

COUNCIL MEETING TUESDAY 1 MARCH 2022

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4.	Minutes of Council meeting held Tuesday 1 February 2022	Confirmed
5.	Minutes of Council meeting held Wednesday 9 February 2022, reconvened on Thursday 10 February 2022	Confirmed
6.	Minutes of Planning Committee Meeting held Wednesday 22 December 2021	Noted
7.	Minutes of Environmental Services Committee Meeting held Tuesday 8 February 2022	
	Matters Arising	
7.1	Minutes of Environmental Services Committee Meeting held Tuesday 11 th January (Item 4)	Update from Director of Environmental Services
7.2	Asset realisation - Define use of new Concessionary Trading Points 2022, (5 no), at various locations within the Borough (Item 27)	Adopt the method of d'hondt to fill 6 places in the newly established Trading Working Group for Environmental Services.
7.3	Adoption of Minutes	Adopted and recommendations therein approved including Proposal at 7.2 above.

8.	Minutes of Finance Committee Meeting held Thursday 10 February 2022, reconvened on Wednesday 16 February 2022	Adopted and recommendations therein approved
9.	Minutes of Leisure and Development Committee Meeting held Tuesday 15 February 2022	
	Matters Arising	
9.1	Technical Assistance Grant (Item 11)	Motion Lost
9.2	Adoption of the Minutes	Adopted and recommendations therein approved
10.	Minutes of Corporate Policy and Resources Committee Meeting held Tuesday 22 February 2022	Adopted and recommendations therein approved
11.	Leisure and Development Report – Small Settlements Regeneration Programme	Accept the Letter of Offer from the Department of Communities for £2,250,000 and Council 10% match contribution of £250,000. Based on the Letter of Offer, approve to proceed to the relevant next stage of the Capital Management Process for each of the projects itemised
12.	Matters for reporting to the Partnership Panel	None
13.	Conferences	
(i)	Newry and Dundalk Chambers' Annual Cross-Border Conference – Wednesday 9 th March 2022	Noted
(ii)	NILGA Conference on the Future of Regeneration – Tuesday 15 th March 2022.	
14.	Correspondence	
(i)	Northern Ireland Housing Council - The Housing Council January bulletin dated 10 February 2022 and 487 th Meeting of the Northern Ireland Housing Council minutes.	Noted

(ii)	Department for Infrastructure Responses to Elected Member queries presented on 7 th December 2021	
(iii)	Alison McCullough, Chief Executive Fermanagh & Omagh District Council – seeking support of Causeway Coast and Glens Borough Council is sought for a public inquiry into this matter.	
(iv)	Alison McCullough, Chief Executive Fermanagh & Omagh District Council - Causeway Coast and Glens Borough Council are asked to give this issue due consideration and respond	
15.	Consultation Schedule	
(i)	Department of Health, Draft Budget 2022-2025 Consultation Equality Impact Assessment	Noted
(ii)	Armagh City, Banbridge, Craigavon Borough Council, Consultation on Draft Performance Improvement Objectives for 2022-23	
(iii)	Education Authority, Consultation on Draft Strategic Plans	
(iv)	Department of Agricultural, Environmental and Rural Affairs, Introduction of Mandatory Digital Waste Tracking	
(v)	Northern Ireland Housing Executive, Public Consultation Supporting People Three Year Draft Strategic Plan and Covid-19 Recovery Plan 2022-2025	
(vi)	Department of Health, Consultation on Reform of Adult Social Care	
16.	Seal Documents	Seal Affixed (i-xxii)
17.	Notice of Motion Proposed by Councillor P McShane, Seconded by Councillor Quigley	Referred to Corporate, Policy and Resources Committee
18.	Notice of Motion Proposed by Councillor McQuillan, Seconded by Councillor Wallace	Item withdrawn from the Agenda
	'IN COMMITTEE' (Items 19 – 20 inclusive)	
19.	Minutes of Leisure and Development Committee Meeting Tuesday held Tuesday 15 February 2022 'In Committee'	
	Matters Arising	

19.1	Funding Support Large Events (Item 19)	<p><i>Offer a grant programme for Tourism Large Events Fund in accordance with Council's Grant Funding Policy and the parameters and criteria presented to Council October 2021 (Annex A, previously circulated);</i></p> <p><i>Council receive the required independent legal and HMRC advice as outlined in the report</i></p>
20.	Legal Opinion in the Matter of a Call In Request in Respect of the Council Dated 4 January 2022	<p><i>Reconsideration of Decision Upheld; Motion Lost</i></p>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE
COUNCIL HELD IN THE COUNCIL CHAMBER AND VIA VIDEO CONFERENCE
ON TUESDAY 1 MARCH 2022 AT 7:00PM**

