

**COUNCIL MEETING TUESDAY 7 DECEMBER 2021**

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<b>No.</b>	<b>Item</b>	<b>Decision</b>
<b>1.</b>	The Mayor's Business	<b>Received</b>
<b>2.</b>	Apologies	<b>Councillor McCandless</b>
<b>3.</b>	Declarations of Members' Interests	<b>Alderman Baird, S McKillop Councillors Anderson, Callan, Holmes, MA McKillop, McQuillan</b>
<b>4.</b>	Deputation from Department of Infrastructure Roads Autumn Consultation Northern Division	<b>Received</b>
<b>5.</b>	Minutes of Special Council Meeting held Tuesday 2 November 2021 at 6pm	<b>Adopted subject to adding Alderman Robinson in attendance.</b>
<b>6.</b>	Minutes of Council meeting held Tuesday 2 November 2021	<b>Confirmed</b>
<b>7.</b>	Minutes of Planning Committee Meeting held Wednesday 27 <sup>th</sup> October 2021	<b>Noted</b>
<b>8.</b>	Minutes of Environmental Services Committee Meeting held Tuesday 9 November 2021	
	<b>Matters Arising</b>	
<b>8.1</b>	Entertainment Licence Renewals (Item 8)	<b>Information</b>
<b>8.2</b>	Repairs to Ballycastle Depot Garage Floor (Item 7)	<b>Information</b>
<b>8.3</b>	Adoption of the Minutes	<b>Adopted and recommendations therein approved</b>

<b>9.</b>	Minutes of Finance Committee Meeting held Thursday 11 November 2021	<b><i>Adopted and recommendations therein approved</i></b>
<b>10.</b>	Minutes of Leisure and Development Committee Meeting held Tuesday 16 November 2021	
	<b>Matters Arising</b>	
<b>10.1</b>	Riverside Theatre (Item 4.1)	<b><i>Information</i></b>
<b>10.2</b>	Food Essentials Supply Fund (Item 8)	<b><i><u>Amendment</u></i></b> <b><i>That Council use any surplus monies to fund food vouchers, instead of reinvesting into current projects, for the most vulnerable in our society as a result of the cost of living crisis and using the partnership model in line with what the monies are attributed to, to help alleviate poverty, subject to DfC approval.</i></b>
<b>10.3</b>	Northern Ireland 100 Terms of Reference (Item 9)	<b><i>That Council accept the legal advice and proceed with amending the Terms of Reference as recommended in the report provided to the Leisure and Development Committee on 16 November 2021</i></b>
<b>10.4</b>	Ballycastle Masterplan (Item 27.2)	<b><i>Information</i></b>
<b>10.5</b>	Correction to the Minutes Burnfoot Sports Pitch (Item 21)	<b><i>Correction noted</i></b>
<b>10.6</b>	Adoption of the Minutes	<b><i>Adopted and recommendations therein approved, including the Amendment at Item 10.2 Resolution at Item 10.3 above and the correction to the Minute at Item 10.5 above.</i></b>

<b>11.</b>	Minutes of Corporate Policy and Resources Committee Tuesday 23 November 2021	
	<b>Matters Arising</b>	
<b>11.1</b>	Correction to the Minutes – Item 5 Corporate Business Plans – Month 6 Review	<b>Agreed</b>
<b>11.2</b>	Adoption of the Minutes	<b>Adopted and recommendations therein approved, including the correction to the minute at Item 11.1 above and Resolutions at Items 20.1, 20.2 and 20.3 (Amendment lost) considered 'In Committee' at the end of the meeting.</b>
<b>12.</b>	Matters for reporting to the Partnership Panel	<b>Nil</b>
<b>13.</b>	Conferences	<b>Nil</b>
<b>14.</b>	Correspondence	
<b>(i)</b>	J Kelpie, Chief Executive, Derry City & Strabane District Council	<b>That Council respond to the request for action, that Council review policies in relation to bereavement leave and write to the Minister of Economy</b>
<b>(ii)</b>	D McCallan, Chief Executive, NILGA	<b>Noted (ii – vi)</b>
<b>(iii)</b>	Northern Ireland Housing Council	
<b>(iv)</b>	Partnership Panel Minutes and Action Points	
<b>(v)</b>	S Havlin, Local Government Boundaries Commissioner	
<b>(vi)</b>	L Clarke, Head of Place Shaping North, Northern Ireland Housing Executive	
<b>15.</b>	Consultation Schedule	<b>Noted (i – x)</b>
<b>16.</b>	Seal Documents	<b>Seal Affixed (i-iii)</b>
<b>17.</b>	Notice of Motion proposed by Alderman Robinson, seconded by Councillor Scott (Blackburn Path)	<b>Referred to Corporate Policy and Resources Committee</b>

