



# Causeway Coast & Glens Borough Council

## COUNCIL MEETING TUESDAY 29 JUNE 2021

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5.	Minutes of Annual Meeting held Monday 7 June 2021	<i>Confirmed</i>
6.	Minutes of Planning Meeting held Wednesday 26 May 2021	<i>Noted</i>
7.	Minutes of Environmental Services Committee Meeting held Tuesday 8 June 2021	
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7.3	Extension of Sunday Opening Hours (19.3)	<i>Information</i>

7.4	Grant of New Entertainment Licence	<b>Approve the grant of an entertainments licence for the premises and include the condition above in addition to the standard licence conditions.</b>
7.5	Adoption of Minutes	<b>Adopted and recommendations therein approved</b>
8.	Minutes of Audit Committee Meeting held Wednesday 9 June 2021	
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8.1	Correction to the Minutes	
8.1.1	Legal Cases Activity (Item 13)	<b>Point of Accuracy noted</b>
8.1.2	Revised Report to Those Charged with Governance 2019/20 (4.1)	<b>Information</b>
8.2	Performance Management (7.2)	<b>Undertake audit to understand how the health of employees impacts directly on performance and factors behind absenteeism figures; report including costings to be brought to September Audit Committee</b>
8.3	Adoption of Minutes	<b>Adopted and recommendations therein approved, including point of accuracy at 8.1.1 above and decision at 8.2, excluding recommendation at Item 14</b>

<b>9.</b>	Minutes of Finance Committee held Thursday 9 June 2021	<b><i>Adopted and recommendations therein approved</i></b>
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<b>10.2</b>	£500 Bursary for John Hewitt International Summer School 26-31 July 2021 in Armagh (Item 20 (ii))	<b><i>The Mayor agreed to make up the shortfall</i></b>
<b>10.3</b>	Enterprise Fund (Item 8)	<b><i>Information</i></b>
<b>10.4</b>	NI 100 Projects (Item 10)	<b><i>Information</i></b>
<b>10.5</b>	Adoption of Minutes	<b><i>Adopted and recommendations therein approved</i></b>
<b>11.</b>	Minutes of Corporate Policy and Resources Committee Meeting held Tuesday 22 June 2021	<b><i>Adopted and recommendations therein approved</i></b>
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<b>13.</b>	Conferences	<b><i>Nil</i></b>
<b>14.</b>	Correspondence	<b><i>Noted</i></b>
<b>15.</b>	Consultation Schedule	<b><i>Noted</i></b>
<b>16.</b>	Seal Documents	
	<b>(i)</b> Grave Registry Certificates, Numbers 5149-5156 (inclusive)	<b><i>Seal Affixed, Items (i) – (viii) inclusive</i></b>
	<b>(ii)</b> Licence Agreement – Lands at the Crescent, Portstewart for the Erection and Use of a Ferris Wheel. Causeway Coast and Glens Borough Council and The Panoramic Wheel Company Limited (Ref L&P SC 20/09/02, CP&R 20/09/22, CM	

	20/10/06, L&P SC 21/05/05, CP&R 21/05/25, CM 21/06/01	
	(iii) Deed of Conveyance – Coleraine Town Hall, Between The Honourable the Irish Society and Causeway Coast and Glens Borough Council (Ref L&P SC 210505, CP&R 210525, CM 210601)	
	(iv) Commercial Lease – The Crescent Café, The Crescent, Portstewart. Causeway Coast and Glens Borough Council to Native Seafood Limited (Ref L&P SC 210505, CP&R 210525, CM 210601)	
	(v) Lease Premises at Lansdowne Shelter, Portrush – Causeway Coast and Glens Borough Council to Lisderg Holdings Ltd. (Ref L&P SC 210203, CP&R 210223, CM 210302, L&P SC 210505, CP&R 210525, CM 210601)	
	(vi) Renewal of Licence, Restaurant, Coleraine Leisure Centre, 26a Railway Road, Coleraine – Causeway Coast and Glens Borough Council and Lynda Coyles (Ref L&P SC 201007, CP&R 201027, CM 201103)	
	(vii) Landfill Performance Deed (CP&R 210427, CM 210601)	
	(viii) Transfer Deed, Former Dungiven Sports Pavilion – Causeway Coast and Glens Borough Council to the Department of Education (L&P SC 210505, CP&R 210525, CM 210602)	
	<b>IN COMMITTEE (Items 17-19)</b>	

