



**CORPORATE POLICY AND RESOURCES COMMITTEE MEETING  
TUESDAY 27 SEPTEMBER 2022**

<b>No</b>	<b>Item</b>	<b>Summary of Key Recommendations</b>
1.	Apologies	<b>Alderman McLean Councillor Wilson</b>  <b>- that Council accede to the request from BBC to film proceedings.</b>
2.	Declarations of Interest	<b>Alderman Baird, Duddy, S McKillop Councillors McGurk, Storey</b>
3.	Minutes of Corporate Policy and Resources Committee Meeting held Tuesday 28 June 2022	<b>Signed as a correct record</b>
4.	Annual Performance Self-Assessment	<b>Information</b>
5.	Policies	
5.1	Redeployment	<b>to recommend that Council approve the Redeployment Policy</b>
5.2	Conflicts of Interest	<b>to recommend that Council approve the Conflicts of Interest Policy</b>

6.	Timetable of Council and Committee Meetings January – May 2023	<b>to recommend that Council shall hold its Rate Strike meeting on Thursday 9th February 2023 at 7pm; and hold Monday 13th February 2023 at 7pm and Tuesday 14th February 2023 at 7pm in the case of an adjournment; that Council shall hold its Annual Meeting on Tuesday 16th May 2023 at 7pm; that Council approve the proposed Timetable of Meetings Schedule, January 2023-May 2023 inclusive</b>
7.	Remembrance Events 2022	<b>to recommend that Council proceed as normal with Party Leads nominating Elected Members to attend each of the services using d'Hondt method.</b>
8.	Remote Meetings Legislation Meetings	<b>Information</b>
9.	Conferences	<b>to recommend that Council approve the cost of the course</b>
10.	Consultations	<b>Nil</b>
11.	Correspondence	<b>Nil</b>
12.	Matters for Reporting to the Partnership Panel	<b>Nil</b>
13.	Notice of Motion Proposed by Councillor P McShane, seconded by Councillor Quigley referred from Council Meeting, 26 <sup>th</sup> July 2022	

	<p><i>"(A) That the Mayor ask the CEO to consider his position and resign. If not accept within 24hrs the Council dismiss the CEO</i></p> <p><i>(B) That the Mayor instruct the Human Resources department to begin disciplinary investigations into two executive individuals identifiable in the Extraordinary Audit and one individual from the legal department.</i></p> <p><i>* to consider their actions to include the findings of the extraordinary audit but not limited to</i>  <i>* to create a call for evidence to fully inform an investigation and extend the investigation should others be identified including elected members</i>  <i>* to ask that any person responsible for incurring or authorising any expenditure declared unlawful shall repay it in whole or in part to the Council and where two or more persons are found to be responsible, that they shall be jointly and severally liable to repay the Council</i>  <i>*to use all legal powers at the disposal of the council and the legal system to obtain any resources, both assets and financial, that were lost to the ratepayers due to misconduct, malfeasance or unlawfully</i>  <i>* to refer those identified individuals to their relevant professional bodies in light of the evidence in this report and any additional evidence that may be forthcoming during investigations</i>  <i>* To consider all the above again at the next full council meeting should any voluntary resignations present themselves.</i>  <i>* to place on leave without prejudice all the individuals identified immediately</i>  <i>(C) to request the most senior individual left in position be promoted to the position of 'acting CEO' only until a temporary replacement can be installed"</i></p>	<p><b>Motion to alter lost</b></p>
<p><b>14.</b></p>	<p>Notice of Motion Proposed by Councillor P McShane, seconded by Councillor Quigley referred from Council meeting held 26<sup>th</sup> July 2022</p>	