	<b>'IN COMMITTEE' (moved during consideration of Item 18)</b>	
<b>18.</b>	Rescission of a Preceding Resolution	<b><i>Motion to rescind the preceding resolution carried.</i></b>  <b><i>That Council accept Mr O'Donnell's financial bid of £1.21m and his proposal for the development of a Family Entertainment Centre at the Dunluce Centre subject to due legal process being completed for the transfer of title and any legal covenants concerning the development of the site.</i></b>
<b>19.</b>	Minutes of Leisure and Development Committee Meeting Held Tuesday 16 November 2021 <i>'In Committee'</i>	
	<b>Matters Arising 'In Committee'</b>	
<b>19.1</b>	AORB – Airshow 2022 (Councillor C McShane) (Item 27.3)	<b><i>Information</i></b>
<b>20.</b>	Minutes of Corporate Policy and Resources Committee Meeting Held Tuesday 23 November 2021 <i>'In Committee'</i>	
	<b>Matters Arising 'In Committee'</b>	
<b>20.1</b>	Minutes of the Land and Property Sub Committee meeting held 3 November 2021 - Request to Use Council Land Ref 106/21 Use of Main Street Carpark, Limavady (ref CP&R minute Item 11.2)	<b><i>That Council grant access approval subject to conditions</i></b>
<b>20.2</b>	Provision of Employment of Agency Services (ref CP&R minute Item 12)	<b><i>That Council approve the initiation of the tender process for the provision of Temporary Labour to Council in line with the model recommended at section 2.2</i></b>

<b>20.3</b>	Addendum - Minutes of the Land and Property Sub Committee 3 November 2021 - Ref 87/20 – Portstewart, The Crescent – Repainting of Biblical Script (Item 5.1) (ref CP&R Minute Item 11.3)	<b><i>Amendment lost</i></b>
<b>21.</b>	Minutes of Planning Committee Meeting Held Wednesday 27 October 2021 'In Committee'	
	<b>Matters Arising 'In Committee'</b>	
<b>21.1</b>	AORB – Pre Action Protocol update (Councillor Hunter) (Item 11.1)	<b><i>Information</i></b>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE  
COUNCIL HELD IN THE COUNCIL CHAMBER AND VIA VIDEO CONFERENCE  
ON  
TUESDAY 7 DECEMBER 2021 AT 7:00PM**

**In the Chair** : The Mayor, Councillor Holmes (C)

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

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

**Officers Present** : D Jackson, Chief Executive (C)  
M Quinn, Director of Corporate Services (R)  
A McPeake, Director of Environment Services (R)  
R Baker, Director of Leisure and Development (R)  
M Smyth, Finance Director (Interim) (R)  
D Wright, Chief Finance Officer (R)  
W McCullough, Head of Sport and Wellbeing (R)  
K Mailey, Head of Organisational Development & Human  
Resources (R)  
P Donaghy, Democratic & Central Services Manager (R)  
J Richardson, Head of Capital Works, Energy and  
Infrastructure (R)  
N McGurk, Interim Head of Prosperity and Place (R)  
J Welsh, Head of Community and Culture (R)  
N Linnegan, Council Solicitor (R)  
D Hunter, Council Solicitor (R)  
T Vauls, Car Parks Manager (R)  
I Owens, Committee & Member Services Officer (R)  
J Keen, Committee & Member Services Officer (C)  
A McAuley, PR Manager (R)

J Winfield, ICT Operations Manager (R)  
C Thompson, ICT Officer (C)  
A Lennox, ICT Mobile Operations (C)

**In Attendance:** C Hutchinson, DfI Divisional Roads Manager (Item 4)  
J Morrison, DfI Section Engineer – Causeway Coast &  
Glens (West) (Item 4)  
I Lowe, DfI Section Engineer – Causeway Coast & Glens  
(East) (Item 4)

D Magee, Partner, Commercial Litigation, Carson  
McDowell (Item 18)  
C Lorne, Managing Consultant, RSM (Item 11.2)

Press (4 No) (R)  
Public (2 No) (R)

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

The Chief Executive undertook a roll call.

The Mayor opened the meeting and extended a welcome to members of the press and public in attendance and provided guidance in relation to Council's Remote Meetings Protocol and audio recordings.

## **1. THE MAYOR'S BUSINESS**

The Mayor stated he attended Ballykelly Primary school where he took part in a question and answer session where one pupil asked about the potential of using artificial Christmas trees as an environmentally friendly alternative to using real trees. The Mayor was impressed by the pupil's interest with the world around them. The Director of Environmental Services advised that this could be considered and costs brought to the Environmental Services Committee in January.

The Mayor reflected on the Ulster Tower Centenary Trip stating it was a sobering event and a privilege to lay a wreath on behalf of the Borough.

The Mayor advised that Mr McCallan, NILGA CEO, had stepped down from his post as of the end of November 2021 after 10 years in his role. The Mayor requested that a letter was written on behalf of Council to thank him for his work and wish Mr McCallan well in the future.

Alderman Boyle reflected on the Ulster Tower Centenary Trip.

Alderman Knight McQuillan highlighted the 16 days of activism, the UN's annual international campaign to raise awareness of gender-based violence. She highlighted the importance of looking out for the signs of violence and illustrated the hand gesture used by those experiencing distress. She also encouraged more pharmacies to participate in the ask for ANI scheme as an additional source of support.

Alderman Finlay highlighted the work of the Northern Ireland Fire and Rescue Service at the recent fire in Ballymoney. He spoke highly of the Fire Service and the work they do. Alderman Finlay proposed that a letter was written to the Chief Fire Officer of Northern Ireland to offer thanks on behalf of Council.

Councillor Watton referred to recent tragic deaths of two men who died in Ballysally, Coleraine thanking the emergency services and local community for their support in the wake of the tragedy.

## **2. APOLOGIES**

Apologies were received for Councillor McCandless.

## **3. DECLARATIONS OF MEMBERS' INTERESTS**

Declarations of Interest were received for:

Councillor Anderson in Leisure and Development Committee Meeting – Item 8, Food Essential Supplies Fund. Councillor Anderson did not participate in the Item

The Mayor, Councillor Holmes in Leisure and Development Committee Meeting – Item 15.2, Andrew Bonar Law Memorial Project. Councillor Holmes did not participate in the Item.