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

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

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

Officers Present : D Jackson, Chief Executive (C)
A McPeake, Director of Environment Services (R)
R Baker, Director of Leisure and Development (R)
M Smyth, Director of Finance (Interim) (R)
D Hunter, Council Solicitor (R)
N Linnegan, Council Solicitor (R)
J Mills, Council Solicitor, Land and Property (R)
J Welsh, Head of Community and Culture (R)
D Wright, Chief Finance Officer (R)
P Donaghy, Democratic and Central Services Manager (R)
P O'Brien, Funding Unit Manager (R)
T Vaults, Car Parks Manager (R)
J Elliott, (Interim) Head of Prosperity and Place (R)
A McAuley, PR Manager (R)
J Keen, Committee & Member Services Officer (R)
I Owens, Committee & Member Services Officer (C)

C Thompson, ICT Officer (C)
A Lennox, ICT Mobile Operations (C)

In Attendance: K Morgan, BL (Item 20)

Press (4 no.) (R)
Public (6 no.) (R)

Key – C = Attended in The Chamber
R = Attended Remotely

The Chief Executive undertook a roll call.

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

1. THE MAYOR'S BUSINESS

The Mayor advised that he had two matters to bring to the attention of Elected Members.

The Victoria Lagan School of Dancing from Coleraine with 27 members will be representing Northern Ireland at World Finals to be held in June in Spain. The Mayor plans to host the group in the Parlour on 27th April to recognise this huge achievement. Currently the school are fundraising for associated fees including accommodation, flights and tracksuits. The Mayor advised Elected Members that grants were being sought to support the group in monetary values of £3,000, £500 and £100.

The Mayor spoke of the situation in Ukraine which had been raised by a number of Elected Members and referred to the 2 million refugees which have been displaced, something he said had not been witnessed since World War II.

The Mayor encouraged those who could, to help and referred to collection points for sheets, bandages, non-perishable food etc which were at Coleraine Community Rescue, Portstewart Clothing Company and Arcadia Café in Portrush.

Alderman Baird pointed out that there was a collection point in Aidan Boyle's shop at Quay Road in Ballycastle.

Councillor Quigley, on behalf of the humanitarian team, said they had been overwhelmed by support and had organised for a container to be despatched and thanked those involved including local schools.

2. APOLOGIES

Apologies received from Alderman S McKillop and Councillor Peacock.

* **Councillor McAuley joined the meeting at 7.10 pm.**

3. DECLARATIONS OF MEMBERS' INTERESTS

Declarations of Interest were recorded for:

Councillor Chivers in Leisure and Development Committee Meeting - Minute Item 11, Technical Assistance Grant. Councillor Chivers did not participate in the Item.

Councillor MA McKillop Environmental Services Committee Meeting – Minute Item 26, Asset Realisation – Declaration of ‘surplus to requirements’, assets at various locations within the Borough (4no). Councillor MA McKillop did not participate in the Item.

4. MINUTES OF COUNCIL MEETING HELD TUESDAY 1 FEBRUARY 2022

Copy, previously circulated.

Proposed by Alderman Duddy
Seconded by Councillor Scott and

RESOLVED – that the Minutes of the Council Meeting held Tuesday 1 February 2022 are confirmed as a correct record.

5. MINUTES OF COUNCIL MEETING HELD WEDNESDAY 9 FEBRUARY 2022, RECONVENED ON THURSDAY 10 FEBRUARY 2022

Copy, previously circulated.

RESOLVED – that the Minutes of the Council Meeting held Wednesday 9 February 2022, reconvened on Thursday 10 February 2022 are confirmed as a correct record.

6. MINUTES OF PLANNING COMMITTEE MEETING HELD WEDNESDAY 26 JANUARY 2022

Copy, previously circulated.

RESOLVED – that the Minutes of the Planning Committee Meeting held Wednesday 26 January 2022 are received and noted.

7. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 8 FEBRUARY 2022

Copy, previously circulated.

The Environmental Services Committee Chair, Councillor Wilson, proposed the adoption of the Minutes subject to any matters arising.