17.	Tender for The Engagement of Private Contractor to Complement Litter Enforcement	<b><i>Award the 12-month pilot contract for the Engagement of a Private Contractor to assist in the management of Fixed Penalty Notices to offenders in contravention of the Litter (NI) Order 1994 and the Clean Neighbourhoods and Environment Act (NI) 2011 to Waste Investigations Support &amp; Enforcement (WISE).</i></b>
18.	Minutes of Environmental Services Committee Meeting held Tuesday 8 June 2021	
	<b>Matters Arising (In Committee)</b>	
18.1	Motorhome/Campervan Parking at Beach Road Car Park – Portballintrae (Item 18)	<b><i>Information</i></b>
19.	Minutes of Audit Committee Meeting held Wednesday 9 June 2021	
	<b>Matters Arising (In committee)</b>	
19.1	Correction to the Minute Whistle Blowing/Fraud (Item 14)	<b><i>Motion lost</i></b>
19.2	Whistle Blowing/Fraud (Item 14)	<b><i>Special Council Meeting to consider VAT element and current status, discuss report and letter, HMRC advice, with the oversight of the Finance Director who may seek outside expertise if</i></b>

		<i>he considered it necessary</i>
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**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE  
COUNCIL HELD IN THE COUNCIL CHAMBER AND VIA  
VIDEO CONFERENCE ON  
TUESDAY 29 JUNE 2021 AT 7:00PM**

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

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

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

**Officers Present** : M Quinn, Director of Corporate Services (C)  
R Baker, Director of Leisure and Development Services (C)  
A McPeake, Director of Environment Services (R)  
D Wright, Chief Finance Officer (R)  
W McCullough, Head of Sport and Well-Being (R)  
B Edgar, Head of Health and Built Environment (R)  
J Richardson, Head of Infrastructure and Capital Works (R)  
D Hunter, Council Solicitor (R)  
I Owens, Committee & Member Services Officer (C)  
S Duggan, Civic Support & Committee & Member Services Officer (R)

**Officers In Attendance** : A McAuley, Public Relations Manager (R)  
J Winfield, ICT Manager (R)  
C Thompson, ICT Officer (C)  
A Lennox, ICT Mobile Operations (C)

**In Attendance:** M Sheppard, Kelly's Complex (Item 7.4)

Press ( 3 No) (R)  
Public (2 No.) (R)

**Key** –                    **C** = Attended In The Chamber  
                                      **R** = Attended Remotely

The Mayor read the remote meetings protocol at the beginning of the meeting:

Welcome to the Council Meeting.

I extend a welcome to Members of the press and public in attendance. You will be required to leave the meeting when Council goes into committee. You will be readmitted by Democratic Services Officers as soon as the meeting comes out of committee. I would also remind you that the taking of photographs of proceedings or the recording of proceedings for others to see or hear is prohibited.

If you are having technical difficulties try dialling in to the meeting. If you continue to have difficulties please contact the number provided on the chat at the beginning of the meeting for Democratic Services staff and ICT staff depending on your query.  
The meeting will pause to try to reconnect you.

Once you are connected

- Mute your microphone when not speaking.
- Use the chat facility to indicate to that you wish to speak. The chat should not be used to propose or second.
- Please also use the chat to indicate when you are leaving the meeting if you are leaving before the meeting ends.
- Unmute your microphone and turn your camera on when you are invited to speak.
- Only speak when invited to do so.
- Members are reminded that you must be heard and where possible be seen to all others in attendance to be considered present and voting or your vote cannot be counted.



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

The Mayor opened the meeting and addressed Council:

*'I would like to pay tribute to the hard work of Council staff on the ground who I would refer to as unsung heroes, having witnessed some of their work first-hand when I visited those planting flowers. Much of this work goes recognised and I wish to pay tribute to them.*

*I recently visited Armoy Primary School where one child was disappointed I did not arrive in a stretch limousine.*

*I would ask that members conduct themselves in a respectful manner at all times and be assured that everyone will get their chance to speak. I remind members that discussion will only be permitted if relevant to the matter in hand. Should a member wish to raise a Point of Order please refer to the relevant section in the Standing Orders and if you wish to speak on an item please refer to the Item number from the relevant minutes so these can be considered in chronological order. I will invite the Chair and Vice-Chair of each Committee to Propose and Second the relevant Minutes.'*

## **2. APOLOGIES**

There were no apologies.