Alderman S McKillop in Leisure and Development Committee Meeting – Item 5 CCG Heritage Trust and Item 19 Rural Business Development Scheme. Alderman S McKillop did not participate in the Items.

Councillor Callan in Leisure and Development Committee Meeting - Item 15.2, Andrew Bonar Law Memorial Project Councillor Callan did not participate in the Item.

Councillor MA McKillop in Leisure and Development Committee Meeting – Item 5 CCG Heritage Trust and Item 19 Rural Business Development Scheme. Councillor MA McKillop did not participate in the Items.

Councillor McQuillan in Leisure and Development Committee Meeting – Item 8, Food Essential Supplies Fund. Councillor McQuillan did not participate in the Item.

Alderman Baird in Corporate Policy and Resources Committee – Item 11.3 Legal Opinion on Biblical Script. Alderman Baird did not participate in the Item.

## **4. DEPUTATION – DFI ROADS AUTUMN CONSULTATION, NORTHERN DIVISION**

The Divisional Roads Manager for the Department for Infrastructure presented the report, previously circulated. He reminded the Elected Members to use the NI Direct system to report issues and invited Members to ask questions that are of a strategic nature.

Members spoke to commend DfI staff on the work being completed.



The Divisional Roads Manager responded to queries raised by Elected Members to advise that further consideration and action can be given to the issues raised during the meeting.

At 8pm the Mayor brought the session with Dfl to a close. He thanked the Dfl representatives for their attendance and requested that the forms completed and returned from Causeway Coast and Glens Borough Council be prioritised.

- \* **Alderman Duddy joined the meeting at 7:47pm**
- \* **Councillor P McShane joined the meeting 7:59pm**

## **5. MINUTES OF SPECIAL COUNCIL MEETING HELD TUESDAY 2 NOVEMBER 2021 6PM**

Copy, previously circulated.

Alderman Robinson requested that his name to be added to the list of attendees at the Special Council meeting stating he was in attendance online and had arrived late.

### **5.1 Adoption of the Minutes**

Proposed by Councillor Schenning  
Seconded by Councillor McQuillan and

**RESOLVED** – that the Minutes of the Special Council Meeting held Tuesday 2 November 2021 are adopted subject to adding Alderman Robinson's name to the attendees.

## **6. MINUTES OF COUNCIL MEETING HELD TUESDAY 2 NOVEMBER 2021**

Copy, previously circulated.

### **6.2 Adoption of the Minutes**

Proposed by Councillor MA McKillop  
Seconded by Councillor Schenning and

**RESOLVED** – that the Minutes of the Council Meeting held Tuesday 2 November 2021 are confirmed as a correct record.

## **7. MINUTES OF PLANNING COMMITTEE MEETING HELD WEDNESDAY 27 OCTOBER 2021**

Copy, previously circulated.

**RESOLVED** – that the Minutes of the Planning Committee Meeting held Wednesday 27 October 2021 are received and noted.

## **8. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 9 NOVEMBER 2021**

Copy, previously circulated.

Chair, Councillor Wilson, proposed the adoption of the Minutes subject to any matters arising.

### **Matters Arising**

#### **8.1 Entertainment Licence Renewals (Item 8)**

Alderman S McKillop stated she was asked to raise an issue with the application for an entertainment licence for the Scotch House. The new Proprietor had been working on renovations to open before Christmas and comply with the Department's entertainment licencing requirements. She requested that Council approve or consider adding the Scotch House to the unconfirmed list before Council and asked the Director of Environmental Services to use his delegated authority to issue the licence as soon as possible.

The Director of Environmental Services advised the application was still going through the consultation period and was due to be reviewed on site and inspected on Thursday. The Director advised he was content to approve the application under delegated authority if all requirements were met. An update on the consultation would be provided at the next Environmental Services Committee.

#### **8.2 Repairs to Ballycastle Depot Garage Floor (Item 7)**

In response to questions the Director of Environmental Services advised that the depot strategy was a substantial piece of work, that it was likely an external body would be completing the report and it would be several months before it was completed. Ongoing maintenance under the required threshold of £10,000 would be completed under general maintenance. Councillor McAuley stated that he had been informed that the lighting in the Ballycastle Depot has been condemned and asked if this would be fixed at the same time as the flooring. The Director of Environmental Services advised this has not been brought to his attention and will follow this up.

#### **8.3 Adoption of the Minutes**

Proposed by Councillor Wilson  
Seconded by Councillor Wallace and

**RESOLVED** – that the Minutes of the Environmental Services Committee Meeting held Tuesday 9 November 2021 are adopted and recommendations therein approved.

\* **Councillor Schenning left the meeting at 9:14pm**

**9. MINUTES OF FINANCE COMMITTEE MEETING HELD THURSDAY 11 NOVEMBER 2021**

Copy, previously circulated.

Proposed by Alderman Hillis  
Seconded by Councillor Callan and

**RESOLVED** – that the Minutes of the Finance Committee Meeting Thursday 11 November are adopted and recommendations therein approved.

**10. MINUTES OF LEISURE AND DEVELOPMENT COMMITTEE MEETING HELD TUESDAY 16<sup>TH</sup> NOVEMBER 2021**

Copy, previously circulated.

