ITEM 7.6.**

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**ARDS AND NORTH DOWN BOROUGH COUNCIL**

A hybrid meeting (in person and via Zoom) of the Audit Committee was held at the Council Chamber, Church Street, Newtownards and via Zoom, Monday 18 September 2023 at 7.00pm.

**PRESENT: -**

<b>In the Chair:</b>	Councillor McLaren	
<b>Aldermen:</b>	Armstrong-Cotter McAlpine (Zoom)	
<b>Councillors:</b>	Ashe (Zoom) Hollywood McCollum	McKee (Zoom) MacArthur (Zoom) Wray

**Independent Member:** Mr P Cummings

**In Attendance:** ASM – C Hagan  
Deloitte – C McDermott  
Deloitte – N Sammon  
Deloitte – D Kinsella  
NIAO – P O’Sullivan

**Officers:** Director of Corporate Services (M Steele), Head of Finance (S Grieve), Head of Strategic Transformation and Performance (S Denny) and Democratic Services Officer (P Foster)

**1. APOLOGIES**

The Chairman (Councillor McLaren) sought apologies at this stage.

Apologies were received from Councillor Cochrane and the Chief Executive.

**NOTED.**

**2. CHAIRMAN’S REMARKS**

The Chairman welcomed everyone to the meeting including the internal and external auditors from the Northern Ireland Audit Office, ASM and Deloitte. Continuing she took the opportunity to express her thanks to the Vice Chair, Alderman Armstrong-Cotter for standing in for her at the previous committee meeting in June. The Chairman also congratulated Councillor Ashe on her recent wedding.

**NOTED.**



### **3. DECLARATIONS OF INTEREST**

The Chairman asked for any Declarations of Interest and none were declared.

**NOTED.**

### **4. MATTERS ARISING FROM PREVIOUS MEETINGS**

#### **(a) Audit Committee Minutes from June 2023**

PREVIOUSLY CIRCULATED:- Copy of the above minutes.

Alderman Armstrong-Cotter proposed, seconded by Councillor McCollum that the minutes be noted.

Councillor Hollywood sought an update on the development of a Digital Strategy and the procurement of a provider for that. He also noted that previously it had been suggested that the Council was currently under resourced in respect of Cyber Security and as such he sought clarification if business cases had been prepared for that.

(Alderman McAlpine joined the meeting at this stage – 7.06pm)

In response the Director of Corporate Services confirmed that a company had been secured to support the development of a Digital Strategy for the Council with work expected to begin in October 2023. He added that was anticipated to take up to 12 weeks to complete following which members would be updated at the Corporate Services Committee.

In respect of Cyber Security members were advised that it was hoped to incorporate that into the Digital Strategy.

**AGREED TO RECOMMEND, on the proposal of Alderman Armstrong-Cotter, seconded by Councillor McCollum, that the minutes be noted.**

### **5. INTERNAL AUDIT**

#### **(a) ANDBC Assets & Property Services Review (Appendix I)**

PREVIOUSLY CIRCULATED:- Report from Deloitte detailing the Assets and Property Services Review.

RECOMMENDED that the report is noted.

The Chairman invited Ms McDermott from Deloitte to speak to the report.

Ms McDermott proceed to guide members through the report highlighting the salient points within it. She reported that there was one Priority 2 finding and one Priority 3 finding with an overall Satisfactory level of assurance awarded.

Alderman Armstrong-Cotter proposed, seconded by Councillor Wray that the recommendation be adopted.

The proposer Alderman Armstrong-Cotter acknowledged the Priority 2 finding adding that she understood its significance and as such she sought clarification around how officers proposed to deal with the issue. In response the Director stated that he hoped a refocus of the Council's approach to risk generally along with a review of the Council's Risk Register would address the matter. He added that it was his intention to ensure the issue of Risk was brought further up the Council's agenda. Thanking the Director for his comments Alderman Armstrong-Cotter welcomed that an agenda item for the Audit Committee had been set aside for this adding that while they were all aware of the pressure staff were under this was a matter which was important to be underlined.

Commenting as seconder, Councillor Wray stated he was comforted that no Priority 1 issues had been raised and was further reassured in respect of the Priority 2 and 3 issues that there were clear and simple steps to be taken to address both of those. He noted that the sole source of information had come from management and as such he asked if that was general practice. In response Ms McDermott confirmed that substantive testing was undertaken for all the reviews.

