



# Causeway Coast & Glens Borough Council

## COUNCIL MEETING TUESDAY 1 DECEMBER 2020

### Table of Contents

<b>No.</b>	<b>Item</b>	<b>Decision</b>
<b>1.</b>	The Mayor's Business	<b><i>Received</i></b>
<b>2.</b>	Apologies	<b><i>Councillor C McShane</i></b>
<b>3.</b>	Declarations of Members' Interests	<b><i>Alderman Duddy, S McKillop, McCorkell; Councillors MA McKillop, Hunter, McMullan, Schenning, Knight-McQuillan, Wallace and Wilson as set out</i></b>
<b>4.</b>	Minutes of Council Meeting held Tuesday 3 November 2020	
	<b>4.1</b> Confirmation of the Minutes	<b><i>Confirmed</i></b>
<b>5.</b>	Minutes of Planning Meeting held Wednesday 23 September 2020 and reconvened on Wednesday 28 October 2020	<b><i>Noted</i></b>
<b>6.</b>	Minutes of Planning Meeting held on Wednesday 28 October 2020	<b><i>Noted</i></b>

<b>7.</b>	Minutes of Environmental Services Meeting held on Tuesday 10 November 2020	<b><i>Adopted and recommendations therein approved</i></b>
	<b>Matters arising</b>	
	<b>7.1</b> Cottage Wood (Item 24)	<b><i>Director of Environmental Services to liaise with Head of Estates regarding remedial works at Cottage Wood</i></b>
	<b>7.2</b> Adoption of the Minutes	<b><i>Adopted and recommendations therein approved.</i></b>
<b>8.</b>	Minutes of Finance Committee meeting held Thursday 12 November 2020	<b><i>Adopted and recommendations therein approved</i></b>
<b>9.</b>	Minutes of Leisure and Development Committee meeting held Tuesday 17 November 2020	
	<b>Matters Arising</b>	
	<b>9.1</b> Holiday and Leisure Parks Rates 2021-22 (Item 24)	<b><i>Director of Leisure and Development to liaise with Head of Tourism and Recreation regarding remedial works at Carrick Dhu Caravan Park.</i></b>
	<b>9.2</b> Notice of Motion proposed by Councillor Mulholland, seconded by Councillor McCaw, deferred from 18 <sup>th</sup> March 2020, 15 <sup>th</sup> September 2020 and 20 <sup>th</sup> October 2020 Leisure and Development Committee Meetings (Item 5)	<b><i>Director of Leisure and Development agreed to provide update from The Education Authority</i></b>
	<b>9.3</b> Roe Valley Leisure Centre Gym Investment Business Case (Item 7)	<b><i>The Director of Leisure and Development confirmed</i></b>

		<b>that Key Performance Indicators in terms of return will be in Business Plan going forward</b>
	<b>9.4</b> Adoption of the Minutes	<b>Adopted and recommendations therein approved</b>
<b>10.</b>	Minutes of Corporate Policy & Resources Committee Meeting held Tuesday 27 October 2020	
	<b>Matters Arising</b>	
	<b>10.1</b> Women's Group (Item 5)	<b>Women's Group' be a Working Group, open to all parties including Independent Members</b>
	<b>10.2</b> Notice of Motion proposed by Councillor McCaw, seconded by Councillor Mulholland (Universal Basic Income) (Item 4)	<b>Support Notice of Motion subject to point of accuracy</b>
	<b>10.3</b> Adoption of the Minutes	<b>Adopted and recommendations therein approved including Points of clarification at Item 10.1 and 10.2 above</b>
<b>11.</b>	Matters for reporting to the Partnership Panel	<b>Chief Executive to raise the issue of Covid-19 Business Grants through Partnership Panel</b>
<b>12.</b>	Conferences	<b>Nil</b>
<b>13.</b>	Correspondence	

