

**COUNCIL MEETING TUESDAY 3 MAY 2022**

**Table of Contents**

<b>No.</b>	<b>Item</b>	<b>Decision</b>
<b>1.</b>	The Mayor's Business	<b>Received</b>
<b>2.</b>	Apologies	<b>Alderman Hillis; Councillors Bateson, Chivers, Quigley, McGurk, McMullan, P McShane</b>
<b>3.</b>	Declarations of Members' Interests	<b>Alderman Baird, Boyle, Duddy, Knight-McQuillan; Councillors Hunter, Dallat O'Driscoll, MA McKillop, Schenning</b>
<b>4.</b>	Minutes of Council Meeting held Tuesday 5 April 2022	<b>Taken as read and signed as a correct record</b>
<b>5.</b>	Minutes of Planning Committee Meeting held Thursday 24 March 2022	<b>Noted</b>
<b>6.</b>	Minutes of Environmental Services Committee Meeting held Tuesday 12 April 2022	<b>Adopted and recommendations therein approved</b>
<b>7.</b>	Minutes of Leisure and Development Committee Meeting held Wednesday 13 April 2022	
	<b>Matters Arising</b>	
<b>7.1</b>	Notice of Motion proposed by Councillor McAuley, seconded by Alderman Fielding referred from Council Meeting held 5 <sup>th</sup> April 2022 (abbrev.) (Upgrade facilities at Parker Avenue)	<b>Update from Director of Leisure and Development</b>
<b>7.2</b>	Adoption of Minutes	<b>Adopted and recommendations therein approved</b>

<b>8.</b>	Minutes of Finance Committee Meeting held Thursday 14 April 2022	<b><i>Adopted and recommendations therein approved</i></b>
<b>9.</b>	Minutes of Corporate Policy and Resources Committee Meeting held Tuesday 26 April 2022	<b><i>Adopted and recommendations therein approved</i></b>
<b>10.</b>	Matters for Reporting to Partnership Panel	<b><i>None</i></b>
<b>11.</b>	Conferences	<b><i>None</i></b>
<b>12.</b>	Correspondence	<b><i>Noted (i-vii)</i></b>
<b>(i)</b>	Dorinnia Carville, Deputy Chief Executive Newry, Mourne and Down District Council dated 15 March	
<b>(ii)</b>	Dorinnia Carville, Deputy Chief Executive Newry, Mourne and Down District Council dated 15 March 2022	
<b>(iii)</b>	Correspondence received from NI Water	
<b>(iv)</b>	Alison McCullough, Chief Executive, Fermanagh and Omagh District Council dated 12 April 2022	
<b>(v)</b>	Alison McCullough, Chief Executive, Fermanagh and Omagh District Council correspondence dated 12 April 2022	
<b>(vi)</b>	Alison McCullough, Chief Executive, Fermanagh and Omagh District Council dated 12 April 2022	
<b>(vii)</b>	Alison McCullough, Chief Executive, Fermanagh and Omagh District Council dated 12 April 2022	
<b>13.</b>	Consultation Schedule	<b><i>Noted (i-vii)</i></b>
<b>14.</b>	Sealed Documents	<b><i>Seal Affixed (i-ii)</i></b>
	<b>'IN COMMITTEE'</b>	
<b>15.</b>	Minutes of Finance Committee Meeting held Thursday 14 April 2022 <i>'In Committee'</i>	
	<b>Matters Arising</b>	

15.1	Pay Award (Item 8)	<b>Update from Chief Executive</b>
16.	Minutes of Corporate, Policy and Resources Committee Meeting held Tuesday 26 April 2022 'In Committee'	
	<b>Matters Arising</b>	
16.1	Covid Recognition Request (Item 14)	<b>Amendment Lost</b> <i>That Council provide all staff with 2 additional days annual leave, with the exception of furloughed staff, as recognition of their work during the pandemic.</i>

UNCONFIRMED

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE  
COUNCIL HELD IN THE COUNCIL CHAMBER AND VIA VIDEO CONFERENCE  
ON TUESDAY 3 MAY 2022 AT 7:00PM**

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

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

Councillors Anderson (C), Beattie (R),  
Callan (R), Dallat O'Driscoll (R), Hunter (R), McAuley (C),  
McCandless (C), McCaw (R), McCorkell (R), MA McKillop  
(R), McLean (C), McQuillan (C), Peacock (R), Schenning  
(R), Scott (C), Wallace (C), Watton (C)