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

Councillor Knight-McQuillan – Corporate, Policy and Resources Committee Meeting - Item 11 (Ulster Tower Centenary Trip). Councillor Knight-McQuillan, did not participate in the Item.

Alderman Duddy – Leisure and Development Committee Meeting - Item 10 (NI 100 Projects). Alderman Duddy did not participate in the Item.

Alderman Robinson – Leisure and Development Committee Meeting - Item 4 (Presentation from Coleraine Football Club). Alderman Robinson did not participate in the Item.

Alderman Hillis – Environmental Services Committee Meeting – Item 19.3 Extension of Sunday Opening Hours. Alderman Hillis did not participate in the Item.

\* **Councillor Callan joined the meeting at 7.10 pm**

**4. MINUTES OF COUNCIL MEETING HELD TUESDAY 1 JUNE 2021**

Minutes, previously circulated.

Proposed by Councillor Hunter  
Seconded by Councillor McCaw and

**RESOLVED** – that the Minutes of the Council Meeting held Tuesday 1 June 2021 are confirmed as a correct record.

**5. MINUTES OF THE ANNUAL MEETING HELD MONDAY 7 JUNE 2021**

Minutes, previously circulated.

Proposed by Alderman Boyle  
Seconded by Alderman Duddy and

**RESOLVED** – that the Minutes of the Special Council Meeting held Monday 7 June 2021 are confirmed as a correct record.

**6. MINUTES OF PLANNING MEETING HELD WEDNESDAY 26 MAY 2021**

Minutes, previously circulated.

**RESOLVED** – that the Minutes of the Planning Committee meeting held Wednesday 26 May 2021 are received and noted.

**7. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 8 JUNE 2021**

Minutes, previously circulated were presented by the Chair Councillor Wilson, pending any matters arising.

**Matters Arising**

Councillor Quigley congratulated the staff involved in providing the show of wildflowers in the town.

**7.1**     Trial for Strimming Smaller patches of Lands in Towns (Item 19.1)

Councillor Quigley asked for clarification of strimming in the Kilrea area. The Director of Environmental Services confirmed that as part of a Trial, grass was being cut on Council owned land.

**7.2**     Update on when work will be starting in Cottagewood in Cushendall (Item 19.2)

Councillor M A McKillop requested an update regarding commencement of works at Cottage Wood. The Director of Environmental Services explained there was an internal issue with the contractor in terms of workforce and confirmed in July work would be undertaken by Council staff.

At the request of Councillor McMullan The Director of Environmental Services spoke of difficulties resourcing grass cutting crews due to the demand for labour but agreed to look at the area referred to by the member.

**\* Councillor McQuillan joined the meeting at 7.20 pm**

**7.3**     Extension of Sunday Opening Hours (19.3)

Proposed by Councillor Bateson  
Seconded by Councillor C McShane

-that Council engage as soon as possible with trade unions to reach agreement on longer Sunday opening hours over summer to help with tourism and customer/workers safety on reopening post lockdown.

Members speaking in support of the motion stated that it was important to recognise the rights of workers by engaging with the Chamber of Commerce and trade unions for retail workers.

During the ensuing debate the Director of Environmental Services advised that Council would not have the remit to negotiate with trade unions on behalf of third party employees. The Head of Health and Built Environment confirmed the current Sunday trading hours in accordance with Sunday Trading legislation as 1pm to 6pm with extended hours in areas designated as a holiday resort namely Ballycastle, Portrush and Portstewart. He advised that legislation set

out extended opening hours are permitted for shops larger than 280m<sup>2</sup>.

Members not in favour stated that one of the reasons for reduced opening hours on a Sunday was to ensure individuals could attend their place of worship in relative quiet without having to negotiate shoppers; that extended opening hours in designated holiday resorts was important due to the limited period of time tourists visited the area.

The Mayor ruled that the motion would not be put to the vote on the basis that it proposed action that was outside of Council legislative powers.

The proposer, Councillor Bateson stated that he understood the Mayor's ruling.