	<b>(i)</b> ( November Housing Council Bulletin	<b>Noted (Items I,ii,iii)</b>
	(ii) The Northern Ireland Housing Council meeting on Thursday, 12 <sup>th</sup> November 2020 at 10.30 am	
	<b>(iii)</b> Letter from Bumper Graham, LGSC Correspondence dated 16 <sup>th</sup> November re Local Government Staff Commission – Dissolution.	
	<b>(iv)</b> Carlow County Council	<b>Support amended Motion</b>
<b>14.</b>	Consultation Schedule	
	<b>(i)</b> Department of Health Development Policy Branch Making Life Better - Preventing Harm and Empowering Recovery: A Strategic Framework to Tackle the Harm from Substance Use - A Public Consultations. Submissions by 5 February 2021.	<b>Noted</b>
<b>15.</b>	Seal Documents	
	<b>(i)</b> Grave Registry Certificates, No's (inclusive)	<b>Seal Affixed Items i-v)</b>
	<b>(ii)</b> Agreement for Transfer of Ownership "Portacabins/Shower Block" at Coleraine Football Club - CCGBC to Coleraine Football Club (Ref L&P 7/10/20, CP&R 27/10/20 and CM 3/11/20).	
	(iii) Benone, Benone Avenue - NIE Networks Wayleave Agreement No 814008 for a new underground cable and associated works (Ref L&P 7/10/20, CP&R 27/10/20 and CM 3/11/20)	
	<b>(iv)</b> Purchase of Land and Ballywillan Cemetery, Portrush - From 11 Land	

	Registry Transfer deed (Ref ES 19/12/19, CM 7/1/20)	
	(v) Purchase of Land and Ballywillan Cemetery, Portrush - From 11 Land Registry Transfer deed (Ref ES 19/12/19, CM 7/1/20)	
16.	Notice of Motion proposed by Councillor McGurk, seconded by Councillor McMullan	<b>Referred to Environmental Services Committee</b>
	<i>This Council, recognising we are in a climate emergency , being aware of the public health risks and environmental damage associated with petroleum exploration and extraction including fracking, and acknowledging the significant cross-community opposition previously expressed in this Borough towards petroleum exploration in the Rathlin Basin, calls on the Minister for the economy to place an immediate ban on all licences for exploration and extraction of hydrocarbons, and further calls on the Minister for Infrastructure to urgently implement changes to deny permitted development rights to any company seeking to prospect for oil, gas and/or other fossil fuels.</i>	
17.	Notice of Motion proposed by Alderman Finlay, seconded by Councillor McAuley	<b>That Council Support The Notice of Motion</b>
	<i>I, John Finlay, wish to propose that the Memorial Window currently residing in Ballymoney Council Chamber is leased to Ballymoney Royal British Legion for them to display as I feel no-one makes use of the council chamber and the memorial window is never seen.</i>	
	<b>'IN COMMITTEE' (ITEMS 18-22 INCLUSIVE)</b>	
18.	Minutes of Corporate Policy & Resources Committee Meeting Held Tuesday 24 November 2020 – 'In Committee'	
	<b>Matters Arising 'In Committee'</b>	
	<b>18.1</b> Minutes of Land and Property Matters Arising - Limepark Playing Fields, Armoy. Request that Belfast Giants be permitted to use the Playing Fields at Lime Park, Armoy until a decision is reached regarding the future of this asset (Item 6)	<b>Agreed that Armoy Giants and other community groups who had expressed an interest be permitted to use the Playing Fields</b>

		<b><i>at Lime Park, Armoy until a decision is reached regarding the future of this asset.</i></b>
<b>19.</b>	<i>Legal Opinions in the matter of 2no. Call In requests in respect of a decision of the Council dated 6 October 2020.</i>	
	<b>19 (i)</b> Legal Opinion (No1) in the matter of a Call In Notice dated 8 October 2020, in respect of a Council Motion on 6 October 2020, relating to the Happy Raspberry HR Consulting Report into a complaint	<b><i>Decision upheld</i></b>
	<b>19(ii)</b> Legal Opinion (No.2) in the matter of a Call In Notice in respect of a Council motion on 6 October 2020, relating to the Happy Raspberry Limited Report Into A Complaint	<b><i>Decision upheld</i></b>
<b>20.</b>	Legal Opinion in the matter of a Call In request, in respect of a decision of the Council dated 6 October 2020, relating to the appointment of a Project Co-Ordinator for the Council's Northern Ireland Centenary Programme	<b><i>Decision upheld</i></b>
<b>21.</b>	Legal Opinion in the matter of a Call In request, in respect of a decision of the Council dated 3 November 2020, relating to a Pilot Scheme to change the Opening Hours of Household Recycling Centres located in Kilrea and Garvagh	<b><i>Decision upheld</i></b>
<b>22.</b>	Legal Opinion in the matter of a Call In request, in respect of a decision of the Council dated 3 November 2020, relating to the Decision to	<b><i>Decision fell on reconsideration</i></b>