**Officers Present** : D Jackson, Chief Executive (C)  
M Quinn, Deputy Chief Executive (R)  
A McPeake, Director of Environment Services (R)  
R Baker, Director of Leisure and Development (R)  
M Smyth, Director of Finance (Interim) (R)  
N Linnegan, Council Solicitor (R)  
J Welsh, Head of Community and Culture (R)  
J Richardson, Head of Capital Works, Energy and  
Infrastructure (R)  
S Duggan, Civic Support & Committee & Member  
Services Officer (R)  
I Owens, Committee & Member Services Officer (C)

A McAuley, PR Manager (R)  
C Thompson, ICT Officer (C)  
A Lennox, ICT Mobile Operations (C)

**In attendance** : Press (2 No) (R)  
Public (0 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.

The Mayor advised he had been asked by Elected Members to table two Items of business, however ruled they were not urgent and could be tabled for the June Council Meeting.

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

The Mayor advised that a group of Ukrainian evacuees were being looked after by a Church in Ballymoney and was hosting a Mayor's Reception for them on Wednesday 11<sup>th</sup> June. The Mayor invited Elected Members to attend to show love and kindness to those who had to leave their homes and seek security.

## **2. APOLOGIES**

Apologies were received for Alderman Hillis, Councillors Bateson, Chivers, Quigley, McGurk, McMullan, P McShane

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

Declarations of Interest were received for:

Alderman Duddy in Leisure and Development Committee Meeting – Item 6 Community Platinum Jubilee Grants Programme. Alderman Duddy did not participate in the item.

Councillor Hunter in Environmental Services Committee Meeting – Item 30 Trading Concessions – Breach of Contract & Working Group Recommendations, as a member of Planning Committee. Councillor Hunter did not participate in the item.

Alderman Baird in Environmental Services Committee Meeting – Item 30 Trading Concessions – Breach of Contract & Working Group Recommendations, as a member of Planning Committee. Alderman Baird did not participate in the item.

Alderman Knight-McQuillan in Corporate Policy and Resources Committee Meeting – Item 14 Covid Recognition Request. Alderman Knight-McQuillan did not participate in this Item.

Councillor Schenning in Leisure and Development Committee Meeting – Item 7 DfC Funding for Foodbanks. Councillor Schenning did not participate in this item.

Councillor MA McKillop in Environmental Services Committee Meeting – Item 30 Trading Concessions – Breach of Contract & Working Group Recommendations, as a member of Planning Committee. Councillor MA McKillop did not participate in this item.

Councillor Dallat O'Driscoll in Environmental Services Committee Meeting – Item 30 Trading Concessions – Breach of Contract & Working Group Recommendations, as a member of Planning Committee. Councillor Dallat O'Driscoll did not participate in this item.

Alderman Boyle in Environmental Services Committee Meeting – Item 30 Trading Concessions – Breach of Contract & Working Group

Recommendations, as a member of Planning Committee. Alderman Boyle did not participate in this item.

**4. MINUTES OF COUNCIL MEETING HELD TUESDAY 5 APRIL 2022**

Copy, previously circulated.

Proposed by Councillor Schenning  
Seconded by Alderman Duddy and

**RESOLVED** – that the Minutes of the Council Meeting held Tuesday 5 April 2022 were taken as read and signed as correct.

\* **Alderman Baird joined the meeting at 7.10 pm.**

**5. MINUTES OF PLANNING COMMITTEE MEETING HELD THURSDAY 24 MARCH 2022**

Copy, previously circulated.

**RESOLVED** – that the Minutes of the Planning Committee Meeting held Thursday 24 March 2022 are received and noted.

**6. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 12 APRIL 2022**

Copy, previously circulated.

Vice-Chair, Councillor Wallace, proposed the adoption of the Minutes subject to any matters arising.

Proposed by Councillor Wallace  
Seconded by Councillor McLean and

**RESOLVED** – that the Minutes of the Environmental Services Committee Meeting held Tuesday 12 April 2022 were adopted and recommendations therein approved.

**7. MINUTES OF LEISURE AND DEVELOPMENT COMMITTEE MEETING HELD WEDNESDAY 13 APRIL 2022**

Copy, previously circulated.

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

**Matters Arising**

**7.1 Notice of Motion proposed by Councillor McAuley, seconded by Alderman Fielding referred from Council Meeting held 5<sup>th</sup> April 2022 (abbrev.) (Upgrade facilities at Parker Avenue)**

Councillor McCandless sought clarity from the Director of Leisure and Development, having raised concern regarding the recommendation and Motion presented.