Chair, Councillor McAuley proposed the adoption of the Minutes subject to any matters arising.

**Matters Arising**

**10.1 Riverside Theatre (Item 4.1)**

Alderman Boyle and Councillor Callan highlighted the positive communication that was happening between the Ulster University and Council. Alderman Boyle requested that if any other Members wished to be involved in communication with the Ulster University to contact her.

Councillor Watton stated that it had been agreed to wait on the report, due to be presented in January and hoped Riverside Theatre would make the presentation.

**10.2 Food Essentials Supply Fund (Item 8)**

An Amendment was proposed by Councillor Nicholl and seconded by Councillor Peacock

- That any additional DfC money that comes in, that instead of topping up current projects that it is used to fund heating and food vouchers for the most vulnerable in our society as a result of the cost of living crisis and using the partnership model adopted during the pandemic to distribute these across the Council area.

Discussion occurred regarding the need to support the more vulnerable in society struggling with the increased financial pressures of rising costs. The work in Belfast City Council was referenced during discussions in regard to the model they use to support food and fuel poverty. Recognition was also given to the work of local community groups and foodbanks.

In response to questions, the Director of Leisure and Development advised that as soon as information regarding fuel poverty was received from the Department of Communities it would be provided to the Elected Members. The Director of Leisure and Development advised the Head of Community and Culture was engaging with the Department for Communities to obtain this information as soon as possible. The Director was not aware if there was an underspend in the Food Essentials Supply Fund, he would confirm and get back to Councillor Nicholl. The Director of Leisure and Development confirmed the oil club now referred to as the oil stamp scheme.

The Director of Environmental Services advised a report regarding the oil stamp scheme could be brought to the Environmental Services Committee in January 2022.

In response to questions regarding the proposal Councillor Nicholl confirmed he had asked for clarity regarding an underspend in the Food Essentials Supply Fund and made the proposal as outlined above.

The Director of Leisure and Development advised the report at Item 8 in the November Leisure and Development Committee Minutes was in relation to sustainable food and essential food supply, the outcomes focused on essential food. The Director advised that he and the Head of Community and Culture would work with Department for Communities to source scope for an underspend that may be used to support a fuel poverty programme, mindful that funding from the Department for Communities does come with criteria.

The Director of Leisure and Development further confirmed that £73,000 had been received, that £51,000 had been awarded leaving a difference of £21,000. He advised that funding from the Department of Communities could only be undertaken with the agreement of the Department. At this moment the remaining money must be used in addressing food poverty.

The Mayor referred to Standing Order 16.1 and urged caution with the Amendment proposed.

The Chair called a recess at 8:41pm.

**\* The meeting reconvened at 8:55pm.**

The Mayor confirmed the meeting was quorate.

The Mayor ruled the motion does go beyond the scope of the original report when trying to fit it in around fuel. He advised that Councillor Nicholl could rephrase his proposal if he wished.

Councillor Nicholl confirmed the proposal could be amended so that the money would be spent tackling food poverty and that any spend subject to Department for Communities approval. Councillor Peacock confirmed her agreement to the amendment. She commented on how Council received extra funds from the Department for Communities that came on the Leisure and Development

Committee Agenda under COVID recovery funds for community support and that Council received more funds that were bid for. Councillor Peacock commented on how many people could potentially benefit from this extra money.

Councillor Wilson requested clarity on the proposal.

Amendment

Proposed by Councillor Nicholl

Seconded by Councillor Peacock

- Any surplus monies are used to fund food vouchers, instead of reinvesting into current projects, for the most vulnerable in our society as a result of the cost of living crisis and using the partnership model in line with what the monies are attributed too to help alleviate poverty, subject to Department for Communities approval.

In response to questions the Mayor with agreement from Councillor Nicholl confirmed that the proposal is in relation to underspend in the Food Essentials Supply Fund.

Councillor Nicholl requested a recorded vote.

In response to questions the Director of Leisure and Development advised that Council had already approached the unsuccessful applicants to allow them to reapply with the required support to complete the form.

The Mayor put the Amendment to the Council to vote.

36 Members voted for; 0 Members voted Against; 0 Members abstained

The Mayor declared the motion carried unanimously.

Recorded Vote Table

For (36)	Alderman Baird, Boyle, Duddy, Fielding, Finlay, Hillis, Knight – McQuillan, McKeown, S McKillop, Robinson
	Councillors Bateson, Beattie, Callan, Dallat O’Driscoll, Holmes, Hunter, McAuley, McCaw, McCorkell, McGlinchey, McGurk, MA McKillop, McLaughlin, McLean, McMullan, C McShane, P McShane, Mulholland, Nicholl, Peacock, Quigley, Schenning, Scott, Wallace, Watton, Wilson

The Mayor declared a recess at 9.10pm

The meeting reconvened at 9:25pm

The Mayor confirmed the meeting was quorate.

### 10.3 Northern Ireland 100 Terms of Reference (Item 9)

Councillor Nicholl requested that legal advice be heard regarding amending the Terms of Reference for the Northern Ireland 100 working group.

Council Solicitor provided legal opinion, he referred to Standing Orders, The Local Government Act 2014 and Knowles and clarified there was nothing to prevent the NI 100 Terms of Reference to be amended and provided a recent example within Sport and Wellbeing and Leisure Facilities Project Board.

Councillor Nicholl expressed concerns regarding costings and procedural and governance aspects.