Matters Arising

7.1. Minutes of Environmental Services Committee Meeting held Tuesday 11th January (Item 4)

In response to a question from Councillor McQuillan the Director of Environmental Services confirmed a report regarding an update on the variance on trading pitches would be brought to the Environmental Services Committee in due course. Councillor McQuillan said he believed it was to be

presented at the March meeting of Environmental Services and pointed to the end of this financial year timescale. The Mayor was in agreement, however confirmed that trading concessions were for a 3-year cycle, and there was some way to go yet on the licenses but felt the forum for discussion on legal implications on trading concessions was within Committee.

The Director of Environmental Services advised that it was his view the report would be tabled at the proposed Trading Working Group meeting to be held in advance of next Environmental Services Committee Meeting from which a decision paper would follow.

The Director of Environmental Services advised that he would endeavour to have a report included on the Agenda for the next Environmental Services Committee Meeting.

7.2 Asset Realisation – Define use of new Concessionary Trading Points 2022, (5 no), at various locations within the Borough (Item 27)

The Director of Environmental Services advised a decision was required on the method of nominating membership to the Trading Working Group.

Proposed by Councillor McQuillan
Seconded by Councillor Wilson and

AGREED – that Council adopt the method of d'hondt to fill 6 places in the newly established Trading Working Group for Environmental Services.

All members in attendance were in agreement.

7.3 Adoption of the Minutes

Proposed by Councillor Wilson
Seconded by Councillor Wallace and

RESOLVED – that the Minutes of the Environmental Services Committee Meeting held Tuesday 8 February 2022 are adopted and recommendations therein approved, including resolution at Minute Item 7.2 above.

8. MINUTES OF FINANCE COMMITTEE MEETING HELD THURSDAY 10 FEBRUARY 2022, RECONVENED ON WEDNESDAY 16 FEBRUARY 2022

Copy, previously circulated.

The Finance Committee Chair, Alderman Hillis, proposed the adoption of the Minutes subject to any matters arising.

Proposed by Alderman Hillis
Seconded by Councillor Callan and

RESOLVED – that the Minutes of the Finance Committee Meeting held Thursday 10 February 2022, reconvened on Wednesday 16 February 2022 are adopted and recommendations therein approved.

Alderman Finlay suggested that, whilst he understood the rationale behind the reconvened meeting of the Finance Committee it would have been helpful if Elected Members on the Finance Committee were consulted in advance of date being agreed.

9. MINUTES OF LEISURE AND DEVELOPMENT COMMITTEE MEETING HELD TUESDAY 15 FEBRUARY 2022

Copy, previously circulated.

The Leisure and Development Committee Chair, Councillor McAuley, proposed the adoption of the Minutes subject to any matters arising.

Matters Arising

9.1. Technical Assistance Grant (Item 11)

Councillor Bateson said that through the Technical Assistance Grant Council would be able to help a number of community based and sporting organisations to establish grant funding, and referred to recent presentations from Harry Gregg Legacy Partnership and Coleraine Football Club which had been facilitated through this grant. Councillor Bateson said the grant was only £30,000 and refuted the misconception that GAA's would benefit and although GAA was one of the largest sporting groups in the Borough there were other sports such as soccer and community groups which could avail of this support if it came to fruition.

Councillor P McShane referred to this type of grant being successful in legacy Moyle District Council and referred to unjust comments from the Chamber and perception that some Elected Members believed the grant was available for one section of the community.

Proposed by Councillor Bateson
Seconded by Councillor P McShane

- to recommend to Council the Technical Assistance grant for the 2022-23 period;
- that it is named the Project Development Grant to more accurately reflect the grant purpose.

Councillor P McShane requested a Recorded Vote.

The Mayor put the motion to the Council to vote.
16 Members voted For; 20 Members voted Against; 0 Members Abstained.
The Mayor declared the motion Lost.

Recorded Vote Table

For (16)	Alderman Boyle Councillors Bateson, Beattie, Chivers, Dallat-O'Driscoll, McCaw, McGlinchey, MA McKillop, McLaughlin, McMullan, C McShane, P McShane, Mulholland, Nicholl, Quigley, Schenning
Against (20)	Alderman Baird, Duddy, Finlay, Hillis, Knight-McQuillan, McKeown, Robinson Councillors Anderson, Callan, Holmes, Hunter, McAuley, McCandless, McCorkell, McLean, McQuillan, Scott, Wallace, Watton, Wilson
Abstain (0)	

9.2. Adoption of the Minutes

Proposed by Councillor McAuley
Seconded by Councillor Watton and

RESOLVED – that the Minutes of the Leisure and Development Committee Meeting Tuesday 15 February 2022 are adopted and recommendations therein approved.