#### **7.4** Grant of New Entertainment Licence

The Head of Health and Built Environment presented this item explaining it was brought to Council due to the summer recess and the timebound nature of the request. The details of the application are as follows:-  
Licence No: EL405; Premises: Kelly's Village, 140 Dunluce Road, Portrush BT56 8JQ; Application: Grant of Indoor Entertainment Licence;  
Days and times on which it is applied to provide entertainment:  
Wednesday - Saturday 19:00hrs to 23:00hrs

An application has been received with respect to the above premises. This development which is the subject of a current Planning Application LA01/2020/0764/F comprises of 9 individual cabanas, picnic tables, a bar and stage, all located under a tent type canopy. The applicant wishes to apply for indoor entertainment consisting of dancing, singing, music or any other entertainment of a like kind.

**It is recommended** that Council consider the grant of an entertainments licence for the premises and if are so minded to, to include the condition above in addition to the standard licence conditions. The Head of Health and Built Environment informed members that part of the grant of a licence the applicant has the right to present their case to Council and advised there was a representative in attendance. The Mayor invited Mr Sheppard to address Council. Mr Sheppard introduced himself as the Entertainment Manager at Kelly's Complex and outlined how entertainment provision was moving in a new direction and venue was covid friendly, suitable for groups including patrons of the caravan park. Mr Sheppard emphasized the organisation did not want to cause any annoyance locally and was happy to take questions.

Proposed by Councillor Callan  
Seconded by Councillor Quigley and

**RESOLVED** - that Council approve the grant of an entertainments licence for the premises and include the condition above in addition to the standard licence conditions.

The Mayor advised there was no dissent.

The Mayor thanked Mr Shephard for his attendance and he left the meeting at 8.02 pm.

#### **7.5** 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 8 June 2021 are adopted and recommendations therein approved.

#### **8. MINUTES OF AUDIT COMMITTEE MEETING HELD WEDNESDAY 9 JUNE 2021**

Minutes previously circulated were presented by the Chair, Councillor Nicholl, pending any matters arising.

##### **Matters Arising**

#### **8.1** Correction to the Minutes

##### **8.1.1** Legal Cases Activity (Item 13)

Alderman S McKillop referred to the Legal Issue on the Causeway Public Right of Way, Alderman S McKillop asked that it was noted that *'a legal opinion had been received on 3 March and this was a complex legal matter which should not be rushed.'*

Proposed by Alderman S McKillop  
Seconded by Councillor Callan and

**AGREED** that Minute is amended to read 'legal opinion had been received on 3 March and this was a complex legal matter which should not be rushed.'

### **8.1.2 Revised Report to Those Charged with Governance 2019/20 (Item 4.1)**

Councillor P McShane stated the minute did not reflect what he had said.

Proposed by Councillor P McShane

Seconded by Councillor Quigley

- that Minute is amended to read, *“for those of us who are charged with governance, we are asked to accept the assurances of the Chief Finance Officer who has already misled Council. On behalf of those I represent, I cannot accept or support the findings given as so much relies on that individual.”*

Alderman S McKillop said she was not in agreement with Councillor P McShane and felt that the minute was a true reflection of what was said.

The Mayor put the motion to the Council to vote

16 Members voted For; 18 Members voted Against; 0 Members Abstained

The Mayor declared the motion Lost.

Councillor P McShane sought clarification on whether the Audit Committee meeting had been recorded.

The Director of Corporate Services advised that she had wrongly informed the Chair on the night of the meeting it was being recorded. The Director of Corporate Services further clarified the trial run for Committee meeting recordings in June included Leisure and Development and Environmental Services Committee and clarified from August all meetings would be recorded in full with the exception of the Planning Committee, this had been agreed by Council.

### **8.2 Performance Management (Item 7.2)**

Alderman S McKillop proposed an audit be undertaken to understand how the health and well being of employees impacted directly on performance and factors behind absenteeism figures.

In response to Members' queries, the Director of Corporate Services confirmed statistics are provided on short and long term absences quarterly through performance indicators and made reference to a HSENI survey carried out a number of years ago.

Following further discussion, Alderman S McKillop agreed to include in her proposal that costings be included in a report to the September Audit Committee.

Proposed by Alderman S McKillop  
Seconded by Councillor Callan and

**RESOLVED:** that an audit be undertaken to understand how the health and well being of employees impacts directly on performance and factors behind absenteeism figures; report including costings to be brought to September Audit Committee.