Proposed by Alderman Finlay  
Seconded by Councillor Callan

- That Council accept the legal advice and proceed with amending the terms of reference as recommended in the report provided to the Leisure and Development Committee on 16 November 2021 – That the Terms of Reference for the NI 100 Working Group be amended to include the development of potential events and activities which seek to mark The Queen's Platinum Jubilee, extending the remit and timeframe of the group.

The Mayor put the proposal to the council to vote.  
21 Members voted for; 15 Members voted against; 0 Members abstained  
The Mayor declared the motion carried.

### 10.4 Ballycastle Masterplan (Item 27.2)

Councillor C McShane clarified she had referred to the 2009 Ballycastle Masterplan during discussion; that the 2009 Masterplan had largely been completed.

### 10.5 Correction to the Minute - Burnfoot Sports Pitch (Item 21)

Proposed by Alderman Duddy  
Seconded by Alderman Robinson and

**AGREED** - That the Minutes of the Leisure and Development Committee meeting held Tuesday 16<sup>th</sup> November 2021 are corrected to add, "*Proposed by Alderman Duddy, seconded by Councillor McQuillan that Council accept the information provided in regard to Burnfoot*".

### 10.6 Adoption of the Minutes

Proposed by Councillor McAuley  
Seconded by Councillor Watton and

**RESOLVED** – that the Minutes of the Leisure and Development Committee meeting held Tuesday 16 November 2021 are adopted and recommendations

therein approved, including the Amendment at Item 10.2, resolution at Item 10.3 above and the correction to the Minute at Item 10.5 above.

## **11. MINUTES OF CORPORATE, POLICY AND RESOURCES COMMITTEE MEETING HELD TUESDAY 23 NOVEMBER 2021**

Copy, previously circulated.

Chair, Alderman Knight McQuillan proposed the adoption of the Minutes subject to any matters arising, pending decisions regarding the Land and Property items.

### **Matters Arising**

#### **11.1 Correction to the Minute – Item 5 Corporate Services Business Plans – Month 6 Review**

Alderman S McKillop raised a point of accuracy page 12, item 4, paragraph 5.

Proposed by Alderman S McKillop  
Seconded by Alderman Duddy and

**AGREED** – that the Minutes of the Minutes of Corporate Policy and Resources Committee Minutes held 23 November 2021 are corrected to read as follows:

Alderman S McKillop commented that sickness levels were still at an unsustainable level, that a Northern Ireland Audit Office (NIAO) report shows that no Council looks at measuring *“the overall cost of lost production due to sickness absence”* ~~analysing and understanding the impact of sickness absence and she suggested that this Council look at this and consider putting other measures in place for staff wellbeing.~~ She requested that more information be provided *“on that matter”*.

The Mayor advised Council Agenda Item 11.3 (Addendum - Minutes of the Land and Property Sub Committee 3 November 2021 - Ref 87/20 – Portstewart, The Crescent – Repainting of Biblical Script (Item 5.1) (ref CP&R Minute Item 11.3);  
Corporate Policy and Resources Minute Item 12 (Provision of Employment of Agency Services) and  
Corporate Policy and Resources Minute Items 13 (Populating the Organisation Structure) would all be considered *‘In Committee’* at the end of the meeting.

#### **11.2 Adoption of the Minutes**

Proposed by Alderman Knight McQuillan  
Seconded by Alderman Hillis and

**RESOLVED** – that the Minutes of the Corporate Policy and Resources Committee meeting held Tuesday 23 November 2021 are adopted and recommendations therein approved, including the correction to the minute at

Item 11.1 above and Resolutions at Items 20.1, 20.2 and 20.3 considered 'In Committee' at the end of the meeting.

## 12. MATTERS FOR REPORTING TO THE PARTNERSHIP PANEL

There were no matters for reporting to the Partnership Panel.

## 13. CONFERENCES

There were no conferences to inform Members of.

## 14. CORRESPONDENCE

Correspondence report, previously circulated.

The Mayor presented the following correspondence Items as read:

- (i) J Kelpie, Chief Executive, Derry City & Strabane District Council (correspondence dated 27<sup>th</sup> October 2021)

Proposed by Councillor Peacock  
Seconded by Alderman Boyle and

**AGREED** - That Council respond to the request for action, that Council review policies in relation to bereavement leave and write to the Minister of Economy.

- (ii) D McCallan, Chief Executive, NILGA (correspondence dated 11<sup>th</sup> November 2021)
- (iii) Northern Ireland Housing Council (Correspondence dated 18<sup>th</sup> November 2021)
- (iv) Partnership Panel Minutes and Action Points Table (correspondence dated 15<sup>th</sup> November 2021)
- (v) S Havlin, Local Government Boundaries Commissioner (correspondence dated 19 November 2021)
- (vi) L Clarke, Head of Place Shaping North, Northern Ireland Housing Executive (correspondence dated 24<sup>th</sup> November 2021)

**RESOLVED** – that Council note the Correspondence Schedule (ii-vi inclusive).

## 15. CONSULTATION SCHEDULE

Report, previously circulated.