	allocate a particular level of funding to the Causeway Coast and Glens Heritage Trust	
--	---	--

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE  
COUNCIL  
HELD IN THE COUNCIL CHAMBER AND VIA VIDEO CONFERENCE ON  
TUESDAY 1 DECEMBER 2020 AT 7:00PM**

**In the Chair :** The Mayor, Alderman Fielding (C)

**Members Present :** Alderman Baird, Boyle, Duddy, Finlay, Hillis,  
McCorkell, McKeown, Sharon McKillop and  
Robinson  
(All Remote Attendance)

Councillors Anderson, Bateson, Beattie,  
Callan, Chivers, Dallat O'Driscoll, Holmes,  
Hunter, Knight-McQuillan, McAuley,  
McCandless, McCaw, , McGurk, MA McKillop,  
McLaughlin, McLean, McMullan, McQuillan, P  
McShane, Mulholland, Nicholl, Peacock,  
Quigley, Schenning, Scott, Wallace, Watton  
and Wilson  
(All Remote Attendance)

**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 & Development (C)  
P Donaghy, Democratic & Central Services Manager (R)  
S Duggan, Civic Support & Committee & Member Services Officer  
(R)  
I Owens, Committee & Members Services Officer (C)

**Attendance** J Mills, Council Land and Property Solicitor (R)  
J Richardson, Head of Infrastructure and  
Capital Works (R)  
P O'Brien, Funding Unit Manager (R)  
J Welsh, Head of Health and Well Being (R)  
A Lennox, ICT Mobile Operations (C)  
J Winfield, ICT Operations Manager (R)  
C Thompson, ICT Officer (C)  
A McAuley, Public Relations Manager (R)



**In Attendance:** K Morgan, Barrister The Bar of Northern (R)

Public (1 No) (R)

Press (4 No) (R)

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

The Mayor extended a welcome to members of the press and public in attendance and provided the following guidance.

*'You will be required to leave the meeting when Council goes into committee. You will be readmitted by Democratic Services Officers as soon as the meeting comes out of committee. I would also remind you that the taking of photographs of proceedings or the recording of proceedings for others to see or hear is prohibited.*

*If you are having technical difficulties try dialling in to the meeting on the telephone number supplied and then insert conference ID code which is on the chat.*

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

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

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

The Mayor opened the meeting,

"Good evening everyone and welcome to our monthly full Council meeting.

I want to begin by reminding everyone of the importance of following the current public health advice.

We're currently in the midst of a two week circuit breaker, and it's vital that complacency does not creep in.

I would urge you all to support our local businesses during this time.

Council's Shop, Eat, Enjoy Local message has added significance this year and our traders need our support more than ever.

We also have the Causeway Coast and Glens Gift Card, which is another unique asset for the Borough, and a great gift choice which will directly support the local economy.

I've been busy this month taking part in our virtual Christmas programme. Hopefully you'll be able to catch up with some of this online, and I'm pleased to see Council once again demonstrating its innovative approach despite the challenges.

Our Environmental Resources and GIS teams deserve recognition for their collaboration on a new LiveSmart story map which is available on our Council website.

The campaign aims to encourage us to take simple steps to protect our environment and I would encourage you all to access this resource and give it your full support.

Before we move on, I want to advise that Cloonavin will be lit up in green to mark the launch of the Samaritans Christmas campaign this week, and on Thursday the lights will be purple to mark International Day of Disabled People.

Councillor McLaughlin extended condolences and that of the Sinn Féin party to Councillors C McShane and P McShane on the recent passing of their father. The Mayor concurred with Councillor McLaughlin's remarks and stated that he had extended his sympathies also. Alderman Baird also extended her condolences.