### **8.3 Adoption of Minutes**

Proposed by Councillor Nicholl  
Seconded by Alderman S McKillop and

**RESOLVED** - that the Minutes of the Audit Committee Meeting held Wednesday 9 June 2021 are adopted and recommendations therein Approved, excluding recommendation at Item 14.

## **9. MINUTES OF FINANCE COMMITTEE MEETING HELD THURSDAY 10 JUNE 2021**

Minutes previously circulated were presented by the Chair Alderman Hillis, pending any matters arising.

Proposed by Alderman Hillis  
Seconded by Councillor Callan and

**RESOLVED** - that the Minutes of the Finance Committee Meeting held Thursday 10 June 2021 are adopted and recommendations therein approved.

## **10. MINUTES OF LEISURE AND DEVELOPMENT MEETING HELD TUESDAY 15 JUNE TUESDAY 2021**

Minutes, previously circulated were presented by the Vice-Chair Councillor Watton, pending any matters arising.

## **Matters Arising**

### **10.1 Harry Gregg Foundation (Item 11)**

Councillor Bateson sought clarification on the recommendation to Council, the Director of Leisure and Development confirmed the minute accurately reflected the proposal, confirming that in the short term Option 3 was agreed and moving forward consideration would be given to a new capital support programme for 2022 financial year in line with Option 2.

### **10.2 £500 Bursary for the John Hewitt International Summer School 26-31<sup>st</sup> July 2021 in Armagh (Item 20 (ii))**

Alderman Boyle voiced her disappointment the vote was lost by one vote, and advised she had raised half of the bursary proposed with the assistance of elected some elected members

The Mayor informed Council he would make a contribution from the Mayor's budget for the shortfall.

### **10.3 Enterprise Fund (Item 8)**

Councillor McLaughlin congratulated the businesses in receipt of the Enterprise Fund and requested the names of the recipients. Councillor Knight-McQuillan said she had requested a geographic breakdown which she had received but had not entirely answered her query. Alderman Duddy considered the details of the recipients should be publicised.

The Director of Leisure and Development said that names of the businesses would be commercially confidential.

Councillor McLaughlin voiced concern that the Funding Unit Manager appeared to be unaware of the details around the Enterprise Fund and the Director of Leisure and Development agreed to inform members of those who sat on the panel.

### **10.4 NI 100 Projects (Item 10)**

Councillor Quigley stated that the cost of £20,000 could have been invested in sports provision for young people in the Borough as there



were areas of deprivation where sports provision was not fit for purpose.

#### **10.5 Adoption of Minutes**

Proposed by Councillor Watton  
Seconded by Councillor McQuillan and

**RESOLVED** - that the Minutes of the Leisure and Development Committee meeting held on Tuesday 15 June 2021 are adopted and recommendations therein approved.

#### **11. MINUTES OF CORPORATE POLICY AND RESOURCES COMMITTEE MEETING HELD TUESDAY 22 JUNE 2021**

Minutes previously circulated were presented by the Chair, Councillor Knight-McQuillan, pending any matters arising.

Proposed by Councillor Knight-McQuillan  
Seconded by Alderman Hillis and

**RESOLVED** - that the Minutes of the Corporate, Policy and Resources Committee Meeting held on Tuesday 22 June 2021 are adopted and recommendations therein approved.

#### **12. MATTERS FOR REPORTING TO PARTNERSHIP PANEL**

Proposed by Alderman Duddy  
Seconded by Councillor McQuillan and

**RESOLVED:** to refer the following matters from Environmental Services Committee Meeting held on Tuesday 8 June 2021 for reporting to the Partnership Panel:-

1. Purchase of Additional Marine Fuel Supply Tanks to comply with HMRC Legislation (Item 5)
2. Justice for Reggie (Item 14)

#### **13. CONFERENCES**

There were no conferences.

## **14. CORRESPONDENCE**

Report, previously circulated, presented by the Director of Corporate Services as read.

The following were listed:

### **14.1 Northern Ireland Housing Council correspondence**

The Minutes of The 480th Northern Ireland Housing Council meeting held on 13 May 2021 and June Bulletin, previously circulated.

### **14.2 Department of Agriculture, Environmental and Rural Affairs (DAERA) correspondence dated 1<sup>st</sup> June 2021**

A Press Release has been received from DAERA Minister, Edwin Putts MLA, announcing a delay to the introduction of pet travel checks at NI points of entry until at least 1 October 2021, link previously circulated.