	<i>That the Mayor ask the CEO to consider his position and resign. If not accept within 24hrs the Council suspend the Chief Executive and instigate a disciplinary investigation under the 1996 protocol.</i>	<b>Withdrawn</b>
	<b>'IN COMMITTEE' (Items 15 – 18 inclusive)</b>	
<b>15.</b>	Amendments to Standing Orders	<b><i>to recommend to Council the proposed amendments to Council's Standing Orders as outlined in the enclosed report and as specifically detailed in Appendix A hereto.</i></b>
<b>16.</b>	Populating the Organisation Structure	<b><i>Information</i></b>
<b>17.</b>	Corporate Services Management Accounts	<b><i>Information</i></b>
<b>18.</b>	Minutes of the Land and Property Sub Committee meeting held 7 September 2022	
<b>18.1</b>	Dunluce Centre, Portrush - Sale Contract of Dunluce Centre (Item 6.1)	<b><u><i>Amendment</i></u> <b><i>to recommend that Council approve the draft sale contract for Dunluce Centre, Portrush to progress the development of a family entertainment offering on the Dunluce Centre with the caveat that no more than 15% of the gross floor space is allocated for gaming machines so that point 6a (2) would now read as set out in the Minutes</i></b></b>
<b>18.2</b>	Limepark Playing Fields, Armoyn – Community Asset Transfer	<b><i>Information</i></b>

18.3	Adoption of the Minutes	<b><i>to recommend that Council approve the Minutes of the Land and Property Sub Committee meeting held 7 September 2022 and recommendations therein; subject to the Amendment to Dunluce Centre, Portrush Sale Contract of Dunluce Centre above.</i></b>
19.	Any Other Relevant Business (notified in accordance with Standing Order 12(o))	
(i)	Councillor Bateson <i>“Car parking pricing for Donaghy Brothers in Limavady”</i>	<b><i>Motion Lost</i></b>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE  
CORPORATE POLICY & RESOURCES COMMITTEE  
HELD IN THE COUNCIL CHAMBER, CIVIC HEADQUARTERS,  
AND VIA VIDEO-CONFERENCE ON  
TUESDAY 27 SEPTEMBER 2022 AT 8.00 PM**

- In the Chair:** Councillor C McShane (C)
- Present:** Alderman Baird (R), Duddy (C), Fielding (C), Hillis (C), Knight McQuillan (C), S McKillop (C), Councillors Beattie (R), Chivers (R), Dallat O'Driscoll (R), Holmes (C), McCaw (R), McGurk (R), Storey (C)
- Non - Committee Member Present:** Councillors P McShane (C), Quigley (C) (Items 13,14)  
Councillor Bateson (Item 19)
- Officers Present:** M Quinn, Director of Corporate Services (C)  
A McPeake, Director of Environmental Services (C)  
W McCullough, Head of Sport and Wellbeing (R)  
N McGurk, Head of Prosperity and Place (R)  
J McCarron, Performance Officer (R)  
J Keen, Committee and Member Services Officer (C)
- In Attendance:** R Dickson, Partner, Carson McDowell (R)  
A Lennox, Mobile Operations Officer (C)  
C Ballentine, ICT Officer (C)
- Press (3 No.) (R)  
Public (1 No.) (R)
- Key:** (C) Attended in the Chamber  
(R) Attended Remotely

The Director of Corporate Services undertook a roll call of committee members present.

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

## **1. APOLOGIES**

Apologies were recorded for Councillor Wilson.

The Chair put to the Committee that BBC had requested to film proceedings. The Chair advised permission is required and cited Standing Order 8 (5).

Proposed by Councillors Chivers  
Seconded by Councillor McGurk

- That the Corporate Policy and Resources Committee grant permission for the BBC to film proceedings

The Chair put the motion to the vote

13 Members vote For; 0 Members voted Against; 0 Members Abstained

The Chair declared the motion carried.

**RESOLVED** – that Council accede to the request from BBC to film proceedings.

The Chair advised that urgent business would be considered under Item 9 – Correspondence and clarified it was in relation to an Elected Member wishing to attend a course.

## **2. DECLARATIONS OF INTEREST**

Alderman Baird declared an Interest in Item 13 (Notice of Motion Proposed by Councillor P McShane, seconded by Councillor Quigley referred from Council Meeting, 26th July 2022) and Item 14 (Notice of Motion Proposed by Councillor P McShane, seconded by Councillor Quigley referred from Council Meeting, 26th July 2022). Alderman Baird did not participate in the item.