The Mayor presented the Consultation Schedule as read:

- (i) The Executive Office Building Forward: Consolidated Covid-19 Recovery Play – Link Submission Date 29 November 2021
- (ii) DfC HSTF Secretariat High Street Task Force Call For Evidence Submission Date 6 December 2021



- (iii) Department of Health- Consultation on Original Pack Dispensing (OPD) and Supply of Medicines Containing Sodium Valproate Submission Date 13 December 2021
- (iv) Department of Finance Consultation on Building (Prescribed Fees) (Amendment) Regulations (Northern Ireland) 2022 Submission Date 19 December 2021
- (v) Department of Agriculture, Environment and Rural Affairs Team Consultation on a draft Environment Strategy DAERA Submission Date 18 January 2022
- (vi) Armagh, Banbridge, Craigavon Borough Council Consultation on Draft Armagh Place Plan Submission Date 23 January 2022
- (vii) Department of Infrastructure Consultation on Secondary Legislation to Further Commence and Implement the Requirements of the Reservoirs Act (Northern Ireland) 2015 Submission Date 23 January 2022
- (viii) The Electoral Commission Consultation on Draft UK wide Equality, Diversity and Inclusion Strategy Submission Date 28 January 2022
- (ix) Patient Client Council Consultation on Draft Strategic Statement of Intent 2022-2025 Submission Date 28 January 2022
- (x) Department of Finance Public Consultation on Marriage Law Submission Date 18 February 2022

**RESOLVED** – that Council note the Consultation Schedule (Items i-x).

## 16. SEAL DOCUMENTS

Members were advised of the undernoted items for signing and sealing by Council, approval having been previously granted and all necessary legislative requirements being met.

- (i) Grave Registry Certificates, No's 5227- 5248 inclusive;
- (ii) Agreement relating to advance for purchase of a car, Causeway Coast and Glens Borough Council and employee (name notified);
- (iii) Deed of Surrender, Portstewart Town Hall (retrospective) (Ref L&P S/C 210203/CP&R 210223/CM 210302)

Proposed by Councillor McQuillan  
 Seconded by Councillor Schenning and

**RESOLVED** - that the sealing of documents as listed (Items i-iii inclusive) be approved.

## 17. NOTICE OF MOTION PROPOSED BY ALDERMAN ROBINSON, SECONDED BY COUNCILLOR SCOTT

*That this Council exerts ownership and maintains a path which links the densely populated south eastern quadrant of Limavady Town into our own Blackburn Path. The improved linkage would encourage greater pedestrian usage into the town centre and in doing so would enhance the health and well-*

*being of the local population whilst reducing vehicular usage. It would help to reduce anti-social behaviour and further open up the park for the wider community.*

The Mayor advised the Notice of Motion would be referred, without discussion, to the Corporate Policy and Resources Committee.

## **18. RESCISSION OF A PRECEDING RESOLUTION**

We the undersigned, and in accordance with Standing Order 23 (1) wish to rescind the following motion, proposed by Alderman Hillis at the council meeting on Tuesday 2<sup>nd</sup> November 2021 and which was ratified by council

*“That Council does not sell to the preferred bidder, but instead repeat the process, go out to the market for a third time with a view to attracting bids which will enhance the town of Portrush and the entire Borough by bringing a year-round experience which can be enjoyed by local families and families visiting the area”.*

Signed: *Councillor McLean, Councillor McQuillan, Alderman Duddy, Councillor Anderson, Alderman Finlay, Councillor Wallace*

The Mayor advised the motion required a straight vote, it did not require discussion and advised Council would remain ‘In Public’ and in the event the decision would carry, move ‘*In Committee*’ thereafter’.

Councillor Wilson requested a recess.

The Mayor declared a recess at 9:50pm

\* **The meeting reconvened at 9:55pm.**

\* **Councillor Schenning re-joined the meeting at 9:45pm (R).**

The Mayor confirmed the meeting was quorate.

Alderman Duddy raised concern regarding the vote being taken in public and asked the Mayor to reconsider his decision.

The Mayor clarified the process for the rescinding motion.

Councillor Quigley requested a Recorded Vote.

The Mayor put the rescinding motion to the Council to vote.

20 Members voted for; 17 Members voted against; 1 Member abstained

The Mayor declared the motion to rescind the preceding resolution carried.

## Recorded Vote Table

For (20)	Alderman Duddy, Finlay, Robinson
	Councillors Anderson, Bateson, Callan, McAuley, McCorkell, McGlinchey, McGurk, McLaughlin, McLean, McMullan, McQuillan, C McShane, Nicholl, Peacock, Scott, Wallace
Against (17)	Alderman Baird, Boyle, Fielding, Hillis, Knight McQuillan, McKeown, S McKillop
	Councillors Beattie, Dallat O'Driscoll, Holmes, Hunter, MA McKillop, P McShane, Mulholland, Quigley, Schenning, Wilson
Abstain (1)	Councillor Watton

### **MOTION TO PROCEED 'IN COMMITTEE'**

Proposed by Councillor McLean  
Seconded by Councillor Watton and

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

\* **Press and Public were disconnected from the meeting at 10:20pm**

***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***

The Mayor reminded Elected Members, of the session being audio recorded in line with Council's guidance.

The Mayor invited Elected Members to address Council.

Proposed by Alderman Finlay  
Seconded by Councillor Callan

- That Council accept Mr O'Donnell's financial bid of £1.21m and his proposal for the development of a Family Entertainment Centre at the Dunluce Centre subject to due legal process being completed for the transfer of title and any legal covenants concerning the development of the site.

Councillor P McShane queried the number of signatures required for a rescinding motion. He stated that he previously raised concerns regarding the preferred bidder and due diligence applied which had not been answered. Councillor P McShane highlighted concern regarding the process and the Full Council not being fully involved in the decisions; that Council may be open to challenge.