### **14.3 Alison McCullough Chief Executive, Fermanagh and Omagh District Council correspondence dated 14<sup>th</sup> June 2021**

Re: Motion Implementation of our BDS support in relation to PSI/An Garda Siochana partnerships with Israeli security forces and companies with involvement in illegal Israeli settlements.  
Correspondence, previously circulated, requesting that Council take the action requested in relation to the Motion as set out within the correspondence.

### **14.4 Mayor of Mid and East Antrim Borough Council, Councillor W McCaughey, correspondence dated 16<sup>th</sup> June**

Correspondence received inviting Elected Members to attend the Annual Battle of the Somme Remembrance Parade and Service to be held at the Knockagh War Memorial on Sunday 27 June 2021, previously circulated.

**It is recommended** that Council consider the correspondence.

**RESOLVED** – that Council note the correspondence schedule

## 15. CONSULTATIONS

Report, previously circulated, presented by the Director of Performance.

- Northern Ireland Electricity Networks – Facilitation of Energy Storage Services (FESS) – submission by 16 July 2021
- Department of Agriculture, Environment and Rural Affairs – Carrier Bag Levy NI – submission by 27 July 2021
- Northern Health and Social Care Trust – Refurbishment of the Robinson Memorial Community Hospital – submission by 20 August 2021
- Northern Ireland Public Service Ombudsman – Creating Complaints Handling standards for the Northern Ireland Public Sector – Submission by 2 September 2021
- Department of Finance – Proposed changes to NICS Injury Benefits Scheme – Submission by 10 September 2021

**RESOLVED** – that Council note the Consultation Schedule.

## 16. SEALED 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, Numbers 5149-5156 (inclusive)
- (ii) Licence Agreement – Lands at the Crescent, Portstewart for the Erection and Use of a Ferris Wheel. Causeway Coast and Glens Borough Council and The Panoramic Wheel Company Limited (Ref L&P SC 20/09/02, CP&R 20/09/22, CM 20/10/06, L&P SC 21/05/05, CP&R 21/05/25, CM 21/06/01)
- (iii) Deed of Conveyance – Coleraine Town Hall, Between The Honourable the Irish Society and Causeway Coast and Glens Borough Council (Ref L&P SC 210505, CP&R 210525, CM 210601)
- (iv) Commercial Lease – The Crescent Café, The Crescent, Portstewart. Causeway Coast and Glens Borough Council to Native Seafood Limited (Ref L&P SC 210505, CP&R 210525, CM 210601)

- (v) Lease Premises at Lansdowne Shelter, Portrush – Causeway Coast and Glens Borough Council to Lisderg Holdings Ltd. (Ref L&P SC 210203, CP&R 210223, CM 210302, L&P SC 210505, CP&R 210525, CM 210601)
- (vi) Renewal of Licence, Restaurant, Coleraine Leisure Centre, 26a Railway Road, Coleraine – Causeway Coast and Glens Borough Council and Lynda Coyles (Ref L&P SC 201007, CP&R 201027, CM 201103)
- (vii) Landfill Performance Deed (CP&R 210427, CM 210601)
- (viii) Transfer Deed, Former Dungiven Sports Pavilion – Causeway Coast and Glens Borough Council to the Department of Education (L&P SC 210505, CP&R 210525, CM 210602)

Proposed by Councillor Callan  
Seconded by Alderman Hillis and

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

**MOTION TO PROCEED ‘IN COMMITTEE’**

Proposed by Councillor Callan  
Seconded by Councillor Mulholland and

**AGREED** – that Council move *‘In Committee’*.

- \* **Press and Public were disconnected from the meeting at 9.40 pm.**

***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***

**17. TENDER FOR THE ENGAGEMENT OF PRIVATE CONTRACTOR TO COMPLEMENT LITTER ENFORCEMENT**

Confidential report, previously circulated was presented by The Director of Environmental Services. The Director of Environmental Services explained that following a tender exercise to complement Litter Enforcement Provision across the Borough on a 12-month pilot basis, targeting dog fouling, littering and fly-tipping the tender process was complete. Members were keen to implement this service as

soon as possible; Due to July recess it was deemed appropriate to bring this report directly to Full Council in order to initiate the Contract by mid-summer.