Councillor McGurk declared an Interest in Item 13 (Notice of Motion Proposed by Councillor P McShane, seconded by Councillor Quigley referred from Council Meeting, 26th July 2022) and Item 14 (Notice of Motion Proposed by Councillor P McShane, seconded by Councillor Quigley referred from Council Meeting, 26th July 2022). Councillor McGurk did not participate in the item.

Councillor Storey declared an Interest in Item 13 (Notice of Motion Proposed by Councillor P McShane, seconded by Councillor Quigley referred from Council Meeting, 26th July 2022) and Item 14 (Notice of Motion Proposed by Councillor P McShane, seconded by Councillor Quigley referred from Council Meeting, 26th July 2022). Councillor Storey left The Chamber prior to consideration of the Item; and did not vote.

Alderman Duddy declared an Interest in Item 18 Minutes of the Land and Property Sub Committee (Item 6.1). Alderman Duddy left The Chamber prior to consideration of the Item; and did not vote.

Alderman S McKillop declared an Interest in Item 18 Minutes of the Land and Property Sub Committee (Item 6.1). Alderman S McKillop left The Chamber prior to consideration of the Item; and did not vote.

### **3. MINUTES OF CORPORATE POLICY AND RESOURCES COMMITTEE MEETING HELD TUESDAY 28 JUNE 2022**

Copy, previously circulated.

**AGREED** – to recommend that the minutes of the meeting of 28 June 2022 were taken as read and signed as correct.

### **4. ANNUAL PERFORMANCE SELF-ASSESSMENT**

Report, previously circulated, presented by the Performance Officer.

#### **Purpose of Report**

The purpose of this report is to present to Elected Members for information Council's self-assessment of performance against set indicators during the year 2021/22

#### **Background**

The Local Government Act (NI) 2014, Part 12, sets out the key responsibilities that each Council has in relation to the Performance Duty. One of these key responsibilities is that in September of each year Council must make arrangements for the publication of its assessment of its performance during a financial year. Please find Council's self-assessment of performance for 2021/22 attached at Appendix 1 (circulated).

The key outcomes that are listed and assessed within this document relate to Performance Improvement Objectives, Statutory Indicators and Self-Imposed indicators. Furthermore, Council takes this opportunity to assess the mechanisms and systems that it has to ensure compliance with the Performance Duty including national benchmarking outcomes and the arrangements that we have in place to achieve continuous improvement.

#### **Recommendation**

**It is recommended** that Elected Members note the Performance Self-Assessment for 2021/22 as set out in Appendix 1 (circulated).

### **5. POLICIES**

#### **5.1 REDEPLOYMENT**

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

#### **Purpose of Report**

The purpose of this report is to present Council with the Redeployment Policy for consideration.

#### **Background**

##### **Redeployment Policy**

This policy is designed to assist employees at risk of redundancy to secure suitable alternative employment within Council. The policy also applies to, but



is not limited to, employees who are no longer able to continue in their current role due to a disability and other medical reasons such as ill-health capability. This Policy will supersede the previously agreed Redeployment Policy, dated 27 October 2015.

The draft policy has been considered at the Senior Leadership Team and also the Trade Unions through the Action Group and Joint Consultative and Negotiating Committee (JCNC).

In accordance with Council's duty under Section 75 Equality Legislation, the policies have been screened and the result is that they were screened "out".

### **Recommendation(s)**

**It is recommended** that the Redeployment Policy is recommended to Full Council for approval.

This item was considered with Item 5.2 Conflicts of Interest

## **5.2 CONFLICTS OF INTEREST**

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

### **Purpose of Report**

The purpose of this report is to present Council with the Conflicts of Interest Policy for consideration.

### **Background**

This Conflicts of Interest Policy seeks to ensure that conflicts of interest are identified and managed in a way that safeguards the integrity of staff and maximises public confidence in the Council's ability to deliver public services. The policy sets out the Council's commitment to the effective management of conflicts of interest and provides a framework for dealing with such conflicts in a consistent and transparent manner.

The policy provides guidance on potential conflict of interest situations that may be encountered by Council officers.

This policy should protect Council officers from criticism and misunderstanding and protect the Council from allegations of wrongdoing or bias. Compliance with this policy will help the Council demonstrate good governance and transparency.