10. MINUTES OF CORPORATE POLICY AND RESOURCES COMMITTEE MEETING HELD TUESDAY 22 FEBRUARY 2022

Copy, previously circulated.

The Corporate Policy and Resources Committee Chair, Alderman Knight-McQuillan, proposed the adoption of the Minutes subject to any matters arising.

Proposed by Alderman Knight-McQuillan
Seconded by Alderman Hillis and

RESOLVED – that the Minutes of the Corporate, Policy and Resources Committee Meeting held Tuesday 22 February 2022 are adopted and recommendations therein approved.

11. LEISURE AND DEVELOPMENT REPORT – SMALL SETTLEMENTS REGENERATION PROGRAMME

Report, previously circulated, was presented by the Director of Leisure and Development.

Purpose of Report

The purpose of this report is to inform Members of receipt of the Letter of Offer for the Covid Recovery Small Settlements Regeneration Programme and seek approval for signature and to proceed to Stage 2 of the Capital Project Management process.

Background

In January 2022 council approved the three-strand approach for the Covid Recovery Small Settlements Regeneration Programme which was submitted to the funding body for approval.

The Small Settlements Regeneration Programme is made up of combined funding from the Department for Communities [DfC], the Department for Agriculture, Environment and Rural Affairs [DAERA] and the Department for Infrastructure [DfI] as follows:

	Initial funding offer	Revised funding allocation 20/1/22
DfC	£605,920	£740,000
DAERA	£698,840	£750,000
DfI	£605,920	£600,000
Total Capital	£1,911,000	£2,090,000
Revenue	£120,000	£160,000
Total	£2,031,000	£2,250,000

The programme requires a 10% match capital funding.

Revenue fund may also be used for delivery costs and/or additional staff requirements.

Project Proposals

The implementation plan was submitted to the funders and following feedback and further exploration of projects with council officers, a revised plan was submitted 15th February 2022 along with a detailed Addendum on each of the projects. [Annex A], previously circulated.

In summary:

Project A - Continuation of Village Renewal Schemes £1,419,000

9 schemes identified under the previous Rural Development Programme village renewal plans as per table below.

Project A	
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Dernaflaw [299]	MUGA
Drumsurn [459]	Community Facility
Magilligan [578]	MUGA
Burnfoot [239]	Upgrade community facility
Dervock [714]	MUGA & Walking path
Rasharkin [1115]	Upgrade community facility & footpaths
Armoy [1097]	Upgrade playpark & walking path
Gortnaghey [278]	Walking/cycle path & lighting. Link from GAA grounds
Mosside [270]	Upgrade community facility
Cushendall [1280]	Walking path link to village

Project B – Restore & Reactivate Grant Programme £500k

Pilot grant scheme to Restore and Reactivate derelict or vacant properties across the 12 settlements within Causeway Coast and Glens with an eligible population threshold between 1000 – 4999.

Grant programme. Dungiven, Kilrea, Ballykelly, Cloughmills, Greysteel, Bushmills, Cushendall, Garvagh, Castlerock, Dunloy, Rasharkin, Armoy.

Project C – Active Travel Infrastructure £171K

Original project not viable so amended on discussion with funders and council officers to 2 individual projects. Full details in Annex A, previously circulated.

C.1 Improvement of the core path network within Bushmills, Cushendall & Dungiven.

C.2. All Ability Cycle Pilot Project Garvagh.

Department of Communities has considered the Implementation plan and addendum [Annex A], previously circulated and has issued the Letter of Offer in response accepting all projects as listed. [Annex B], previously circulated.

Key Milestones:

Sign Letter of Offer issued and return to funders by 16th March 2022.

Create resource structure to implement programme by end March 2022.

Funds spent by March 2023.

Post Project Evaluation to be conducted.

Next steps:

Signed letter of offer to be returned to Department of Communities by 16th March 2022 [Annex B], previously circulated.

Conduct Capital Project Management Process for Projects A & C.

Project A – Itemised projects to proceed to Stage 2: Detailed design, planning and procurement.

Project C – Conduct stage 1: identify preferred options.

Design grant process for Project B with council's Funding Unit.

Work with council's capital works section to identify, design and implement resource structure for the Covid Recovery Small Settlement Regeneration Programme.