Councillor MacArthur noted the date given for both the Priority 2 and Priority 3 findings was 15 December 2023 and as such she asked if subject to evidence that would be reported to the Corporate Services Committee or the Environment Committee. In response the Director confirmed that those actions would be reported to the next Audit Committee. At this stage Ms McDermott referred to the Outstanding Recommendations Update provided to the Audit Committee and confirmed that status updates would be sought from management on those.

**AGREED TO RECOMMEND, on the proposal of Alderman Armstrong-Cotter, seconded by Councillor Wray, that the recommendation be adopted.**

**(b) Audit Committee Progress Report (Appendix II)**

PREVIOUSLY CIRCULATED:- Report from Deloitte detailing the Audit Committee Progress Report.

RECOMMENDED that the report is noted.

Ms McDermott provided members with a brief synopsis of the report highlighting the significant points contained therein.

At this stage the Director confirmed that work remained ongoing in respect of the outstanding recommendations detailed on Pages 13 and 14, of which he noted there were a significant amount. Continuing he stated that Management's focus had been on those Priority 1 and 2 findings adding that plans were in pace for those Priority 1 findings to have them closed out before the next Audit Committee meeting.

Continuing he reported that many of the recommendations required the development of a Lands Policy and as such plans were in place to have a Lands Policy come

forward for consideration by the Corporate Services Committee before the next meeting of the Audit Committee. The Director added that the same course of action would be adopted for the Budgeting Policy and Social Media Policy. In summary he indicated that at the next meeting of the Audit Committee he would expect to see some of those Priority findings closed out but added that he was under no illusion as to the amount of work which would be required to make that a reality.

Councillor Wray proposed, seconded by Councillor Hollywood, that the report be noted.

The proposer Councillor Wray commented that he did not underestimate the amount of work involved and as such his question was one more about process. He asked if it would not be normal practice for the Audit Committee to be provided with some form of narrative as to why the original implementation dates had not been met. He stated that to do so would provide some level of reassurance to the members of the Committee.

In response the Director confirmed that it would be common practice to provide that information to Deloitte but it was not always the case that was then included in the report before members. At this stage Ms McDermott stated that those dates within the report which had lines through them were dates which had repeatedly been missed as target implementation dates. She agreed however that it would be helpful for members of the Committee to have sight of that narrative as suggested by the member. The Director indicated that a narrative would be provided for any delays going forward.

At this stage Alderman McAlpine stated this was something which she struggled with adding that previously she had suggested that the Directors be invited to attend future meetings of the Committee to provide an explanation as to why implementation target dates had not been met. Continuing she added that she would like to see action on that particularly as there was a general feeling that members were uncomfortable with this ongoing situation.

The Director advised that the reason there were no other Directors present at the meeting was because the vast majority of the outstanding issues lay within his own Directorate. Continuing he was happy to report that significant progress had been made to date as alluded to by the Deloitte representatives in respect of a renewed focus by management on this particular issue. He stated that the significant amount of work required should not be underestimated in respect of addressing the outstanding issues. As such he reiterated his earlier comments that plans were in place to close out all Priority 1 issues before the next Audit Committee meeting.

Alderman Armstrong-Cotter stated that the Director's response had covered all of the points which she was going to raise. She acknowledged that there had been difficulties with management changeover however she was now content the Council planned to manage the situation going forward to ensure all issues such as this were addressed in a timely manner.

At this stage Ms McDermott commented that they had seen a great deal of improvement particularly with the provision of a stronger focus on updates with in

depth narrative. Continuing she agreed that there were a significant number of recommendations to be implemented with some of those dating back to 2017 but she welcomed the focus on the Council's Corporate Management Team and Heads of Service and was hopeful the majority of those could be closed off by the end of the year.

Endorsing the proposer's comments Councillor McCollum agreed that members of the Committee should be provided with the reasons as to why targets had not been met. Referring to the graph within the report which depicted the Outstanding Recommendations as of 8 September 2023 Councillor McCollum asked if that was likely to change.

In response the Director indicated that the graph was likely to change and indeed would be expected to do so. He added that ultimately it was more about those overdue actions rather than those which were outstanding and that was where the Committee's focus should be in terms of challenging management. The Director also suggested that was where explanations from Management would be useful.