## **2. APOLOGIES**

Apologies were recorded for Councillor C McShane.

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

Declarations of Interest were recorded for:

Alderman Duddy in Environmental Services Committee Minutes Item 4 Keep Northern Ireland Beautiful 'Livehere Love Here' Campaign, Alderman Duddy did not participate in the Item.

Councillor M A McKillop in Item 22 'Call-in' Decision to allocate a particular level of funding to the Causeway Coast and Glens Heritage Trust, Councillor McKillop did not participate in the Item.

Councillor Hunter in Item 22 'Call-in' Decision to allocate a particular level of funding to the Causeway Coast and Glens Heritage Trust, Councillor Hunter did not participate in the Item.

Councillor McMullan in Item 22 'Call-in' Decision to allocate a particular of funding to the Causeway Coast and Glens Heritage Trust, Councillor McMullan did not participate in this Item.

Alderman Sharon McKillop in Item 22 'Call-in' Decision to allocate a particular level of funding to the Causeway Coast and Glens Heritage Trust, Alderman S McKillop did not participate in the Item.

Alderman McCorkell in Corporate Policy and Resources Minutes Item 11 Notice of Motion UBI. Alderman McCorkell did not participate in the Item.

Councillor Schenning in Leisure and Development Committee Minutes Item 23 LCDI, Councillor Schenning did not participate in this Item.

Councillor Knight-McQuillan in Corporate Policy and Resources Minutes Item 20 Population of Organisational Structure, Councillor Knight-McQuillan did not participate in this item.

Councillor Wilson in Item 17 Notice of Motion, Memorial Window - declared an interest as a Member of Ballymoney Royal British Legion.

Councillor Watton in Item 17 Notice of Motion, Memorial Window – declared an interest as a Member of Ballymoney Royal British Legion.

The Mayor advised Item 18 – Notice of Motion proposed by Alderman Finlay, seconded by Councillor McAuley would be considered as business on the evening.

The Mayor stated Item 4 – Presentation by Sustainable Coastal Communities on the Agenda had been withdrawn at the request of the presenters.

#### **4. MINUTES OF COUNCIL MEETING HELD TUESDAY 3 NOVEMBER 2020**

Minutes of the meeting previously circulated.

##### **4.1 Confirmation of the Minutes**

Proposed by Alderman Duddy  
Seconded by Alderman McCorkell and

**RESOLVED** – that the Minutes of the Council Meeting held Tuesday 3 November 2020 are confirmed as a correct record.

##### **4.2 Accuracy of the Minute (Item 6)**

Councillor P McShane referred to Item 6.1(i) of Council Minutes (Minutes of Audit Committee Meeting held 12 September 2020 (CM Item 9) - Matters Arising (CM Item 9.1) Internal Audit Reports (Moore Stephens) (AC Item 7) Fuel Management (AC Item 7.2). He stated the remarks made were a misrepresentation by Alderman Duddy and in effect the minutes were inaccurate in terms of the comments made regarding him.

Councillor Quigley concurred with Councillor P McShane's remarks and felt the demeanour of the Chief Executive while Councillor P McShane made his remarks was unprofessional. Both members did not point to actual inaccuracies regarding the content of the minutes as requested by the Mayor.

Alderman Duddy called a Point of Order Standing Order 24 (Member's conduct) regarding the alleged conduct of Councillor Quigley feeling she had verbally attacked the Chief Executive. The Mayor further sought clarity from Councillor Quigley regarding whether she wished to refer to an inaccuracy in the Minutes of the Council Meeting.

Proposed by Alderman Duddy

Seconded by Councillor Callan

- that Point of Order Standing Order 24.2 (The member not be heard further),

Councillor Quigley requested a recorded vote.

The Mayor put the motion to the Council to vote.  
20 voted Members voted For; 16 Members voted Against; 2 Members Abstained.  
The Chair declared the Motion carried.