The draft policy has been considered at the Senior Leadership Team and also the Trade Unions through the Action Group and Joint Consultative and Negotiating Committee (JCNC).

In accordance with Council's duty under Section 75 Equality Legislation, the policies have been screened and the result is that they were screened "out".

If approved, training will be provided to managers and staff in relation to the implementation of the policy.

**Recommendation(s)**

**It is recommended** that the Conflicts of Interest Policy is recommended to Full Council for approval.

In response to questions from Alderman Duddy, the Director of Corporate Services advised that conflicts of interest declared by staff are subject to GDPR and would need to seek guidance in relation to these being released into the public domain and that if there are any concerns these can be raised through Managers/Directors. It was further advised that subject to the Conflicts of Interest Policy being approved staff will receive training.

Proposed by Councillor Storey  
Seconded by Councillor McGurk and

– to recommend that Council approve the Redeployment Policy and the Conflicts of Interest Policy

The Chair put the Motion to the vote  
14 Members voted For; 0 members voted Against; 0 Members Abstained  
The Chair declared the motion carried

**6. TIMETABLE OF COUNCIL AND COMMITTEE MEETINGS JANUARY – MAY 2023**

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

**Purpose of Report**

The purpose of the report is to present the Schedule of Council and Committee Meetings (excluding Land and Property Sub Committee), from January 2023 - May 2023 inclusive, for Council decision.

**Background**

The day and frequency of Council and Committee meetings each month previously agreed, is presented as follows:

- Council Meeting – 1st Tuesday at 7pm;
- Environmental Service Committee – 2nd Tuesday at 7pm;
- Audit Committee - Quarterly on 2nd Wednesday at 7pm;
- Finance Committee – 2nd Thursday at 7pm;
- Leisure and Development Committee – 3rd Tuesday at 7pm;
- Corporate Policy and Resources Committee – 4th Tuesday at 7pm;
- Planning Committee (with full Council powers) – 4th Wednesday at 10.30am.

**Rate Strike Meeting 2023**

Councils are legally required to strike the rate no later than 15th February

each year.

It is proposed that Council shall hold its Rate Strike Meeting on Thursday 9th February 2023 at 7pm. It is further proposed that Council shall hold Monday 13th February 2023 at 7pm and Tuesday 14th February 2023 at 7pm, in the event of allowing time for any potential adjournment (if required) and enable Council to strike within the appointed timeframe.

### **Local Government Elections - Thursday 4th May 2023**

The Local Government Elections will be held on Thursday 4th May 2023.

Council Officers have sought information from NILGA whom have advised the pre-election period (previously known as purdah) is normally 6 weeks prior to Elections, approximately from Thursday 23rd March 2023.

In advance of the NI Assembly Elections May 2022, NILGA circulated a Guidance Note and 'Appendix 1', Pre-Election Sensitivity and Planning Committees (copy circulated for information). The document will be updated for the Local Elections in 2023.

### **The Annual Meeting 2023**

In accordance with Council's Standing Orders, 1 (2) In any year which is a local election year, the Annual Meeting shall be held within twenty-one days immediately following the election, at such time as the Council may fix, at the offices of the Council or at such other place as the Department may direct. It is proposed that Council shall hold its Annual Meeting on Tuesday 16th May 2023 at 7PM.

### **Proposed Schedule of Council and Committee Meetings January 2023 – May 2023 inclusive**

The proposed Timetable of Meetings Schedule has been presented taking into account key public holiday periods. Rescheduled meeting dates/times have been presented throughout for Council decision, where appropriate.

Elected Member's attention is drawn to a proposed rescheduling of the first week of January 2023.

### **Recommendation**

It is recommended that Council shall hold its Rate Strike meeting on Thursday 9th February 2023 at 7pm; and hold Monday 13th February 2023 at 7pm and Tuesday 14th February 2023 at 7pm in the case of an adjournment;  
that Council shall hold its Annual Meeting on Tuesday 16th May 2023 at 7pm;  
that Council approve the proposed Timetable of Meetings Schedule, January 2023-May 2023 inclusive, attached as Appendix II (circulated).