Recommendation

It is recommended that Members:

1. Accept the Letter of Offer from the Department of Communities for £2,250,000 and Council 10% match contribution of £250,000.
2. Based on the Letter of Offer, approve to proceed to the relevant next stage of the Capital Management Process for each of the projects itemised.

Councillor McAuley welcomed the news of the cash injection for many areas of Causeway Coast and Glens Borough Council and referred to Mosside, Dervock and Armoy which had been lobbied in the Chamber and with stakeholders for some time. Councillor McAuley said there needed to be a focus now on delivery to enhance the Borough to make it an attractive place to work, live and raise families.

Councillors C McShane and MA McKillop concurred with these comments and thanked Officers. Councillor C McShane said she looked forward to additional funding in the future for linkages between Ballycastle seafront and Town Centre which would be a means of encouraging people to be more active.

Alderman Baird referred to the hard work undertaken by communities and welcomed the inclusion of Armoy, Cushendun, Mosside and Dervock and wished to put on record her thanks to Mr Gerry Burns for his contribution. Alderman Baird paid tribute to the community at Mosside for their resilience and persistence in the absence of a fit for purpose community building.

Proposed by Councillor McAuley
Seconded by Alderman Baird and

RESOLVED - that Council:

1. Accept the Letter of Offer from the Department of Communities for £2,250,000 and Council 10% match contribution of £250,000.
2. Based on the Letter of Offer, approve to proceed to the relevant next stage of the Capital Management Process for each of the projects itemised.

12. MATTERS FOR REPORTING TO THE PARTNERSHIP PANEL

There were no matters for reporting to the Partnership Panel.

13. CONFERENCES

Report, previously circulated.

The Mayor presented the following conference Items as read:

- (i) Newry and Dundalk Chambers' Annual Cross-Border Conference – Wednesday 9th March 2022
- (ii) NILGA Conference on the Future of Regeneration – Tuesday 15th March 2022.

RESOLVED – that Council note the Conference Report.

14. CORRESPONDENCE

Report, previously circulated.

The Mayor presented the following correspondence Items as read:

- (i) Northern Ireland Housing Council - The Housing Council January bulletin dated 10 February 2022 and 487th Meeting of the Northern Ireland Housing Council minutes.
- (ii) Department for Infrastructure Responses to Elected Member queries presented on 7th December 2021
- (iii) Alison McCullough, Chief Executive Fermanagh & Omagh District Council – seeking support of Causeway Coast and Glens Borough Council is sought for a public inquiry into this matter.
- (iv) Alison McCullough, Chief Executive Fermanagh & Omagh District Council - Causeway Coast and Glens Borough Council are asked to give this issue due consideration and respond.

RESOLVED – that Council note the Correspondence Schedule.

15. CONSULTATION SCHEDULE

Report, previously circulated.

The Mayor presented the Consultation Schedule as read:

- (i) Department of Health, Draft Budget 2022-2025 Consultation Equality Impact Assessment;

- (ii) Armagh City, Banbridge, Craigavon Borough Council, Consultation on Draft Performance Improvement Objectives for 2022-23;
- (iii) Education Authority, Consultation on Draft Strategic Plans;
- (iv) Department of Agricultural, Environmental and Rural Affairs, Introduction of Mandatory Digital Waste Tracking;
- (v) Northern Ireland Housing Executive, Public Consultation Supporting People Three Year Draft Strategic Plan and Covid-19 Recovery Plan 2022-2025;
- (vi) Department of Health, Consultation on Reform of Adult Social Care.

Open Consultation Documents, previously listed, were presented.

RESOLVED – that Council note the Consultation Schedule, (items i-vi) and Equality Screening reports.