Recorded vote Table

<b>For (20)</b>	Alderman Baird, Duddy, Fielding, Finlay, Hillis, McCorkell, Sharon McKillop, Robinson,
	Councillors Anderson, Callan, Holmes, Knight-McQuillan, McAuley, McCandless, McLean, McQuillan, Scott, Wallace, Watton, Wilson
<b>Against (16)</b>	Alderman Boyle
	Councillors Bateson, Beattie, Chivers, Dallat-O'Driscoll, McCaw, McGurk, McKillop, McLaughlin, McMullan, P McShane, Mulholland, Nicholl, Peacock, Quigley, Schenning
<b>Abstain (2)</b>	Alderman McKeown
	Councillor Hunter

**5. MINUTES OF PLANNING MEETING HELD WEDNESDAY 23 SEPTEMBER 2020 AND RECONVENED ON WEDNESDAY 28 OCTOBER 2020**

**Minutes of the meeting previously circulated.**

RESOLVED – that the Minutes of the Planning Committee meeting held Wednesday 23 September, reconvened on Wednesday 28 October 2020 are noted.

**6. MINUTES OF PLANNING MEETING HELD WEDNESDAY 28 OCTOBER 2020**

**Minutes of the meeting previously circulated.**

**RESOLVED** – that the Minutes of the Planning Committee meeting held Wednesday 28 October 2020 are noted.

**7. MINUTES OF ENVIRONMENTAL SERVICES MEETING HELD TUESDAY 10 NOVEMBER 2020**

**Minutes of the meeting previously circulated.**

Chair of Environmental Services Committee, Councillor McQuillan, presented the Minutes.

**Matters Arising**

**7.1 Cottage Wood and Cushendall Beach Car Park (Item 24)**

Councillor MA McKillop referred to a matter previously raised regarding broken and unsafe fencing/railing at a stream located at this location. The Director of Environmental Services confirmed that a site visit had taken place, an assessment carried out and tender process initiated. The Director of Environmental further clarified that this could take 4 - 6 weeks and that any remedial work in the meantime to ensure safety would be carried out urgently.

Councillor McMullan asked that the bin provision at this site be increased to reduce the amount of rubbish being dropped, and also felt that money could be saved by not replacing all of the fencing in the area.

**7.2 Adoption of Minutes**

Proposed by Councillor McQuillan  
Seconded by Councillor MA McKillop and

**RESOLVED** – that the Minutes of the Environmental Services Committee Meeting held Tuesday 10 November 2020 are adopted and recommendations therein approved.

**8 MINUTES OF FINANCE COMMITTEE MEETING HELD THURSDAY 12 NOVEMBER 2020**

**Minutes of the meeting previously circulated.**

Chair of Finance Committee, Councillor McLean, presented the Minutes.

Proposed by Councillor McLean  
Seconded by Councillor Scott and

**RESOLVED** – that the Minutes of the Finance Committee Meeting held Thursday 12 November 2020 are adopted and recommendations therein approved.

Councillor Holmes felt it was worth noting that the debt levels were the same as those which were inherited at the conception of the Causeway Coast and Glens Borough Council.

## **9. MINUTES OF LEISURE AND DEVELOPMENT COMMITTEE HELD TUESDAY 17 NOVEMBER 2020**

**Minutes of the meeting previously circulated.**

Chair of Leisure and Development Committee, Councillor Nicholl, presented the Minutes.

### **9.1 Holiday and Leisure Parks Rates 2021-22 (Item 24)**

Alderman Duddy raised the matter of the laundry provision and general maintenance, specifically painting of fence at Carrick Dhu at Holiday and Leisure Parks, requesting that this should be given consideration by Officers in advance of the next holiday season given the 4\* status of the accommodation.

### **9.2 Notice of Motion proposed by Councillor Mulholland, seconded by Councillor McCaw, deferred from 18 March 2020, 15 September 2020 and 20 October 2020 Leisure and Development Committee Meetings (Item 5)**

Councillor Mulholland asked for clarity on the timeline of the Youth Voice Initiative from its inception. The Director of Leisure and Development agreed to speak to the Education Authority, provide dates as requested and suggested the Councillor Mulholland speak with the Education Authority regarding their initiative alongside her Notice of Motion.