Proposed by Alderman Knight McQuillan  
Seconded by Alderman Fielding and

**AGREED** – to recommend that Council shall hold its Rate Strike meeting on Thursday 9th February 2023 at 7pm; and hold Monday 13th February 2023 at 7pm and Tuesday 14th February 2023 at 7pm in the case of an adjournment;  
that Council shall hold its Annual Meeting on Tuesday 16th May 2023 at 7pm;  
that Council approve the proposed Timetable of Meetings Schedule, January 2023-May 2023 inclusive, attached as Appendix II (circulated).

## 7. REMEMBRANCE EVENTS 2022

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

### **BACKGROUND**

The purpose of this report is to consider and agree Council representation at the annual Remembrance Sunday services across the Causeway Coast and Glens Borough Council area (see below).

Council has previously agreed that attendance at Remembrance Services would be as follows:

“The Mayor and Deputy Mayor decide which event they wish to attend on Remembrance Sunday and that the other Elected Members be nominated to represent Council by Party Leads using D’Hondt.”

The above process has been followed with Elected Members attending services in the area of their choice.

### **RECOMMENDATION**

While final confirmation regarding the format for Remembrance Services this year has not yet been received, **it is recommended** that Council proceed as normal with Party Leads nominating members to attend each of the services using D’Hondt.

Alderman Knight McQuillan advised that although there is no official Church Service in Aghadowey there will be a service at the War Memorial.

The Chair advised the report can be amended to reflect this.

Proposed by Alderman Knight McQuillan  
Seconded by Alderman Baird and

**AGREED** – to recommend that Council proceed as normal with Party Leads nominating members to attend each of the services using D’Hondt.

## 8. REMOTE MEETINGS LEGISLATION MEETINGS

Verbal Update provided by the Director of Corporate Services for information.

The Director of Corporate Services advised that this was a verbal update because Council was awaiting confirmation which was received on Monday 26 September 2022. The confirmation from the Department of Communities is that a further extension has been made to extend Section 78 of the Coronavirus Act for 6 months months; until 24 March 2023

## **9. CONFERENCES**

One conference was brought to Members attention as urgent business. This is a request from Councillor McKillop to attend a course which is commencing very shortly hence why it being brought to the Corporate Policy and Resources Committee. The course it is a diploma in Community Development Practice, through the Rural Community Network, the cost is £150 for the year. This was recommended for approval.

Proposed by Alderman Baird  
Seconded by Councillor Dallat O'Driscoll and

**AGREED** – to recommend that Council approve the costs of the course.

## **10. CONSULTATIONS**

There were no consultations.

## **11. CORRESPONDENCE**

There was no correspondence.

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

There were no Matter to report to the Partnership Panel.

- \* **The Director of Corporate Services left the meeting at 8:26pm.**
- \* **The Director of Environmental Services moved to the top table at 8:26pm.**

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

Proposed by Alderman Duddy  
Seconded by Alderman Knight McQuillan and

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

- \* **Members of the Press left the meeting at 8:27pm.**

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

- \* **Councillor Storey left the Chamber at left the meeting at 8:28pm.**

**13. NOTICE OF MOTION PROPOSED BY COUNCILLOR P MCSHANE,  
SECONDED BY COUNCILLOR QUIGLEY REFERRED FROM COUNCIL  
MEETING, 26 JULY 2022**

*"(A) That the Mayor ask the CEO to consider his position and resign. If not accept within 24hrs the Council dismiss the CEO*

*(B) That the Mayor instruct the Human Resources department to begin disciplinary investigations into two executive individuals identifiable in the Extraordinary Audit and one individual from the legal department.*

*\* to consider their actions to include the findings of the extraordinary audit but not limited to*

*\* to create a call for evidence to fully inform an investigation and extend the investigation should others be identified including elected members*

*\* to ask that any person responsible for incurring or authorising any expenditure declared unlawful shall repay it in whole or in part to the Council and where two or more persons are found to be responsible, that they shall be jointly and severally liable to repay the Council*

*\*to use all legal powers at the disposal of the council and the legal system to obtain any resources, both assets and financial, that were lost to the ratepayers due to misconduct, malfeasance or unlawfully*

*\* to refer those identified individuals to their relevant professional bodies in light of the evidence in this report and any additional evidence that may be forthcoming during investigations*

*\* To consider all the above again at the next full council meeting should any voluntary resignations present themselves.*

*\* to place on leave without prejudice all the individuals identified immediately*

*(C) to request the most senior individual left in position be promoted to the position of 'acting CEO' only until a temporary replacement can be installed"*

Councillor P McShane presented the Notice of Motion.

