

COUNCIL MEETING TUESDAY 25 APRIL 2023

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No.	Item	Decision
1.	The Mayors' Business	None
2.	Apologies	None
3.	Declarations of Interest	None
4.	Minutes of Council Meeting held Tuesday 4 April 2023	
	Matters Arising	
4.1	Consultation Schedule (Item 15.5)	Information
4.2	Minutes of Special Council Meeting held Monday 27 March 2023 (Item 10.1)	Information
4.3	Confirmation of the Minutes	Taken as read and signed as correct
5.	Minutes of the Planning Committee meeting held Wednesday 22 March 2023	Received and Noted
6.	Minutes of Environmental Services Committee meeting held Wednesday 5 April 2023	Adopted and recommendations therein approved
7.	Minutes of Leisure and Development Committee meeting held Tuesday 18 April 2023	Adopted and recommendations therein approved
	Matters Arising	
7.1	SSRP Tender Report (Item 11)	Information
8.	Minutes of Reconvened Finance Committee meeting held Wednesday 19 April 2023, Reconvened on Thursday 20 April 2023	Adopted and recommendations therein approved
9.	Minutes of Corporate Policy & Resources Committee meeting held Thursday 20 April 2023	Adopted and recommendations therein approved
10.	Matters for reporting to the Partnership Panel	None

11.	Conferences	None
12.	Correspondence	Noted
12.1	K Smyth, Head of Policy and Governance, NILGA, correspondence dated 31 March 2023	Noted
12.2	A McCombe, Chairperson, Portrush Sea Cadets, correspondence dated 12 April 2023	Noted
13.	Consultation Schedule	Noted
14.	Seal Documents	Seal Affixed
	'In Committee' (Items 15 – 16.2 inclusive)	
15.	Environmental Services Report	
15.1	Emergency sediment levelling at Council Harbours	<i>That Council agreed Option 1, (works carried out by a competitive publicly procured external contractor), the tender report for this option being presented by the E.S. Director at the Full Council Meeting</i>
16.	Minutes of Finance Committee meeting held Wednesday 19 April 2023, Reconvened on Thursday 20 April 2023 <i>In Committee</i>	
	Matters Arising In Committee	
16.1	Office Security (Item 12)	<i>Amendment Lost That this Council comes back with a much more informed report to all Councillors so they can make a better informed decision; Anyone found guilty should be liable for misconduct and should not be asking rate payers to bail them out and should be liable for their own costs; Court has listed case for mention only on 5 May with a date to be set for</i>

		<i>a full hearing so this will give sufficient time for Council to consider this matter.</i>
16.2	Management Accounts (Item 4)	<i>Information</i>

UNCONFIRMED

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE
COUNCIL HELD IN THE COUNCIL CHAMBER AND VIA VIDEO CONFERENCE
ON TUESDAY 25 APRIL 2023 AT 7.00PM**

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

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

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

Officers Present : D Jackson, Chief Executive (C)
M Quinn, Director of Corporate Services (R)
A McPeake, Director of Environmental Services (C)
R Baker, Director of Leisure and Development (C)
P Donaghy, Democratic & Central Services Manager (R)
D Wright, Chief Finance Officer (R)
J Mills, Land and Property Solicitor (R)
S Gamble, Corporate Communications and PR Manager (R)
I Owens, Committee & Member Services Officer (C)
J Keen, Committee & Member Services Officer (R)

In attendance : A Lennox, Mobile Operations Officer (C)
C Thompson, ICT Officer (C)

Press (1 no.) (R)
Public (1 no.) (R) (1 no.) (C)

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

There was no Mayors business.

2. APOLOGIES

There were no apologies.

3. DECLARATION OF MEMBERS' INTERESTS

There were no declarations of interest.

4. MINUTES OF COUNCIL MEETING HELD TUESDAY 4 APRIL 2023

Copy, previously circulated.

Matters Arising

4.1 Consultation Schedule (Item 15.5)

Councillor C McShane wished to discuss a consultation on Nuclear Waste for which the submission date was 24 May 2023. Councillor C McShane wished to respond indicating Council's opposition.

The Mayor ruled the minutes were being considered for accuracy and suggested that Councillor C McShane speak directly to the Chief Executive in this regard.