**It is recommended** that Council award the 12-month pilot contract for the Engagement of a Private Contractor to assist in the management of Fixed Penalty Notices to offenders in contravention of the Litter (NI) Order 1994 and the Clean Neighbourhoods and Environment Act (NI) 2011 to Waste Investigations Support & Enforcement (WISE).

Proposed by Councillor McQuillan  
Seconded by Councillor McCaw and

**RESOLVED** that Council award the 12-month pilot contract for the Engagement of a Private Contractor to assist in the management of Fixed Penalty Notices to offenders in contravention of the Litter (NI) Order 1994 and the Clean Neighbourhoods and Environment Act (NI) 2011 to Waste Investigations Support & Enforcement (WISE).

## **18. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 8 JUNE 2021**

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

#### **18.1 Motorhome/Campervan Parking at Beach Road Car Park – Portballintrae (Item 18)**

Councillor Quigley enquired about the 'out of service' Sandhill Drive serviced Aire De Service and the Director of Leisure and Development advised that the machines had been damaged and awaiting repair within the warranty and that this would be undertaken by the Estates Team as soon as possible.

Councillor Quigley sought clarity on the provision for motor homes and staycations referring to the difficulties caravaners are encountering in finding suitable parking accommodation. The Director of Leisure and Development said that he recognised the huge demand for caravanners at present which exceed the expectations of Council and that un-serviced options were being explored at Ballyreagh with a view to users having access to toilet blocks at Council owned sites.

**19. MINUTES OF AUDIT COMMITTEE MEETING HELD WEDNESDAY  
9 JUNE 2021**

**Matters Arising 'In Committee'**

**19.1 Correction to the Minute - Whistle Blowing/Fraud (Item 14)**

In response to a query the Mayor confirmed that he did not consider that he was required to declare an interest in the item.

Councillor P McShane referring to the Audit Committee minutes stated that comments made by the Internal Auditor at the Audit Committee meeting had been removed from the minutes in his view, which had now rendered the subsequent recommendation unusable.

The Mayor reminded Elected Members that minutes of meetings are not a verbatim record and that a proposal to change the content would require a vote under standing orders.

Proposed by Councillor P McShane  
Seconded by Councillor Quigley and

- that the Minutes be amended to include comments from the Internal Auditor *'I am progressing investigation in line with direction of Chief Executive issued on 26<sup>th</sup> May 2021. This direction is in contravention with outcomes and recommendations made by internal audit, the independent investigator and HMRC.*

The Mayor put the motion to the Council to Vote  
17 Members voted For; 17 Members voted Against 17;0 Members  
Abstained  
The Mayor having the casting vote, voted Against  
The Mayor declared the motion lost.

- \* **The Director of Corporate Services left the meeting at 9.05 pm**
- \* **The Director of Leisure and Development joined the Mayor for the duration of the item.**

**19.2 Whistle Blowing/Fraud (Item 14)**

Amendment  
Proposed by Councillor Quigley  
Seconded by Councillor Peacock

- that given that the proposal is unclear a decision cannot be reached and given the issue of possible VAT irregularities it is therefore imperative that we await a response from HMRC before we proceed. We have concerns with the findings of the latest report based on its ambiguity. It has identified officers who themselves may have identified irregularities. We acknowledge the overwhelming evidence

of internal audit, the internal investigation and HMRC have agreed and await a response from HMRC on the appeal findings before we further consider.

The Mayor stated he was aware of the report, referred to by Councillor Quigley, that it had been circulated to group leads and advised the report had not been seen by all Elected Members and was not tabled for discussion at the Council meeting.

The proposer and seconder of the motion expressed concerns that without clarity on what was said by the Internal Auditor at the Audit Committee meeting fundamentally the minutes were not a true reflection of proceedings. Disappointment was also expressed as it had been understood that the report would be brought as an addendum to the Council meeting but this had not been done.

Alderman Duddy raised Standing Order 15.2 (f) *The following motions may be moved without notice:- To receive reports or adoption of recommendations of committees or officers and any resolutions flowing from.*

Following further debate Councillor Quigley withdrew her proposal with the agreement of her seconder.

Councillor Quigley raised Standing Order 24.5 Offensive expression:- A member shall not use offensive expression in reference to any Member of the Council or Council Official.