**AGREED TO RECOMMEND, on the proposal of Councillor Wray, seconded by Councillor Hollywood, that the recommendation be adopted.**

## **6. CORPORATE GOVERNANCE**

### **(a) Corporate Risk Register Review File AUD02**

PREVIOUSLY CIRCULATED:- Report from the Director of Corporate Services stating that as members would be aware, the Corporate Risk Register (CRR) was a live document which was amended as required to reflect new or changing risk factors.

There were a number of internal audit recommendations highlighting the need to provide updated risk management awareness training. Officers undertook to address those as part of the implementation of the Risk Strategy in October 2022.

The following sessions were facilitated by Deloitte.

- Risk Strategy - 14 Feb and 21/22 March 2023 (SUMs/HOST/CLT)
- Corporate Risk Register workshop- 25 July 2023 (HOST/CLT)
- Risk Appetite workshop - 10 August 2023 (CLT)

### **Risk Strategy training**

The overall objective was to further the understanding and value of risk management using risk management framework and processes.

### **Corporate Risk Register workshop**

The Corporate Risk Register Workshop allowed officers to take a fresh look at risk to the Council and resulted in a new draft version of the Corporate Risk Register, which

clearly highlighted the risks, controls and risk ownership. The Risk descriptions had been drafted with current controls and further actions being progressed.

### **Risk Appetite workshop**

The risk appetite workshop allowed the Corporate Leadership Team to develop an understanding with a view to establishing the organisation's Risk Appetite for types of risk linking to the Corporate Plan priorities.

### **Future Actions**

The revised Corporate Risk Register would be finalised and presented at the next Audit Committee.

A report on Risk Appetite would be presented to the October Corporate Committee for consideration.

RECOMMEDED that the report be noted.

Alderman Armstrong-Cotter proposed, seconded by Councillor MacArthur, that the recommendation be adopted

Commenting as seconder, Councillor MacArthur welcomed the review particularly as the Risk Register was considered a 'live document'. She advised that she had been contacted by a number of concerned residents particularly those with links to veterans and the security forces about the recent introduction of the Household Recycling Centres booking system which required name and address details as well as car registration numbers. As such she sought reassurance from officers that the necessary controls were in place and that those service registers were updated as live documents.

The Head of Finance stated that the Council had a statutory responsibility in respect of the protection of data and as such a Data Protection Officer was in place to oversee this. He added that databases were held across a wide range of the Council's service areas and officers were required to ensure that those were kept up to date.

Alderman Armstrong-Cotter commented that as a member of the Environment Committee she understood her colleague was referring to concerns raised by veterans and ex-servicemen in respect of data held and the seeking of assurance that issues such as that raised by elected members was added to the Council's Risk Register. In response the Head of Finance informed members that there were a number of risk registers throughout the organisation aside from the Corporate Risk Register which came to this Committee on a six monthly basis. Beneath that Register then sat within each Service its own Risk Register which were managed and reviewed by officers. He added that he would bring this matter to the attention of the Director of Environment and reiterate with all managers the importance of data handling. Alderman Armstrong-Cotter welcomed those comments adding that it would provide elected members with a reassurance that their concerns were incorporated into the Risk Register.



At this stage Alderman McAlpine noted the many valid points which had been made and noted that Page 5 of the Risk Register did touch on the issue of personal data. She stated that this was an area where the Council would not have previously been gathering data and therefore it was important it was given careful thought and consideration which in turn would provide members with a level of reassurance.

**AGREED TO RECOMMEND, on the proposal of Alderman Armstrong-Cotter, seconded by Councillor MacArthur, that the recommendation be adopted.**

**(b) Report to those Charged with Governance** (Appendix III)

PREVIOUSLY CIRCULATED:- Copy of the above report.

The Chairman invited Ms C Hagan from ASM to speak to the report.

Ms Hagan expressed her thanks to the Director and his officer team for their assistance and reported that an unqualified audit opinion, without modification had been achieved. Ms McDermott then proceeded to provide members with a brief synopsis of the report highlighting the significant points contained therein.

At this stage the Head of Finance advised that officers had prepared a draft set of responses to the issues raised within the report. In respect of Finding 1 - Disposal of Ards Leisure Centre he stated that the Council did not agree that this was a priority 1 and rather the Council would argue that it had done all within its power to resolve the issue. He added that the Council was of the opinion that it could do no more other than to respond to the queries put forward by the DSO and as such it remained content that the money would be paid. Continuing he noted that two years had passed since the vesting order for this disposal became operative during the 2021-22 financial year and Council had yet to receive the funds. The Head of Finance stated that officers would continue to do what they could to resolve the situation and remain in contact with all the associated parties involved. It was noted the DSO had been asked for a timescale of a likely resolution.