### **9.3 Roe Valley Leisure Centre Gym Investment Business Case (Item 7)**

Councillor Schenning suggested it would be financially prudent not to use the tender process. The Director of Leisure and Development confirmed that the most effective and efficient method would be adopted after consideration by the Estates Team. The Director of Leisure and Development assured Councillor Schenning that the right equipment at the right price would be sought to ensure value for money for ratepayers. The Director of Leisure and Development confirmed that staff had been involved in key aspects of the decision making process.

Councillor Callan referred the recommendation in the minute stating that no reference was made to the agreed financial payback period. The Director of Leisure and Development confirmed that Key Performance Indicators in terms of return will be a key KPI Business Plan going forward.

### **9.4 Adoption of Minutes**

Proposed by Councillor Nicholl  
Seconded by Councillor MA McKillop and

**RESOLVED** – that the Minutes of the Leisure and Development Committee Meeting held Thursday 17 November 2020 are adopted and recommendations therein approved.

## **10. MINUTES OF CORPORATE POLICY & RESOURCES COMMITTEE MEETING HELD TUESDAY 24 NOVEMBER 2020**

**Minutes of the meeting previously circulated.**

Chair of Corporate Policy and Resources Committee, Alderman Hillis, presented the Minutes.

### **Matters Arising**

Councillor P McShane wished to raise the Review of Planning, Item 19, the Mayor stated the confidential Item would be heard 'In Committee' at the end of the meeting.

### **10.1 Women's Group (Item 5)**



Councillor Peacock confirmed that the wording of the motion passed intended that the working group was open to all parties including Independent.

Alderman Boyle thanked Councillors Peacock and Knight-McQuillan and the Democratic Services Officer for their contribution so far regarding the setting up of this group, saying it was a welcome innovation.

Councillor Knight-McQuillan thanked members for their support in bringing this forward and hoped it would be an opportunity for an open forum.

**It was Agreed** – that the ‘Women’s Group’ be a Working Group, open to all parties including Independent Members.

**10.2** Notice of Motion proposed by Councillor McCaw, seconded by Councillor Mulholland (Universal Basic Income) **(Item4)**

At the request of Alderman Duddy in relation to the recommendation, Councillor McCaw confirmed the correct recommendation as follows:

*‘In the wake of the economic crisis caused by the coronavirus pandemic, this Council recognises the need for a reformed, fairer welfare system that protects everyone in society. It recognises the need to provide economic security for all and invest in people to protect livelihoods and kick-start the economy. Council writes to the Departments for Communities and Finance regarding a design and deliver a recovery Universal Basic Income (UBI) for Northern Ireland. Additionally, recognising the need for a radical overhaul of the welfare state and the positive impact this would have on poverty alleviation, inequality and mental health in particular.’*

**10.3 Adoption of Minutes**

Proposed by Alderman Hillis  
Seconded by Councillor Wilson and

**RESOLVED** – that the Minutes of the Corporate Policy and Resources Committee Meeting held Tuesday 24 November 2020 are adopted and recommendations therein approved including the points of clarification at 10.1 and 10.2 above.

**11. MATTERS FOR REPORTING TO THE PARTNERSHIP PANEL**

The Chief Executive confirmed a matter arising from the Finance Committee, the matter of Covid-19 Business Grants via the Partnership Panel.

Councillor Hunter expressed concern that many businesses had received little or nothing by way of grant aid and that the process was evidently slow and cumbersome with some businesses being turned down for application. Councillor Hunter further commented that some businesses were on the brink of bankruptcy and that action was required immediately. Alderman Baird concurred with Councillor Hunter's remarks.

The Director of Leisure and Development encouraged members to highlight to the Economic Development Team any businesses with any issues around the business grant funding application.

Alderman McKeown, who is the elected member representative on the Partnership Panel confirmed that a pre-meeting would be taking place on 15 December 2020 followed by a meeting on 10 January 2021.

Councillor McQuillan felt that this matter should be dealt with directly by Stormont rather than waiting to the new year to further lobby for grant assistance as people on a daily basis are lobbying elected members.

## **12. CONFERENCES**

There were no conferences.

## **13. CORRESPONDENCE**

Correspondence report, previously circulated, presented by the Chief Executive.