Councillor P McShane stated the proposals were submitted to the Special Council Meeting in July, they were submitted without complaint to the next Corporate Policy and Resources Committee, eight weeks later. Councillor P McShane stated he believed this was a move to elongate the process to take the sting out of the community's reaction to the Extraordinary Audit. Councillor P McShane stated that during the eight weeks a proposal was brought by Officials which undermined and circumvented the proposals already accepted by Council; he advised the action was ultra vires, and stated possibly not legal, this should have been challenged and he advised that it still could be challenged. Councillor P McShane indicated he would not be identifying individuals; that he would speak to the motion and immediately amend the motion, given what had proceeded.

Councillor P McShane stated on 9<sup>th</sup> August he submitted representation and evidence under the Raising Concerns Policy to Internal Audit which related to a senior official identified in the Extraordinary Audit drawing up the draft Action

Plan, in response to the Extraordinary Audit. Council P McShane stated that Officials were attempting to investigate themselves; attempting to influence the Council's response to the Action Plan.

Councillor P McShane stated officials who were designated to lead on a number of recommendations had expressed concern in the involvement of Senior Officials identified in the Extraordinary Audit. Councillor P McShane asked the Director of Environmental Services to confirm this. The Director of Environmental Services confirmed that notification had been issued to any Officer named in the Extraordinary Audit not to get involved; he advised this was made very clear.

Councillor P McShane stated that he was aware that at least one Official had recused themselves from taking part in the Action Plan, that he had been led to believe and asked the Director of Environmental Services to confirm if this was correct. The Director of Environmental Services confirmed this was correct.

Councillor P McShane stated that he had raised concerns with the Audit Office and the Department for Communities. Councillor P McShane referred to the response he received from the Department for Communities which confirmed that independent individuals should be involved with the Action Plan. Councillor P McShane referred to the external representation involved in drafting the Action Plan confirming that there had been no procurement that had been carried out in relation to the sister company of the legal firm since the inception of Causeway Coast and Glens Borough Council. Councillor P McShane stated he could not confirm the number of contracts which had previously been awarded, as he stated Officials were still withholding this information. Councillor P McShane stated that since the concerns regarding the legal firm had been raised the legal firm had pulled out of providing legal advice. Councillor P McShane stated that it was a major issue that Council still have a link from one Officer identified in the Extraordinary Audit and awarding of the contract to the legal firm.

Councillor P McShane stated that given there was clear unequivocal evidence of interference in the Council's response to the Extraordinary Audit by these individuals not having acted lawfully, he wished to amend his Notice of Motion as follows:

#### Amendment

Proposed by Councillor P McShane

- To recommend that the Notice of Motion is Amended to - In light of this new evidence, and evidence will be provided to the Chair and it can be dispersed among Members, that this Council immediately moves to protect itself and Officials identified in the Extraordinary Audit and immediately moves to suspend the four Officials without prejudice until the conclusion of all the points in the Action Plan and acceptance of same by the Department of Communities. This move will also protect staff who have been asked to implement the Action Plan free from being directly line managed by those found to not have acted lawfully.

Councillor Quigley stated that before she seconded the motion, she wished to seek clarity from the Director of Environmental Services.

In response to Councillor Quigley's questions for clarity, the Director of Environmental Services confirmed he did not receive legal advice regarding the Notice of Motions presented and that he has not discussed them with other senior Officers in the Council.

Alderman Hillis raised a Point of Order, Standing Order 18.2, '*Alteration of Motion*' and cited from Standing Orders Alderman Hillis stated that if a Member wished to alter a motion, it had to be with the consent of the meeting.

The Chair read Standing Order 18.2 and advised a vote would be taken to seek the consent of Committee Members.

Councillor P McShane stated he was distressed the motion had been circumvented by Officials in Council; that it was impossible to take a motion. He advised this was ultra vires and should have been tested before being taken to the floor.