16. SEAL DOCUMENTS

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

- (i) Grave Registry Certificates, No's 5287 - 5300 inclusive;
- (ii) Licence to Occupy, Foreshore and Bed of the Sea at North Pier, Portrush, County Antrim – 1) Her Majesty The Queen and 2) The Crown Estates Commissioners and Causeway Coast and Glens Borough Council (Ref L&P SC 210203, CP&R 210223 and CM 210302)
- (iii) Lease of Rights Relating to Foreshore and Bed of the Sea at North Pier, Portrush, County Antrim - 1) Her Majesty The Queen and 2) The Crown Estates Commissioners and Causeway Coast and Glens Borough Council (Ref L&P SC 210203, CP&R 210223 and CM 210302)
- (iv) Agreement Causeway Coast and Glens Borough Council and C Kennedy, Licensee (West Bay Car Park Portrush)
- (v) Agreement Causeway Coast and Glens Borough Council and D Shirley, Licensee (West Bay Car Park)
- (vi) Agreement Causeway Coast and Glens Borough Council and H Douthart, Licensee (Quay Rd Playing Fields Ballycastle)
- (vii) Agreement Causeway Coast and Glens Borough Council and H Douthart, Licensee (Pier Yard Car Park Ballycastle)
- (viii) Agreement Causeway Coast and Glens Borough Council and J McLaughlin, Licensee (Waterford Slip Cushendall)
- (ix) Agreement Causeway Coast and Glens Borough Council and J Wray, Licensee (Ballycastle Sea Front)
- (x) Agreement Causeway Coast and Glens Borough Council and J O'Kane, Licensee, (Megaw Park, Ballymoney)
- (xi) Agreement Causeway Coast and Glens Borough Council and K Douthart, Licensee, (Whiterocks Car Park Portrush)

- (xii) Agreement Causeway Coast and Glens Borough Council and M Boyle, Licensee (East Strand Car park, Portrush)
- (xiii) Agreement Causeway Coast and Glens Borough Council and M Hutchinson, Licensee (Portaneevy Car Park Ballintoy)
- (xiv) Agreement Causeway Coast and Glens Borough Council and P Mullan, Licensee (Diversity Park Portstewart)
- (xv) Agreement Causeway Coast and Glens Borough Council and R Carton, Licensee (East Strand Car Park Portrush)
- (xvi) Agreement Causeway Coast and Glens Borough Council and R Devlin, Licensee (Legge Green Car Park Cushendall)
- (xvii) Agreement Causeway Coast and Glens Borough Council and R Attias, Licensee (Garron Road Car Park)
- (xviii) Agreement Causeway Coast and Glens Borough Council and R Pollock, Licensee (Promenade Car Park Castlerock)
- (xix) Agreement Causeway Coast and Glens Borough Council and S McGuigan, Licensee (Downhill Beach)
- (xx) Agreement Causeway Coast and Glens Borough Council and S O'Boyle, Licensee (Ballintoy Harbour)
- (xxi) Agreement Causeway Coast and Glens Borough Council and S McAllister, Licensee, (Magheracross Car Park, Portrush (2no. Agreements))
- (xxii) Renewal of Commercial Lease Shop Unit at South Pier, Portrush – Causeway Coast and Glens Borough Council and George Nelson (L&P SC-190306 CP&R–190312 CM-190326)

Proposed by Councillor Scott
 Seconded by Councillor Wilson and

RESOLVED - that the sealing of documents as listed be approved (i-xxii).

At the request of Councillor P McShane the Director of Environmental Services advised that trading concessions were renewed annually and ran for a three year term.

The Mayor advised Councillor P McShane should he wish to raise a specific matter regarding trading concessions he could do so through Any Other Relevant Business at the Environmental Services Committee meeting.

17. NOTICE OF MOTION PROPOSED BY COUNCILLOR P MCSHANE, SECONDED BY COUNCILLOR QUIGLEY

“That no sales or long term leases of any land or property assets be considered or acted upon until the conclusion of the extraordinary audit into land and asset disposals at Causeway Coast and Glens Council. That further consideration is given to land asset disposals after the audit report and the potential legal actions arising from same are considered by the full Council.”

The Mayor advised the Notice of Motion would be referred to the Corporate, Policy and Resources Committee for consideration.

Councillor P McShane asked the Mayor why his request for the matter to be discussed at this meeting was denied.

The Mayor advised he did not determine this was an urgent matter and that due process had been followed with regards to this Item to date.

Councillor P McShane asked if realisation of assets would continue in advance of the Notice of Motion being considered. The Mayor advised that there would be a continuation of normal business in line with the Assets Realisation Policy.

18. NOTICE OF MOTION PROPOSED BY COUNCILLOR MCQUILLAN, SECONDED BY COUNCILLOR WALLACE

“That this Council takes into consideration the inevitable facts that the inhabitants of the Causeway Coast and Glens Borough Council are facing dramatic changes in the climate and the inevitable environmental damage which is currently being caused by same. We are witnessing more severe storms and coastal erosion along the north coast and inland. To make a positive contribution to offsetting not only Council’s carbon footprint but that of the inhabitants of the borough we propose Council utilise the Council lands at Laurel Hill, Coleraine, to make a positive start in planting trees to offset our carbon footprint by using trees to sequester the carbon being produced. The area highlighted is practically devoid of any green open space with only one playpark in the immediate vicinity for the children and residents to utilise and enjoy without having to use their vehicles to travel to other areas.”