4.2 Minutes of Special Council Meeting held Monday 27 March 2023 (Item 10.1)

Alderman S McKillop advised she was waiting on clarification that her requested amendments were on record and the Mayor acknowledged her request.

4.3 Confirmation of the Minutes

Proposed by Councillor MA McKillop
Seconded by Councillor Mulholland and

RESOLVED – that the Minutes of the Council meeting held Tuesday 4 April 2023, were taken as read and signed as a correct record.

5. MINUTES OF THE PLANNING COMMITTEE MEETING HELD WEDNESDAY 22 MARCH 2023

Copy, previously circulated.

RESOLVED – that the Minutes of the Planning Committee meeting held Wednesday 22 March 2023 are received and noted.

6. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD WEDNESDAY 5 APRIL 2023

Copy, previously circulated.

Proposed by Alderman Fielding
Seconded by Councillor MA McKillop and

RESOLVED – that the Minutes of the Environmental Services Committee meeting held Wednesday 5 April 2023 are adopted and recommendations therein approved.

7. MINUTES OF LEISURE AND DEVELOPMENT COMMITTEE MEETING HELD TUESDAY 18 APRIL 2023

Copy, previously circulated.

Matters Arising

7.1 SSRP Tender Report (Item 11)

Alderman Baird said she was pleased to see the playpark at Armoys and Mossdale Community Centre coming to fruition and wished to recognise the hard work undertaken by those who live in these villages.

7.2 Adoption of the Minutes

Proposed by Councillor McCaw
Seconded by Councillor Watton and

RESOLVED – that the Minutes of the Leisure and Development Committee meeting held Tuesday 18 April 2023 are adopted and recommendations therein approved.

8. MINUTES OF FINANCE COMMITTEE MEETING HELD WEDNESDAY 19 APRIL 2023

Copy, previously circulated.

Proposed by Alderman McLean
Seconded by Alderman Hillis and

RESOLVED – that the Minutes of the Finance Committee meeting held Wednesday 19 April 2023, reconvened on Thursday 20 April are adopted and recommendations therein approved.

9. MINUTES OF CORPORATE POLICY & RESOURCES COMMITTEE MEETING HELD THURSDAY 20 APRIL 2023

Copy, previously circulated.

Proposed by Councillor McCaw
Seconded by Alderman Hillis and

RESOLVED – that the Minutes of the Corporate Policy and Resources Committee meeting held Thursday 20 April 2023 are adopted and recommendations therein approved.

10. MATTERS FOR REPORTING TO THE PARTNERSHIP PANEL

There were no matters for reporting to the Partnership Panel.

11. CONFERENCES

There were no conferences listed.

12. CORRESPONDENCE

Report, previously circulated, presented as read.

Purpose of Report

The purpose of the report is to present correspondence for Members' consideration.

The following correspondence has been received:

i. K Smyth, Head of Policy and Governance, NILGA, correspondence dated 31 March 2023

Council is advised of key issues and dates, noted below, to ensure awareness and understanding of the information we need from Councils, and the relevant timeline. The process involved by way of nominations to NILGA and to enable us to populate Councillors on outside bodies through NILGA, is relatively simple.

Key Dates and Issues – Council Elections and Immediate Next Steps

- 18th May – Council Elections, 462 members returned
- 23rd May – Regional d'Hondt (ALL NI) calculations and preparation of appointments table by NILGA. NILGA will write to each council in relation to their possible proportional representation to the Association.
- NILGA will seek:
 - 8 members from each council (10 from Belfast) for the NILGA 'Full' membership. These nominations should reflect the political

proportionality and diversity (in equality terms) of your council members;

- 1 member (who may or may not be one of the aforementioned 8) to sit on the Elected Member Development Policy and Learning Network. Other policy structures will be populated at a later date;
- Notification of 1 member to represent the council on the Political Partnership Panel (currently in abeyance). This nomination may attract Special Responsibility Allowance from your Council.
- 8th June - council AGMs completed
- 23rd June – AGM and NILGA Executive Committee – Seamus Heaney
- Homeplace

ii. A McCombe, Chairperson, Portrush Sea Cadets, correspondence dated 12 April 2023

Letter has been received following up on a previous letter dated 8 March 2023 regarding 2023 Application for a mooring at Portrush Harbour and request for consideration to be given to waiving the mooring/marina and storage fees for Portrush Sea Cadets Charity.