The Chair confirmed that consent of the meeting was required and put the request to Amend the Notice of Motion to the Committee to vote

5 Members voted For; 6 Members voted Against; 0 Members Abstained.  
The Chair declared the Motion lost.

The Chair invited Councillor P McShane to speak.

Councillor P McShane advised he could not speak.

**14. NOTICE OF MOTION PROPOSED BY COUNCILLOR P MCSHANE,  
SECONDED BY COUNCILLOR QUIGLEY REFERRED FROM COUNCIL  
MEETING HELD 26 JULY 2022**

*That the Mayor ask the CEO to consider his position and resign. If not accept within 24hrs the Council suspend the Chief Executive and instigate a disciplinary investigation under the 1996 protocol.*

Councillor P McShane stated he wished to withdraw the Notice of Motion and that this had been noted to the Director of Environmental Services.

- \* **Councillor P McShane left the meeting at 8:42pm.**
- \* **Councillor Quigley left the meeting at 8:42pm.**
- \* **The Director of Corporate Services returned to the meeting at 8:43pm.**



## 15. AMENDMENTS TO STANDING ORDERS

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

### **Purpose of Report**

To amend Council's Standing Orders to provide clarity in the interpretation of same and to also reflect Council's current practices in their application

### **Recommendation(s)**

**It is recommended** that the Corporate Policy and Resources Committee notes the advice of the Council Solicitor and recommends to Council the proposed amendments to Council's Standing Orders as outlined in the enclosed report and as specifically detailed in Appendix A hereto.

Proposed by Alderman Duddy  
Seconded by Alderman Knight McQuillan and

**AGREED** – to recommend to Council the proposed amendments to Council's Standing Orders as outlined in the enclosed report and as specifically detailed in Appendix A hereto.

## 16. POPULATING THE ORGANISATION STRUCTURE

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

### **Purpose of Report**

The purpose of this report is to provide Members with a Progress report on the implementation of the locally agreed terms and conditions and population of the Organisation Structure from the Directors of Leisure and Development and Environmental Services.

### **Recommendation(s)**

**It is recommended** that the Corporate Policy and Resources Committee note this report.

## 17. CORPORATE SERVICES MANAGEMENT ACCOUNTS PERIOD 4 2022/23

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

### **Purpose of Report**

The purpose of this report to provide Members with information on the current financial position of Corporate Services Directorate at the end of Period 4.

### **Recommendation**

That Council note the information presented

\* **The Director of Corporate Services left the meeting at 8:47pm.**

## 18. MINUTES OF THE LAND AND PROPERTY SUB COMMITTEE MEETING HELD 7 SEPTEMBER 2022

Minutes, previously circulated.

### Matters Arising

#### 18.1 Dunluce Centre, Portrush - Sale Contract of Dunluce Centre (Item 6.1)

Alderman Hillis raised questions regarding 25% of the gross floor space being allocated to gaming machines.

The Head of Prosperity and Place and Solicitor provided detail regarding the special conditions which had been included in the sale of the contract for the Dunluce Centre. The Head of Prosperity and Place shared his screen via MS Teams and presented the document.

Alderman Duddy and Alderman S McKillop declared an interest at this point as due to being Members of the Planning Committee.

- **Alderman Duddy and Alderman S McKillop left The Chamber during consideration of the item.**

Councillor Holmes considered the wording of the special conditions did not accurately reflect what Council were trying to say.

Alderman Fielding expressed concern regarding the change in percentage of floor space allocated for the gaming machines.