The Mayor the Notice of Motion had been withdrawn by the Proposer with the agreement of the Secunder.

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Alderman Duddy
Secunderd by Alderman Boyle and

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

* **Press and Public were disconnected from the meeting at 8.55 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

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

* **The Mayor called a recess for a comfort break at 7.50pm.**

* **The meeting reconvened at 8:15pm.**

The Chief Executive undertook a roll call and confirmed the meeting was quorate.

19. MINUTES OF LEISURE AND DEVELOPMENT COMMITTEE MEETING HELD TUESDAY 15 FEBRUARY 2022 'IN COMMITTEE'

19.1 Funding Support Large Events (Item 19)

Council Nicholl sought clarification regarding the Contra agreement process and the agreement would sit with large sporting events in general.

Councillor Nicholl asked whether other events such as Soccer or GAA would fit the criteria for this type of grant and The Chief Executive said that any event to advertise the Borough for free effectively would be welcome but would have to be considered on a case by case basis and pointed to the international spotlight which the larger events attract for the Causeway Coast and Glens Borough Council.

The Chief Executive advised that further consideration had been given to a Contra agreement since the debate had taken place at the Leisure and Development Committee which had concluded that a Contra agreement was not required and the revised Grant Funding Policy was the best option to support larger events.

The Chief Executive said the priority was about ensuring allocation of funding and separately allowing the tourism product to be advertised effectively eg on Council assets hosting events or in Council literature produced for Council run associated events.

The Director of Finance (Interim) explained that if Council provided grant funding there could be no direct benefit provided from the recipient to Council and there was no expectation of same. The Director of Finance (Interim) explained, that, historically benefits were provided in the process of grant provision but that going forward it would be defined as grant funding with no benefit. The Director of Finance (Interim) explained that given the scale of advertising at major events in recent years, HMRC deemed additional benefit was Sponsorship.

Councillor P McShane referred to the investigation on VAT irregularities and unanswered questions which pointed to Causeway Coast and Glens Borough Council being badly run.

At the request of Councillor P McShane the Director of Finance (Interim) advised it was his belief that papers had been uploaded to portal regarding the investigation for Elected Members to view and agreed to follow up on this.

Councillor C McShane said that it was unsatisfactory to have only a verbal update from the Chief Executive given the queries raised by Elected Members and requested a written report given the significance of the recommendation and change of Council's position.

The Director of Finance (Interim) agreed to provide a paper to Elected Members clearly explaining what led to the conclusion by Officers that a Contra agreement was not required.

The Chief Executive said it was clear that with some expediency Elected Members needed to have all the information and that a short deferment was required to consider all the facts and figures

Alderman Finlay said that discussion around this matter was bad publicity for Council and it was time to take action to deal with untruths and take whatever steps were necessary to rectify.

The Mayor clarified the outcome of the Leisure and Development Committee meeting, he summarised proceedings and reminded Council of the recommendation from the Leisure and Development Committee Meeting:-

Recommend proceed with Recommendation 1 to offer a grant programme for Tourism Large Events Fund in accordance with Council's Grant Funding Policy and the parameters and criteria presented to Council October 2021 (Annex A, previously circulated);

Defer a decision on Recommendation 2 until we receive the required independent legal and HMRC advice as outlined in the report.

Alderman Hillis referred to the tight timeline and stated concern around the potential delay in funding provision.

Proposed by Alderman Hillis
Seconded by Councillor McAuley

-that Council Offer a grant programme for Tourism Large Events Fund in accordance with Council's Grant Funding Policy and the parameters and criteria presented to Council October 2021 (Annex A, previously circulated);
-Council receive the required independent legal and HMRC advice as outlined in the report.

Amendment

Proposed by Councillor C McShane
Seconded by Councillor Nicholl

-that Council Offer a grant programme for Tourism Large Events Fund in accordance with Council's Grant Funding Policy and the parameters and criteria presented to Council October 2021 (Annex A, previously circulated);

Councillor C McShane requested a Recorded Vote.

The Mayor put the Amendment to the Council to vote.

14 Members voted For: 24 Members voted Against, 0 Members Abstained

The Mayor declared the Amendment Lost.