The Mayor clarified the percentage signatures required for the motion, he advised Councillor P McShane had referred to signatures for to 'Call In's'.

It was proposed by Alderman Hillis, seconded by Councillor Wilson:

- That Council dispose of the Dunluce Centre by way of a long lease or a commercial lease.

In order to provide clarity, Alderman Hillis confirmed the criteria base for the development brief would be the same, the area zoned for leisure and tourism and that it meets the zoning criteria; a long lease of 199 years or 999 years, a commercial lease 10 or 15 years. He clarified this would mean council would gain control. The process is different from the original trawl and would require it going to tender again.

Alderman Duddy raised Standing Order 16.1 that considering a lease was creating an additional burden on Council. He highlighted that the development brief had not been rescinded and questioned the legal aspect of starting the process again.

The Mayor called a recess at 10:24pm to gain legal advice regarding the Standing Order being raised.

\* **Councillor Watton left the meeting at 10:24pm**

\* **The meeting reconvened at 10:28pm.**

The Mayor confirmed the meeting was quorate.

The Mayor ruled the Amendment stood, there was no extra burden to Council.

The Director of Leisure and Development confirmed the process would commence again if Elected Members agreed to lease the Dunluce Centre, there may be a risk of market fatigue going out to tender again and reminded Members that Council agreed to the Development Brief and reminded Council of the Legal Opinion given at that time.

The Mayor stated the tabled motions would be Recorded Votes.

The Mayor put the Amendment to the Council to vote.

Amendment

Proposed by Alderman Hillis

Seconded by Councillor Wilson

- That Council dispose of the Dunluce Centre by way of a long lease or a commercial lease, subject to the same criteria base, that the area is zoned for leisure and tourism and that it meets the zoning criteria.

18 Members voted for; 20 Members voted against; 0 members abstained

The Mayor declared the amendment lost

### Recorded Vote Table

For (18)	Alderman Baird, Boyle, Fielding, Hillis, Knight McQuillan, McKeown, S McKillop
	Councillors Beattie, Dallat O'Driscoll, Holmes, Hunter, McCaw, MA McKillop, P McShane, Mulholland, Quigley, Schenning, Wilson
Against (20)	Alderman Duddy, Finlay, Robinson
	Councillors Anderson, Bateson, Callan, Chivers, McAuley, McCorkell, McGlinchey, McGurk, McLaughlin, McLean, McMullan, McQuillan, C McShane, Nicholl, Peacock, Scott, Wallace

The Mayor put the substantive motion to the Council to vote.  
20 Members voted for; 18 Members voted against; 0 Members abstained  
The Mayor declared the motion carried.

### Recorded Vote Table

For (20)	Alderman Duddy, Finlay, Robinson
	Councillors Anderson, Bateson, Callan, Chivers, McAuley, McCorkell, McGlinchey, McGurk, McLaughlin, McLean, McMullan, McQuillan, C McShane, Nicholl, Peacock, Scott, Wallace
Against (18)	Alderman Baird, Boyle, Fielding, Hillis, Knight McQuillan, McKeown, S McKillop
	Councillors Beattie, Dallat O'Driscoll, Holmes, Hunter, McCaw, MA McKillop, P McShane, Mulholland, Quigley, Schenning, Wilson

## **19. MINUTES OF LEISURE AND DEVELOPMENT COMMITTEE MEETING HELD TUESDAY 16 NOVEMBER 2021 'IN COMMITTEE'**

### **Matters Arising 'In Committee'**

#### **19.1 AORB – Airshow 2022 (Councillor C McShane) (Item 27.3)**

In response to questions, the Mayor confirmed a report was being brought to the next Leisure and Development Committee meeting regarding the budget for the Airshow.

\* **Councillor P McShane left the meeting at 10:47pm.**

**20. MINUTES OF CORPORATE POLICY AND RESOURCES COMMITTEE MEETING HELD TUESDAY 23 NOVEMBER 2021 'IN COMMITTEE'**

**Matters Arising 'In Committee'**

**20.1 Minutes of the Land and Property Sub Committee meeting held 3 November 2021 - Request to Use Council Land Ref 106/21 Use of Main Street Carpark, Limavady (ref CP&R minute Item 11.2)**

Confidential report, previously circulated, was presented by the Head of Capital Works, Energy and Infrastructure.

In response to questions the Head of Capital Works, Energy and Infrastructure confirmed that planning permission was not required for the work being completed. He further advised the cost to Council for completing the process with the contractor was minimal.

**It was recommended** that Council consider the application as requested in report item dated 23<sup>rd</sup> November 2021.

Proposed by Councillor McGlinchey  
Seconded by Councillor Schenning and

**AGREED** - That Council grant access approval subject to:

- An external professional Estate Agent carried out a valuation on the value of such lands, with the output of same being, £7, 500.00 + VAT, for the period of 12-months, commencing November 1<sup>st</sup>, 2021.
- In the event that retrospective permission is granted; the following will need to be put in place with the said contractor; -
  1. Detailed written methodology and physical segregation measures put in place, between the Contractor, vehicles and pedestrians utilising the car park.
  2. A legal 'License Agreement'.
  3. Signed joint 'Condition Report' of the car park thoroughfare which is being utilised by the contractor.
  4. A 'bond' will need to be put in place, to the value of £6, 000.00, paid by the contractor at commencement of the aforesaid agreement with Council. (which will be returned upon satisfactory handover condition)
  4. A contractor cleansing regime be put in place to ensure the car park is cleaned as required from contractor access activities.
  5. Points 1 & 5 are reviewed by Councils H&S Department for review and acceptance.
  6. The said contractor shall be invoiced for Council expenses – including the professional Estate Agency Valuation fee & Officer time associated with compiling a Condition Survey Report.