The Director of Leisure and Development stated, that if agreed, the Motion would put the proposal for facilities at Parker Avenue on the first stage of the Capital Project Management process. Other considerations at Stage One would include the type and/or location of a facility, evidence of need and funding eligibility. He advised the Strategy Outline Business case would look at community, management and capital required to develop the project further and consultation with stakeholders would naturally take place at a later date. There would be no detrimental impact on projects such as Coleraine Leisure Centre and the process would not be prioritised over existing projects on the list.

Alderman Baird concurred with Councillor McCandless suggesting a process should be in place to ensure equity and fairness across the Borough.

Councillors McQuillan, McCorkell and Watton said the Notice of Motion was the diligent and due process for highlighting matters for Capital funding, given the list was compiled in 2015.

At the request of Alderman Duddy, the Director of Leisure and Development did confirm that he is approached by Elected Members on a routine basis regarding requests for consideration of additional capital assets for the Borough.

**7.2 Adoption of Minutes**

Proposed by Councillor McAuley  
Seconded by Councillor Watton and

**RESOLVED** – that the Minutes of the Leisure and Development Committee Meeting held Wednesday 13 April 2022 were adopted and recommendations therein approved.

**8. MINUTES OF FINANCE COMMITTEE MEETING HELD THURSDAY 14 APRIL 2022**

Copy, previously circulated.

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

Proposed by Councillor Callan  
Seconded by Councillor McLean and

**RESOLVED** – that the Minutes of the Finance Committee Meeting held Thursday 14 April 2022 were adopted and recommendations therein approved.

**9. MINUTES OF CORPORATE, POLICY AND RESOURCES COMMITTEE MEETING HELD TUESDAY 26 APRIL 2022**

Copy, previously circulated.

In the absence of the Chair and Vice Chair, Councillor McLean, proposed the adoption of the Minutes subject to any matters arising.

Proposed by Councillor McLean  
Seconded by Alderman Fielding and

**RESOLVED** – that the Minutes of the Corporate, Policy and Resources Committee Meeting held Tuesday 26 April 2022 are adopted and recommendations therein approved.

**10. MATTERS FOR REPORTING TO PARTNERSHIP PANEL**

There were no matters for reporting to Partnership Panel.

**11. CONFERENCES**

There were no conferences to present to Council.

**12. CORRESPONDENCE**

The Mayor presented the following correspondence Items as read:

- (i) Dorinnia Carville, Deputy Chief Executive Newry, Mourne and Down District Council dated 15 March seeking support by writing to the British Treasury raising concerns on the detrimental economic impact these proposed changes to Red Diesel will have.
- (ii) Dorinnia Carville, Deputy Chief Executive Newry, Mourne and Down District Council dated 15 March 2022 seeking support by writing to the Chancellor of the Exchequer regarding Increased Energy Costs, demanding release of much necessary funding and support to enable that all households who have been affected by these massive price increases receive much needed support and help where it is needed most especially in the times that we are now in and beyond.
- (iii) Correspondence received from NI Water in relation to their Deputation to Council and responses to Elected Member queries at the meeting held 5 April 2022.
- (iv) Alison McCullough, Chief Executive, Fermanagh and Omagh District Council dated 12 April 2022 seeking support by lobbying on behalf of



Tourism and Hospitality providers regarding the recruiting of staff within the hospitality and tourism sectors.

- (v) Alison McCullough, Chief Executive, Fermanagh and Omagh District Council correspondence dated 12 April 2022 seeking the support of the above Notice of Motion.
- (vi) Alison McCullough, Chief Executive, Fermanagh and Omagh District Council dated 12 April 2022 seeking representations to the Commissioner for Older People to commend him for progressing judicial review proceedings against the Department of Health regarding the Department's changes to continuing healthcare.
- (vii) Alison McCullough, Chief Executive, Fermanagh and Omagh District Council dated 12 April 2022 seeking representations to the Commissioner for Older People to commend him for progressing judicial review proceedings against the Department of Health regarding the Department's changes to continuing healthcare.

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

### 13. CONSULTATION SCHEDULE

Report, previously circulated.