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

It is recommended that Council notes the correspondence report.

The following were listed:

### **(i) November Housing Council Bulletin**

The Northern Ireland Housing Council met on Thursday, 12<sup>th</sup> November 2020 at 10.30 am. (App 1, previously circulated)

**(ii) Northern Ireland Housing Council Meeting**

The 473rd Northern Ireland Housing met on Thursday 8<sup>th</sup> October 2020 at 10.30 am. (App 2, previously circulated)

**(iii) Letter from Bumper Graham, LGSC**

Correspondence dated 16<sup>th</sup> November re Local Government Staff Commission – Dissolution.

**(iv) Carlow County Council**

Notice of Motion dated 12<sup>th</sup> November re Mother and Baby Homes. (App 3, previously circulated)

Proposed by Councillor Peacock,  
Seconded by Councillor McMullan

*‘That Council note the correspondence from Carlow County Council; Council write a similar letter to An Taoiseach lobbying to ensure truth and justice for all victims of the mother and baby homes scandal. Women the length and breadth of this island found themselves sent to these establishments. They deserved to have their stories heard and access to their records and as well as truth and justice. We need to add voices to their fight as proposed in correspondence; Further write to the Executive to initiative a public enquiry into the heinous actions against women and children in mother and baby homes in the North also. The UN committee against torture identified a failing here to properly investigate acts of abuse. Victims deserve better.’*

Councillor Callan requested a recess to allow a discussion in advance of the vote.

**It was Agreed** – that a recess is held at 8.15PM.

**\* The meeting reconvened at 8.35 pm.**

Councillor Peacock requested a Recorded Vote.

Council Holmes felt it was a tragic and dark part of the history of the state. Councillor Callan concurred with the comments made by

Councillor Holmes. Both members felt the matter was best dealt with by The Northern Ireland Executive.

Amendment

Proposed by Councillor Holmes

Seconded by Councillor Callan

That Council notes the correspondence.

Alderman Finlay wished to record his agreement with the Motion and said that no-one will ever comprehend the suffering of these individuals, and stated his thoughts were with those still alive.

Alderman Boyle also spoke in support of the Motion and felt that we had a responsibility to speak for women as this was a matter which had been hidden for decades.

Councillor Peacock said she that many women had endured the abuse in these establishments and that many of them were indeed still alive. Councillor Peacock implored her fellow members to support her motion.

**It was Agreed** – that a recess is held at 8.45 pm.

\* **The meeting reconvened at 8.55 pm.**

The Mayor put the Amendment to the Council to vote.

11 Member voted For; 23 Members Voted Against; 0 Members Abstained.

The Mayor declared the Amendment lost.

Recorded vote table

<b>For (11)</b>	Alderman Baird, Duddy, Hillis, ,McKeown
	Councillors Callan, Holmes, Hunter, Knight-McQuillan, McCandless , Watton, Wilson
<b>Against (23)</b>	Alderman Boyle, Fielding, Finlay, McCorkell
	Councillors Bateson, Beattie, Chivers, Dallat O'Driscoll, McAuley, McCaw, , McGurk, M A McKillop, McLaughlin, McLean, McMullan, McQuillan, P McShane, Mulholland, Nicholl, Peacock, Quigley, Schenning, Wallace,
<b>Abstain (3)</b>	Alderman Sharon McKillop,
	Councillors Anderson and Scott

### Amendment

Proposed by Councillor Scott

Seconded by Councillor Anderson

*'That Council note the correspondence from Carlow County Council; Council write a similar letter to An Taoiseach lobbying to ensure truth and justice for all victims of the mother and baby homes scandal. Women the length and breadth of this island found themselves sent to these establishments. They deserved to have their stories heard and access to their records and as well as truth and justice. We need to add voices to their fight as proposed in correspondence; Further write to the Executive to initiative a public enquiry into the heinous actions against women and children in mother and baby homes in Northern Ireland also. The UN committee against torture identified a failing here to properly investigate acts of abuse. Victims deserve better.'*

The Mayor put the Amended motion to the Council to vote.

27 Members voted For ;0 Members voted Against;11 Members abstained;

The Mayor declared the Amendment carried.