Continuing the Head of Finance then referred to other issues such as the Reserves Policy, noting the Council was one of very few to have such a Policy, and required Council and Management to put into place an Action Plan to restore the General Fund to its target level of 7.5%. It was noted that would be done as part of the upcoming estimates process with recommendations put forward to Council on how to restore the General Fund and that was required to happen over the medium term.

In respect of Finding 3 Leases, the Head of Finance advised that the Council could only review rent in line with the Lease and it was believed that had subsequently been addressed and would be included within the Council's response. Finding 4 Declarations of Interest, he believed action had already been taken on this matter to remind members to have their Declarations signed. Continuing the Head of Finance noted there were a number of outstanding issues in relation to Policies but advised that a number of plans were now in place to address those issues. In respect of Fraud Training it was noted that Fraud within Council was a low risk and as such it was not believed to be appropriate to invest significant time and money to train all

one thousand members of staff on Fraud. It was noted that currently Heads of Service and Service Unit Managers were being briefed on the Finance Policy which it was noted did include a briefing on the Council's responsibilities in relation to Fraud. As such while the Council was not totally accepting of this it had already acted on it. Referring to the Accreditation around Cyber Security it was noted the Council did plan to attain a level of accreditation in respect of Cyber Essentials in the next year or so. In summing up he confirmed that Management had their responses prepared which would then be sent off to the Audit Office in due course with a view to getting the Accounts signed off by the statutory deadline of 30 September 2023.

Alderman Armstrong-Cotter proposed, seconded by Councillor Wray, that the report be noted.

The proposer, Alderman Armstrong-Cotter commented that she had been quite concerned on reading the details of the Priority 1 matter in respect of the Disposal of Ards Leisure Centre. She was aware that a Planning Application had already been submitted despite the outstanding issues not being resolved and also noted the vesting which had been undertaken two years previously. Alderman Armstrong-Cotter expressed disappointment that the matter was being held against the Council as ultimately it reflected negatively upon it. As such she would encourage all steps to be taken to resolve that and asked if there was anything politically which elected members could do to try to help.

In response the Director indicated that it would be the Council's preference to continue along the existing legal channels through solicitors rather than resort to political pressure.

Alderman Armstrong-Cotter noted there were other issues to be considered and as such she did not feel that it warranted a Priority 1 rating. At this stage she took the opportunity to express her thanks to the Director and his team for the work which had been undertaken to date.

Commenting as seconder Councillor Wray stated that it would be helpful for all newly elected members to have access to background information in relation to ongoing historical matters. He asked if there was any learning the Audit Committee should take from this. In response the Head of Finance agreed there were significant issues which would be reflected upon going forward but added that such issues were typical of key projects. He added that this would be considered as part of the ongoing review which would be more operational rather than seek the involvement of elected members. It was noted that any significant issues which came to light through that review would be reported to the elected members in due course. Councillor Wray indicated without the option of political pressure; officers appeared to have done all they could at this stage. He added that he would ask if the public should be made aware of this particularly as it was not as high up the agenda as it could or should be.

Expressing her thanks to the proposer Councillor McCollum commented as a new member of the Committee and without some of the background knowledge which some of her colleagues had she acknowledged the disappointment there was around the matter. As such she suggested that Solicitors be asked to provide advice

through a report to the Committee and continuing proceeded to ask three questions those being:

- Why was the Council's Compliance Team content that the sum of £1.8m was fully recoverable without a commitment in writing from Dfl?
- Why did Council believe that the value of £1.8M would be unaffected by a significant and complex dispute in relation to Title?
- Over two years had passed since the vesting order and over nine months since negotiations had commenced between the DSO and Council solicitors. Nine months seemed a long time to her for two legal teams to be in discussion and as such some progress must have been made.

In response the Director advised that given this matter was the subject of ongoing legal proceedings he would prefer not to say too much at this stage particularly as this meeting was not 'In Committee'. He did confirm that Council remained in ongoing discussions with its legal representatives and he would discuss with them what was able to be shared with members at this stage.