It is recommended that Council consider the correspondence.

RESOLVED – that Council note the correspondence schedule (Items i-ii).

13. CONSULTATION SCHEDULE

Consultation schedule, previously circulated, presented as read.

- (i) DAERA Marine Licensing Team Marine Licence Consultation: Ballycairn CSO, Coleraine - Construction storm outfall submission by 27 April 2023
- (ii) Mid and East Antrim Borough Council Consultation for the new Disability Action Plan 2023-2027 and Equality Scheme with Equality Action Plan 2023-2027 submission by 9 May 2023
- (iii) Northern Ireland Electricity Networks Consultation on NIE Networks Providing Distribution Generation Export Offers to Applicants Less than 5MW submission by 12 May 2023
- (iv) Department of Communities Consultation on a prospective Scheme of Delegation for the Charity Commission for Northern Ireland submission by 15 May 2023
- (v) Department of Communities Consultation on Section 75 Equality Action Plan 2022/2025 submission by 31 May 2023
- (vi) Department of Finance Consultation on the draft Statutory Rule for the Retrospective Remedy in relation to work to remove the discrimination identified in the judgement known as “McCloud” submission by 2 June 2023

- (vii) Department of the Economy Consultation on Draft Equality Scheme 2022-27, Draft Audit of Inequalities and Action Plan 2022-27 and Draft Disability Plan 2022-27 submission by 4 June 2023
- (viii) Health and Social Care Consultation - Equality and Disability Action Plans 2023-28 submission by 3 July 2023
- (ix) Ulster University Equality screening of Ulster University's new and revised policies - Public consultation submission 7 July 2023

Available to view

- (i) Department of Education Equality Screenings Q/E March 2023
- (ii) Department of Communities Affordable Rent Branch Publication of the Intermediate Rent Policy Document and 'Homes for Intermediate Rent Design Standards' Document
- (iii) Waterways Ireland Waterways Ireland Equality and Disability Action Plans 2023-2025

Open Consultations were listed (previously circulated).

RESOLVED – that Council note the Consultation Schedule.

14. 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 5560 to 5574 inclusive;
- (ii) Supplemental Lease – RJ Pattison Nutt & Sons Limited and Causeway Coast and Glens Borough Council - Transfer Station Artikelly, Aghanloo, Limavady
- (iii) Addendum - Licence to Enter Upon Lands and Conduct Works and Maintenance Post Works at Anderson Park, Coleraine – Causeway Coast and Glens Borough Council and Northern Regional College (L&P SC 230320, CP&R 230328, CM 230404)

Proposed by Councillor Callan
Seconded by Alderman Baird and

RESOLVED – that the Sealing of documents, as listed, be approved (Items i-iii)

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Councillor Mulholland
Seconded by Councillor McKillop and

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

- * **Press were disconnected from the meeting at 7:15 pm**
- * **Public Gallery left The Chamber at 7:15 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.

- * **Councillor Quigley joined the meeting remotely at 7.20 pm**
- * **Councillor McAuley joined the meeting in the Chamber at 7.20 pm**

15. ENVIRONMENTAL SERVICES REPORT

15.1 Emergency Sediment Levelling at Council Harbours

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

Purpose of Report

The purpose of this report item is to request that Members consider and approve either Option 1 or 2 as noted within section 3.0, to ensure immediate progression of harbour base sediment ploughing can occur allowing safe operational use of the said harbours for the coming months.

Recommendations

It is recommended that Members consider and approve either;-

- Option 1, (works carried out by a competitive publicly procured external contractor), the tender report for this option being presented by the E.S. Director at the Full Council Meeting, or;
- Option 2, as requested by Members, (works carried out in-house) at capital investment, and thereafter, the on-going annual maintenance costs as per table 1a.

The Director of Environmental Services highlighted an error and confirmed that the method of procurement was not via e-sourcing but was based on quotations and that only one quote had been submitted for the two harbours with the cost being divided evenly for each.

Councillor Callan asked if the option of leasing a vessel had been considered as part of the proposal. The Director of Environmental Services advised a report could be brought back to Environmental Services Committee regarding this option for future projects.

Following a question from Councillor Callan, the Director of Environmental Services confirmed the last works undertaken at harbours was a major scheme, had been contracted out and was undertaken approximately five years ago.