#### Amendment

Proposed by Alderman Hillis

Seconded by Councillor Holmes and

- to recommend that Council approve the draft sale contract for Dunluce Centre, Portrush to progress the development of a family entertainment offering on the Dunluce Centre with the caveat that no more than 15% of the gross floor space is allocated for gaming machines so that point 6a (2) would now read

*'activities authorised by an Amusement Permit or Pleasure Permit as defined in The Betting, Gaming, Lotteries & Amusements (Northern Ireland) Order 1985 (the "1985 Order") ; with the inclusion of correctly licensed gaming machines as defined in the 1985 Order (**such machines, customer walkways between said machines, arcade furniture and any required barrier railing around adult only machines**) not comprising more than 15% of the gross internal floor area of the proposed development from time to time and subject to such gaming machines providing a mixed offering of cash only and non-cash prizes) ("Permitted Licensed Machines") and in respect of the ability to reasonably withhold consent for a change of use it is*

*accepted that the Council may withhold consent if it can reasonably demonstrate the change of use could materially adversely affect the quality or level of family leisure facilities or otherwise be materially and adversely detrimental to the promotion of tourism in the Portrush area.'*

The Chair put the Amendment to the vote.

8 Members voted For, 3 Members voted Against, 0 Members Abstained

The Chair declared the amendment carried.

## **18.2 Limepark Playing Fields, Armoy – Community Asset Transfer**

Alderman Baird stated the Land and Property Sub Committee Minute did not reflect the clause for the length of the lease should be discussed with the Community Association as the suggested 25 years seemed to be a long period of time.

The Director of Environmental Services referred to the Minutes to advise that it was agreed that a lease of up to 25 years would be considered and stated that the Minute did reflect the option of a shorter lease. In response to further questions the Director of Environmental Services confirmed that a termination clause was included in leases.

## **18.3 Adoption of the Minutes**

Proposed by Alderman Knight McQuillan

Seconded by Councillor McGurk and

**AGREED** – to recommend that Council approve the Minutes of the Land and Property Sub Committee meeting held 7 September 2022 and recommendations therein; **subject to the Amendment to Dunluce Centre, Portrush Sale Contract of Dunluce Centre above.**

## **19. ANY OTHER RELEVANT BUSINESS (NOTIFIED IN ACCORDANCE WITH STANDING ORDER 12(O))**

- (i) Councillor Bateson  
*“Car parking pricing for Donaghy Brothers in Limavady”*

Councillor Bateson presented the item of Any Other Relevant Business.

Councillor Bateson acknowledged that Donaghy Brothers had paid the fee requested and stated he wished to make it a proposal that Council charge a minimal fee and show good will by paying back some of the fee paid. He stated Donaghy Brothers had invested in the area and were contributing to the local economy.

Discussion occurred regarding the detail of this situation, compliance Land and Property Policy and Procedure and how the method for calculating the fee. During the discussion Councillor McGurk referred to the fee being high and

proposed to refer the issue back to the Land and Property Sub Committee to consider the legalities. Councillor McGurk later withdrew her proposal.

In response to questions, the Director of Environmental Services advised that policy and procedure had been followed, provided detail of the situation, and confirmed how the fee was calculated and referred to the cost of the alternatives for the company not using the car park. The Director of Environmental Services confirmed the company had paid the fee to Council.

Alderman Knight McQuillan raised a Point of Order stating that if a motion was not seconded straight away before further debate, the proposal cannot be taken as in guidance at recent Chair training she had attended.

The Chair stated this was a very strict reading.

Alderman Knight McQuillan stated it was part of the Chair training and she did question it at the time.

The Chair ruled the proposal to proceed.

Councillor Bateson restated the proposal. The Chair disallowed the proposal from Councillor Bateson as he was a Non Committee Member.

Proposed by Councillor Chivers  
Seconded by Councillor McGurk

– to recommend that Council give a proportion of the fee originally paid back and if a fee needs to be paid it is minimal at £30 a week which is roughly £1400 for the duration of the construction period, whatever the deficit of that was, Council would pay back to Donaghy Brothers.

Councillor Chivers requested a Recorded Vote.

The Chair put the motion to the vote.  
5 Members voted For; 6 Members voted Against; 0 Members Abstained.  
The Chair declared the motion lost.

#### Recorded Vote Table

For (5)	Councillor Beattie, Chivers, Dallat O'Driscoll, McGurk, C McShane
Against (6)	Alderman Baird, Fielding, Hillis, Knight McQuillan, S McKillop
	Councillor Holmes

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

Proposed by Alderman Knight McQuillan  
Seconded by Alderman S McKillop and

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

There being no further business the Chair thanked everyone for their attendance and the meeting concluded at 9:53pm.

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Chair