The Mayor presented the Consultation Schedule as read:

- (i) AECOM on behalf of Armagh City, Banbridge and Craigavon Borough Council – Consultation on Portadown to Armagh Rail Feasibility, submission by 29 April 2022;
- (ii) Department of Agriculture, Environment and Rural Affairs – Consultation on Reforms to the Packaging Waste Recycling Note (PRN) and Packaging Waste Export Recycling Note (Pern) Systems and Operator Approval, submission by 21 May 2022;
- (iii) Ulster University – Consultation on Screening of New Policies (November 2021 – March 2022), submission by 8 July 2022.

The Mayor presented responses available to view on Schedule as read:

- (iv) Department for Agriculture, Environment and Rural Affairs Government response to the Extended Producer Responsibility (EPR) for Packaging consultation. Link to the Government response and DAERA response were previously circulated

The Mayor presented Screening Reports on Schedule as read:

- (v) Department for Communities Quarterly Screening Report: 1 January – 31 March 2022 link was previously circulated
- (vi) Department of Education Quarterly Screening Report: 1 January – 31 March 2022 link was previously circulated
- (vii) Invest NI Equality Screening on Menopause Policy and Hybrid Working Policy was previously circulated

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

#### **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 5315 - 5334 inclusive;
- (ii) Memorandum of Agreement – Rent Review – Cushendall Golf Club – Causeway Coast and Glens Borough and Trustees of Cushendall Golf Club.

Proposed by Councillor McQuillan  
Seconded by Councillor Scott and

**RESOLVED** - that the sealing of documents as listed be approved.

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

Proposed by Alderman Duddy  
Seconded by Councillor Scott and

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

\* **Press and Public were disconnected from the meeting at 7.30 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.

#### **15. MINUTES OF FINANCE COMMITTEE MEETING HELD THURSDAY 14 APRIL 2022 'IN COMMITTEE'**

##### **15.1 Pay Award (Item 8)**

At the request of Councillor Watton, the Chief Executive provided Elected Members an update on the current strike action which was expected to end on 10<sup>th</sup> May 2022.

## 16. MINUTES OF CORPORATE, POLICY AND RESOURCES COMMITTEE MEETING HELD THURSDAY 26 APRIL 2022 'IN COMMITTEE'

### 16.1 Covid Recognition Request (14)

Councillor Peacock asked for the definition of a 'front-line' worker, referring to the many groups of staff who worked throughout the pandemic.

The Chief Executive advised those who had received letters signed off by himself that were deemed 'front-line' workers, due to staff having to travel to their place of work throughout the pandemic, in order to carry out essential duties.

#### Amendment

Proposed by Councillor Peacock

Seconded by Councillor Schenning and

- that Council provide all staff with 2 additional days annual leave, with the exception of furloughed staff, as recognition of their work during the pandemic.

Proposed by Councillor Hunter

Seconded by Alderman Duddy and

**AGREED** – that Council seek legal advice on the implication of rewarding some staff with 2 additional days annual leave.

The Chief Executive advised that the matter may have to be referred to specialist employment lawyers, but agreed to seek an internal legal opinion during recess.

\* **The Mayor declared a recess at 8.00 pm**

\* **The meeting reconvened at 8.15 pm.**

The Chief Executive undertook a roll call.

The Chief Executive advised the Council Solicitor declared a conflict of interest and invited the Director of Corporate Services to address Elected Members.

The Director of Corporate Services advised that Trade Unions had not been specific regarding staff to be included in the recognition and that Council had consulted with other Councils in advance of bringing the report to Corporate Policy and Resources Committee. The Director of Corporate Services said that Councils had varied approaches, one of which was additional leave and that it was a matter for Elected Members to decide whether to recognise staff and if so, in what way. She referred to the report brought to the Corporate Policy and Resources Committee meeting which outlined costs, benefits and associated risk.

At the request of Councillor McCorkell, the Director of Corporate Services advised that no formal arrangement for flexible working had been agreed since the pandemic.

The Chief Executive advised that no direction has been given from The Executive regarding staff returning to their place of work.

Amendment

Proposed by Councillor Peacock

Seconded by Councillor Schenning

- that Council provide all staff with 2 additional days annual leave, with the exception of furloughed staff as recognition of their work during the pandemic.

The Mayor put the amendment to the Council to vote.

7 Members voted For, 15 Members voted Against, 0 Members Abstained.

The Mayor declared the amendment lost.

**MOTION TO PROCEED 'IN PUBLIC'**

Proposed by Councillor Scott

Seconded by Councillor Watton

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

This being all the business, The Mayor thanked everyone for their attendance and the meeting concluded at 8.30 pm