\* **Councillor Hunter left the meeting at 11:06pm**

## 20.2 Provision of Employment of Agency Services (ref CP&R minute Item 12)

Confidential report, previously circulated, presented by the Director of Corporate Services.

In response to questions the Director of Corporate Service advised the estimated costs were based on the best information available at present and the Organisational Development/Human Resources department were working with directorates to harmonise jobs.

**It is recommended** that Council considers the information presented within the report and

- approves the initiation of the tender process for the provision of Temporary Labour to Council in line with the model recommended at section 2.2 ie Lot 1 and Lot 2,
  - Under Lot 1 (indicated in blue), Council will engage a single provider for manual, administrative and non-specialist labour. Under such a model, the provider will act as a master vendor (i.e. supply workers from its own talent pool) and will be responsible for the selection of workers i.e. Council will request a role to be filled, the supplier will, having ensured necessary qualification, supply a worker.
  - Under Lot 2 (indicated in green), Council will engage a second single provider for (primarily) knowledge workers. Under such a model, the provider will again act as a master vendor but will primarily identify multiple candidates for the Council to select between; either by interview or CV sift or a combination thereof.
- with the Invitation to Tender being issued week commencing 13<sup>th</sup> December 2021
- As a contingency and in order to ensure business continuity, investigate the possibility to seek a brief extension of the current contract to accommodate a mobilisation period, if required.

Proposed by Alderman Duddy  
Seconded by Councillor McLean and

**AGREED** - That Council approves the initiation of the tender process for the provision of Temporary Labour to Council in line with the model recommended at section 2.2 ie Lot 1 and Lot 2,

- Under Lot 1 (indicated in blue), Council will engage a single provider for manual, administrative and non-specialist labour. Under such a model, the provider will act as a master vendor (i.e. supply workers from its own talent pool) and will be responsible for the selection of workers i.e. Council will request a role to be filled, the supplier will, having ensured necessary qualification, supply a worker.
- Under Lot 2 (indicated in green), Council will engage a second single provider for (primarily) knowledge workers. Under such a model, the provider will again act as a master vendor but will

- primarily identify multiple candidates for the Council to select between; either by interview or CV sift or a combination thereof.
- with the Invitation to Tender being issued week commencing 13<sup>th</sup> December 2021
- As a contingency and in order to ensure business continuity, investigate the possibility to seek a brief extension of the current contract to accommodate a mobilisation period, if required.

**20.3 Addendum - Minutes of the Land and Property Sub Committee 3 November 2021 - Ref 87/20 – Portstewart, The Crescent – Repainting of Biblical Script (Item 5.1) (ref CP&R Minute Item 11.3)**

Amendment

Proposed by Councillor C McShane

Seconded by Councillor Mulholland

- That Council proceed with the Equality Screening as was recommended at the Land and Property Sub-Committee meeting.

During discussion consideration was also given to the report provided to Council by an independent consultant, Council's policies and procedures and statutory obligations surrounding Equality screening.

Members speaking in support of the Corporate Policy and Resources recommendation to permit repainting without screening highlighted that the biblical script has been in situ for a considerable length of time and spoke of a lack of tolerance and common sense and why an equality screening process was not relevant in the circumstances. Members felt that equality, diversity and inclusion did not mean public space should remain sterile, although Council should not accept anything offensive. Council should approve something that is already there, people against this were being repressive, Council needed to be progressive, more tolerance and respect were needed.

Members speaking in support of equality screening and following process highlighted that money had been spend on a consultant's advice which Council was ignoring along with its policies and procedures in relation to Section 75 requirement which was potentially illegal.

The Director of Corporate Services reminded Elected Members legal opinion had been circulated prior to the meeting.

Alderman Duddy requested a Recorded Vote.

The Mayor put the Amendment to the Council to vote.

11 Members voted for; 18 Members voted against; 3 Members abstained.

The Mayor declared the Amendment lost.

Recorded Vote Table

For (11)	Alderman Boyle
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	Councillors Bateson, Chivers, McGlinchey, McGurk, McLaughlin, McMullan, C McShane, Mulholland, Nicholl, Peacock
Against (18)	Alderman Duddy, Fielding, Finlay, Hillis, Knight-McQuillan, McKeown, S McKillop, Robinson
	Councillors Anderson, Callan, Holmes, McAuley, McCorkell, McLean, McQuillan, Scott, Wallace, Wilson
Abstain (3)	Councillors Beattie, Dallat O'Driscoll, Schenning

**21. MINUTES OF PLANNING COMMITTEE MEETING HELD WEDNESDAY 27 OCTOBER 2021 'IN COMMITTEE'**

**Matters Arising 'In Committee'**

**21.1 AORB – Pre Action Protocol update (Councillor Hunter) (Item 11.1)**

Alderman Baird stated there had been training organised at the request of Elected Members which, in light of recent recommendations and she felt Members who had not attended do attend future training organised.

**MOTION TO PROCEED 'IN PUBLIC'**

Proposed by Alderman Duddy  
Seconded by Councillor Wilson and

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

This being all the business, The Mayor thanked everyone for their attendance and the meeting concluded at 11:45pm

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Mayor