Proposed by Alderman Baird
Seconded by Councillor MA McKillop and

RESOLVED - that Council agree Option 1, (works carried out by a competitive publicly procured external contractor), the tender report for this option being presented by the E.S. Director at the Full Council Meeting.

16. MINUTES OF FINANCE COMMITTEE MEETING HELD WEDNESDAY 19 APRIL 2023, RECONVENED ON THURSDAY 20 APRIL 2023

Matters Arising

16.1 Office Security (Item 12)

Councillor Mulholland said that from the period of 23 January to 3 March 2023 Management had ample time to inform the Corporate Body to allow a decision to be made on the Injunction and this did not happen. Councillor Mulholland said the Injunction had been obtained covertly, without alerting Elected Members, which was contrary to the Scheme of Delegation and was designed to thwart the investigation under the Code of Conduct.

Councillor Mulholland said the report lacked key information, no estimates or costings and no mention of the Pre-Action Protocol letter sent to the Council Solicitor or reference to the Judicial Review or an Elected Member submitting an affidavit. Councillor Mulholland suggested the report was full of innuendo and spin, with no evidence of trespass on the premises, with only Senior Officers making this claim.

Councillor Mulholland referred to the request for a blank cheque for those who were unable to obtain cover from Council Insurance and referred to verbal attacks on women which were grossly offensive as well as attacks on those living in Portrush.

Amendment

Proposed by Councillor Mulholland
Seconded by Councillor Quigley

- That this Council comes back with a much more informed report to all Councillors so they can make a better informed decision; Anyone found guilty should be liable for misconduct and should not be asking rate payers to bail them out and should be liable for their own costs; Court has listed case for mention only on 5 May with a date to be set for a full hearing so this will give sufficient time for Council to consider this matter.

Alderman McLean felt it was clear from reporting at the Finance Committee meeting and agreed that the audio recordings were obtained wrongly and illegally and should not be in the public domain. He believed it was right to get them stopped as quickly as possible. Alderman McLean said there was a consensus that Elected Members were content with the situation as it

developed considering the gravity of the matter. Alderman McLean spoke of how staff were fearful to work in their officers, make phone calls and take part in conversations. Alderman McLean said he believed steps were being taken to avoid a recurrence and felt that personal details relating to staff could have been exposed. Alderman McLean said he was not in support of the Amendment.

Councillor Mulholland recorded a Recorded Vote.

The Mayor put the Amendment to the Council to Vote.
 2 Members voted For; 28 Members voted Against; 4 Members Abstained.
 The Mayor declared the Amendment Lost.

Recorded Vote Table

For (2)	Councillors Mulholland, Quigley
Against (28)	Alderman Baird, Boyle, Duddy, Fielding, Hillis, Knight-McQuillan, S McKillop, McLean, McKeown
	Councillors Callaghan, Callan, Chivers, Holmes, Hunter, McAuley, McCandless, McCaw, McCorkell, McGurk, McMullan, A McQuillan, C McShane, Nicholl, Peacock, Scott, Storey, Wallace, Watton
Abstain (4)	Councillor Beattie, MA McKillop, Dallat-O’Driscoll, Schenning

Councillor McQuillan queried the nature by which the proposal was seconded and considered the Mayor was setting a precedent.

The Mayor ruled that he was accepting the amendment.

Councillor McCaw said he believed Elected Members should not bind successors and it was the opinion of the Alliance Party that the matter be left to the next mandate for consideration.

Councillor Watton concurred with the remarks made by Alderman McLean and Councillor McCaw.

Councillor Holmes said that the sheer lack of concern for the wellbeing of staff was staggering.

16.2 Management Accounts (Item 4)

Alderman McLean spoke of the reduction in the debt figures and welcomed the progress made, that it was a positive note to end this mandate of Council.

Councillor Hunter congratulated the Chief Finance Officer and the Finance team on their efforts in bringing down Council debt.

MOTION TO PROCEED 'IN PUBLIC'

Proposed by Councillor Callaghan
Seconded by Councillor Watton and

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

- **Press/Public rejoined the meeting at 7.40 pm**

The Mayor referred to Elected Members who were not standing for the forthcoming Election, Alderman Baird, Alderman Hillis; Councillors Beattie, Dallat O'Driscoll, McCandless, McCaw, P McShane and Quigley. The Mayor thanked them for their service and wished them well for the future.