The Mayor asked that all Members act with dignity and be respectful.

- \* **The Mayor declared a recess at 9.45 pm.**
- \* **The meeting reconvened at 10.10 pm**
  
- \* **Councillor McAuley joined the meeting at 10.15pm.**

In response to Elected Members' questions, the Director of Leisure and Development clarified the Chief Executive's role in relation to disciplinary matters and advised that the findings of the process which had reached conclusion would be considered.

Concern was expressed by Members with regard to the matter under discussion and the content of the debate stating that Council's consideration of the matter extended only to the VAT issue.

Proposed by Councillor McMullan  
Seconded by Councillor McLean

- under Standing Order 18.14 (e): That the question be now put.

Proposed by Councillor McQuillan  
Seconded by Councillor Callan and

AGREED: that Council seek legal advice at this point in the meeting.

\* **The Mayor declared a recess at 10.35 pm to consult the Council Solicitor.**

\* **The meeting reconvened at 10.45 pm**

On resumption of proceedings legal advice was provided in relation to the matter by the Council Solicitor.

Following the provision of legal advice it was  
Proposed by Councillor Callan  
Seconded by Councillor Wilson

- that a Special Council meeting be convened following the discussion tonight and at recent Audit Committee to discuss the VAT element, current status of the issues raised, HMRC advice, with the oversight of the Finance Director who may wish to seek outside expertise if he considered it necessary.

Amendment  
Proposed by Councillor Peacock  
Seconded by Councillor McLaughlin

- that a Special Council meeting be convened to consider the VAT element and current status of the issues, the report and letter previously circulated to some Members, and HMRC advice; the authors of the report to answer Members' questions and to invite the Independent Audit Committee Member to the meeting.

Councillor Peacock requested a Recorded Vote.

Alderman Baird sought clarity on the detail within the Substantive Proposal and the Amendment.

The Mayor confirmed as follows:-

Substantive Motion:

That a Special Council meeting is held to discuss VAT element, current



status of the issues raised and HMRC advice with the oversight of Finance Director who may wish to seek outside expertise if he considered it necessary.

Amendment:

That a Special Council meeting is held to discuss VAT element, current status of the issues raised, the report and letter previously circulated to some Members, and HMRC advice; the authors of the report to answer Members' questions and to invite the Independent Audit Committee Member to the meeting.

Alderman Baird thanked the Mayor for providing clarity.

Amendment:

The Mayor put the Amendment to the Council to Vote.

18 Members Voted For; 19 Members voted Against; 0 Members Abstained.

The Mayor declared the Amendment Lost.

#### Recorded Vote Table

<b>For (18)</b>	Alderman Boyle
	Councillors Bateson, Beattie, Chivers, Dallat-O'Driscoll, McGlinchey, McGurk, McCaw, McLaughlin, McMullan, M A McKillop C McShane, P McShane, Mulholland, Nicholl, Peacock, Quigley, Schenning
<b>Against (19)</b>	Alderman Baird, Duddy, McKeown, S McKillop, Robinson, Fielding, Hillis
	Councillors Anderson, Callan, Holmes, Hunter, Knight-McQuillan, McAuley, McLean, McQuillan, Scott, Wallace, Watton, Wilson

#### Substantive Motion

The Mayor put the substantive motion to the Council to Vote.

34 Members voted For; 1 Member voted Against; 2 Members Abstained.

The Mayor declared the Motion Carried.

### Recorded Vote Table

For (34)	Alderman Baird, Boyle, Duddy, Fielding, Hillis, McKeown, S McKillop, Robinson
	Councillors Anderson, Bateson, Beattie, Callan, Chivers, Dallat-O'Driscoll, Holmes, Hunter, Knight-McQuillan, McAuley, McCaw, McGlinchey, McGurk, McLaughlin, M A McKillop, McLean, McMullan, C McShane, McQuillan, Nicholl, Peacock, Schenning, Scott, Wallace, Watton, Wilson
Against (1)	Councillor P McShane
Abstained (2)	Councillor Mulholland and Councillor Quigley

### **MOTION TO PROCEED 'IN PUBLIC'**

Proposed by Alderman Duddy

Seconded by Councillor Quigley and

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

This being all the business, The Mayor thanked everyone for their attendance and the meeting concluded at 11.10 pm.

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Mayor