Recorded vote table

For (14)	Councillors Bateson, Beattie, Chivers, Dallat-O'Driscoll, McGlinchey, McGurk, MA McKillop, McLaughlin, McMullan, C McShane, P McShane, Nicholl, Quigley, Schenning
Against (24)	Alderman Baird, Boyle, Duddy, Fielding, Finlay, Hillis, Knight-McQuillan, McKeown, Robinson
	Councillors Anderson, Callan, Holmes, Hunter, McAuley, McCandless, McCaw, McCorkell, McLean, McQuillan, Mulholland, Scott, Wallace, Watton, Wilson
Abstain (0)	

Councillor C McShane requested a recorded vote.

The Mayor put the substantive proposal to the Council to vote.

23 Members voted For; 13 Members voted Against; 2 Members Abstained

The Mayor declared the Proposal Carried.

Recorded vote Table

For (23)	Alderman Baird, Boyle, Duddy, Fielding, Finlay, Hillis, Knight-McQuillan, McKeown, Robinson
	Councillors Anderson, Callan, Holmes, Hunter, McAuley, McCandless, McCaw, McCorkell, McLean, McQuillan, Scott, Wallace, Watton, Wilson
Against (13)	Councillors Bateson, Beattie, Chivers, Dallat-O'Driscoll, McGlinchey, McGurk, MA McKillop, McLaughlin, McMullan, C McShane, P McShane, Nicholl, Quigley
Abstain (2)	Councillors Mulholland and Schenning

20. LEGAL OPINION IN THE MATTER OF A CALL IN REQUEST IN RESPECT OF A DECISION OF THE COUNCIL DATED 4 JANUARY 2022

Confidential Legal Opinion previously circulated.

Amendment lost

“That Council take external expert legal advice on the sale of lands at the Dunluce Centre, legal advice to encompass everything that has recently come to light in relation to the potential sale including but not exhaustive of:

- 1. Planning and the involvement of Planning Members on the decision of the sale*
- 2. How Officers could have been seen as being too involved in the process of hotel development for a preferred developer*
- 3. Officers making decisions of a magnitude that should have been taken by Councillors*
- 4. Council Officials offering legal advice despite having been found to have misled the Council on previous hotel development applications”*

The Mayor advised, in line with the Legal Opinion, the vote taken at the Council meeting of 4th January 2022 would be retaken.

Councillor P McShane requested a Recorded Vote.

The Mayor put reconsideration of the decision to the Council to vote.
14 Members voted For; 22 Members voted Against; 1 Member Abstained

The Mayor declared reconsideration of the decision upheld and the motion lost.

Recorded vote Table

For (14)	Alderman Boyle Councillors Beattie, Chivers, Dallat-O’Driscoll, McCaw, McGlinchey, McGurk, MA McKillop, McLaughlin, McShane, P McShane, Mulholland, Nicholl, Quigley
Against (22)	Alderman Baird, Duddy, Fielding, Finlay, Hillis, Knight-McQuillan, McKeown, Robinson Councillor Anderson, Bateson, Callan, Holmes, Hunter, McAuley, McCandless, McCorkell, McLean, McQuillan, Scott, Wallace, Watton, Wilson
Abstain (1)	Councillor Schenning

Councillor P McShane wished to make a further Amendment.

The Mayor ruled the vote had been taken and he would not be taking any further amendments.

The Mayor invited the Council Barrister to address Council.

The Council Barrister provided Opinion, re-consideration arising from the Call In dated 9th January 2022 in relation to the decision taken at the Council Meeting on 4th January 2022, under Section 41.1 of the Local Government Act and Council’s Standing Orders had been duly undertaken; that debate and reconsideration had brought the matter to a conclusion.

The Council Barrister advised The Mayor could permit an amendment under Council's Standing Orders, SO 15.1 or SO 15.2 but was unsure an amendment would be accepted regarding reconsideration of a decision already taken.

The Mayor ruled Councillor P McShane could make an amendment.

Councillor P McShane sought to make a proposal under Standing Order 15.2 '*Refer to appropriate body or individual for legal advice*'.

The Mayor ruled that legal advice had already been sought and did not accept the motion.

MOTION TO PROCEED '*IN PUBLIC*'

Proposed by Councillor Quigley
Seconded by Councillor Mulholland and

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

This being all the business, The Mayor thanked everyone for their attendance and the meeting concluded at 9:50pm

Mayor