Mr Cummings took the opportunity to congratulate the Director and his team on another set of clear accounts. In relation to the Priority 1 matter members had been discussing he indicated that he would be keen to hear the view of the NIAO on this particularly as NIAO were the auditor of both parties involved. As such he noted that both parties appeared to be treating this matter differently, with one not operating in accordance with its accounting policies. He feared that this was down to the fact that Dfl did not have the funds for this and as such the 'can was being kicked a little further down the road' knowing that they would not be criticised for this in their accounts as it was not considered a material item, while it was for the Council. As such he believed the pressure should come from their own Auditors rather than the Council and he would like to hear comment on that from the NIAO. Continuing Mr Cummings expressed concern about the Reserves Policy particularly as in his opinion the Council had a low level of reserves in comparison to other Councils and therefore to find that it was at 6.2% was somewhat concerning. He asked who or which Committee was responsible for monitoring that was and ensuring it was achieved throughout the year.

Mr P O'Sullivan of NIAO commented that the Local Government Auditor, Collette Kane, was also the Director responsible for the Audit of Dfl and as such this matter had already been brought to her attention. As Mr Cummings had rightly stated the amount in question was a material matter for the Council but that was not the case for Dfl and he hoped Ms O'Kane would raise that with Dfl at a senior level.

In respect of the issues raised by Mr Cummings about the Reserves Policy, the Director confirmed that the Policy was introduced this year and was now part of the formulation of the new target of 7.5%. He added that he agreed it was a modest to low target and as such was considered to be an initial low stretched target, and like most policies it would be constantly reviewed. Continuing he reminded members that the entire Council was responsible for setting the budget, a process which would go through the Special Corporate Committee prior to a final decision being made in February by the Full Council. As such the Council would have the opportunity to see this as part of the budget setting process.



By way of summing up Alderman Armstrong-Cotter thanked Mr Cummings for his questions and welcomed the response to it.

**AGREED TO RECOMMEND, on the proposal of Alderman Armstrong-Cotter, seconded by Councillor Wray, that the report be noted.**

**(c) Audited Financial Statements 2022/23 (Appendix IV)**

PREVIOUSLY CIRCULATED:- Copy of the above report.

Alderman Armstrong-Cotter proposed, seconded by Councillor Hollywood, that the report be noted.

The proposer, Alderman Armstrong-Cotter, commented that she did have some concerns around the Greenway issues and how it was proposed to reconcile the money associated with that. She sought reassurance from officers that they were content that transaction was now complete with no further risk issues needing to be addressed. In response the Head of Finance confirmed that the money expended on that particular project had since been written off and charged to the Income and Expenditure statement. As such he confirmed there was nothing further for Council to consider in that regard.

**AGREED TO RECOMMEND, on the proposal of Alderman Armstrong-Cotter, seconded by Councillor Hollywood, that the report be noted.**

## **7. ANY OTHER NOTIFIED BUSINESS**

The Chairman advised that there were no items of Any Other Notified Business.

**NOTED.**

## **EXCLUSION OF PUBLIC/PRESS**

**AGREED TO RECOMMEND, on the proposal of Alderman Armstrong-Cotter, seconded by Councillor Hollywood, that the public/press be excluded during the discussion of the undernoted items of confidential business.**

## **8. SINGLE TENDER ACTIONS UPDATE (FILE 231329)**

**\*\*\*IN COMMITTEE\*\*\***

**NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)**

The Audit Committee was asked to approve the Single Tender Action update report.

It was recommended to note the report.

The recommendation was AGREED.

## **9. FRAUD, WHISTLEBLOWING AND DATA-PROTECTION MATTERS**

**\*\*\*IN COMMITTEE\*\*\***

**NOT FOR PUBLICATION SCHEDULE 6 – INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE COUNCIL HOLDING THAT INFORMATION)**

The Director updated the Committee on new, live and closed cases of Fraud, Whistleblowing and Data Breaches.

It was recommended that this information be noted.

The recommendation was AGREED.

## **10. MEETING WITH NI AUDIT OFFICE & INTERNAL AUDIT SERVICE IN THE ABSENCE OF MANAGEMENT**

**\*\*\*IN COMMITTEE\*\*\***

The Director of Corporate Services, Head of Finance, Head of Strategic Transformation and Performance and Democratic Services Officer all withdrew from the meeting during the discussion of the item (8.35pm).

### **RE-ADMITTANCE OF PUBLIC AND PRESS**

**AGREED, that the public/press be readmitted to the meeting.**

### **TERMINATION OF MEETING**

The meeting terminated at 8.45pm.