The Mayor gave a special mention to Alderman Hillis for thirty years service to which those in The Chamber responded to by applause.

Alderman Boyle said she wished to thank Councillor McCaw who had worked hard over the last five years since being co-opted to Council and wished to pay tribute for his commitment, companionship, support and humour.

Alderman McKeown said he wished to recognise the exceptional service of Alderman Baird who was elected in 2011 and an excellent representative to the community in Moyle. Alderman Hillis, elected in 1993 has been a great advocate for the North Coast, worked for all the community and provided valued input to Council and as a party Group Lead.

Alderman Hillis congratulated the Mayor on what he said was a very busy year saying it was an honoured and privileged position. Alderman Hillis said this year had been tough and not without problems and through difficult times the Mayor undertook his duties with a cheery disposition. Alderman Hillis congratulated the Deputy Mayor on her hard work.

Alderman Hillis thanked those who had extended to him their good wishes and paid tribute to Alderman Baird. On behalf of the Ulster Unionist Party, Alderman Hillis wished all Elected Members well, whether they were stepping down or standing for the forthcoming Election.

Councillor McCaw thanked the Mayor for his work as First Citizen of the Borough and thanked Alderman Boyle, who he referred to as a stalwart of the Alliance Party, a friend and mentor, especially during his time of illness. Councillor McCaw thanked Alderman Hillis for his long service to the people in Portrush and wished he and his family well in the future.

Councillor McCaw spoke of his privilege and honour to be co-opted to the Alliance Party in 2019, a party which he loved and had had the privilege to serve for 5 years.

Councillor Peacock said she wished to reiterate, on behalf of Sinn Féin, comments previously made and thanked all those stepping down, referring to the total in terms of years of service.

Councillor MA McKillop thanked the Mayor, Councillor Dallat O'Driscoll and Beattie and former party colleague Councillor Quigley for their service and commitment over last mandate and wished them all the best for future.

Councillor Mulholland extended her good wishes to Councillors stepping down and said that Councillor Wallace was outstanding in his service to the Mayor's Office during his tenure as Mayor.

Councillor Mulholland thanked Councillors Quigley and McShane for their steadfastness and courage in taking a stand against Council and its leadership and wished them happiness, health and a bright future.

Councillor McAuley said that Councillor Wallace was the best Mayor which Causeway Coast and Glens Borough Council had, despite difficult circumstances and especially during the passing of Alderman Finlay. He said he believed that at this juncture, the Mayor had attended 867 events which is a phenomenal record, and had set the bar high. Councillor McAuley congratulated those Elected Members who were stepping down, referring to Alderman Baird, Hillis and Councillor McCandless, that their service was tremendous and wished them a happy retirement.

Councillor Watton referred to the first class work of the Mayor and thanked Councillor McCandless for his work in Coleraine town. Councillor Watton wished Candidates standing in the forthcoming elections well.

Councillor McQuillan praised the Mayor, he could be relied on to attend events he was invited to, was a pleasure to work with and a friend.

Councillor McCorkell, on behalf of people of Limavady, referred to the exemplary service of the Mayor who had represented Limavady well during his tenure, and referred to the smile which prevailed event during unpleasant circumstances.

Alderman Boyle thanked the Mayor saying she always found him approachable and wished all those Elected Members standing down good wishes.

Alderman Baird thanked the Mayor and others for their kind words saying the past year had been difficult and wished all Elected Members well that they worked for the Borough and those who live in it. Alderman Baird spoke of her pride to have been an Elected Member in Moyle District Council and Causeway Coast and Glens Borough Council.

Alderman Baird felt that Council was moving in the right direction, had suffered criticism and bad press but welcomed the improved positive financial position as well as progress in the Glens District Electoral Area which was appreciated by constituents. Alderman Baird thanked staff who had worked hard on behalf

of Elected Members, referring to Planning and Member Services Staff who had worked through trying times.

The Mayor acknowledged the remarks and said that irrespective of the outcome of the Local Election he would be in the Chair at the Annual Meeting, where he would make his final remarks as Mayor of the Borough.

The Mayor extended his best wishes to all those stepping down and those standing as candidates at next elections.

This being all the business, The Mayor thanked everyone for their attendance and the meeting concluded at 8:05 pm.

Mayor

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