It was further **RESOLVED** – that Council note the correspondence schedule items i, ii, iii.

During Consideration Councillor P McShane referred to correspondence shared with members during business hours today which had not been added to the Agenda for this meeting. The Mayor advised the Officer responsible could add it to the Audit Agenda if required. The Mayor Ruled that this item of business was not on Agenda and could not be discussed.

During consideration of the Item, The Mayor asked for it to be recorded that contrary to social media reporting Councillor Quigley had only been 'not been heard further' in relation to the item under discussion at the time the Point of Order 24.2 was raised and the vote taken.

## **14. CONSULTATION SCHEDULE**

The following Consultation Documents were presented:

(i) Department of Health Development Policy Branch

Making Life Better - Preventing Harm and Empowering Recovery: A Strategic Framework to Tackle the Harm from Substance Use - A Public Consultations. Submissions by 5 February 2021.

The Chief Executive invited members to present matters for consultation to Officers for consideration at Council meetings.

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

## **15. 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 5047 - 5061 (inclusive)
- (ii) Agreement for Transfer of Ownership "Portacabins/Shower Block" at Coleraine Football Club - CCGBC to Coleraine Football Club (Ref L&P 7/10/20, CP&R 27/10/20 and CM 3/11/20).
- (iii) Benone, Benone Avenue - NIE Networks Wayleave Agreement No 814008 for a new underground cable and associated works (Ref L&P 7/10/20, CP&R 27/10/20 and CM 3/11/20)
- (iv) Deed of Indemnity in Relation to Design, Support and Hosting of E-Tourism Website Platform (Ref L&D 16/6/20, CM 6/7/20)
- (v) Purchase of Land and Ballywillan Cemetery, Portrush - From 11 Land Registry Transfer deed (Ref ES 19/12/19, CM 7/1/20)

Proposed by Councillor Knight-McQuillan  
Seconded by Alderman Boyle and

**RESOLVED** – that the sealing of documents as listed (i-v) be approved.

## **16. NOTICE OF MOTION PROPOSED BY COUNCILLOR MCCAWE, SECONDED BY ALDERMAN HILLIS**

The Chief Executive advised the Notice of Motion would be referred to the Environmental Services Committee Meeting.

## **17. NOTICE OF MOTION PROPOSED BY ALDERMAN FINLAY,**

## **SECONDED BY COUNCILLOR MCAULEY**

*I, John Finlay, wish to propose that the Memorial Window currently residing in Ballymoney Council Chamber is leased to Ballymoney Royal British Legion for them to display as I feel no-one makes use of the council chamber and the memorial window is never seen.*

Alderman Finlay spoke in support of the Notice of Motion.

"Since 2002 Ballymoney Borough Council had a memorial to members of the security forces and innocent victims who lost lives during the troubles. The Chamber has been derelict for some time and I feel the window should be relocated on loan to the Royal British Legion Hall where it can be displayed for citizens to view.

The reasoning for the request to have a lease agreement is to ensure that should the Royal British Legion closes that council get the window back. The Chief Executive has given assurances that a lease arrangement can be put in place.

Councillor McAuley spoke in support of the Motion

Alderman Baird felt that it may be better for the memorial window to be placed in the flagship of the town namely the Town Hall. Where it could be available for all to see.

Alderman Finlay confirmed that the Royal British Legion would welcome all those who wished to see the memorial window.

The Mayor put the Notice of Motion to the Council to vote.  
35 Members voted For; 0 Members voted Against; 1 Member abstained.

The Mayor declared the motion carried.

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

Proposed by Councillor Scott  
Seconded by Councillor Bateson and

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

\* **Press / Public left the meeting at 9.30 pm.**

**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.**

**18 MINUTES OF CORPORATE POLICY AND RESOURCES COMMITTEE MEETING HELD ON 24 NOVEMBER 2020– ‘IN COMMITTEE’**

**Matters Arising ‘In Committee’**

**18.1 Minutes of Land and Property Sub-Committee Meeting held Wednesday 4 November 2020 (Item 17)**

Proposed by Alderman Baird  
Seconded by Councillor Anderson

- that Armoy Giants’ American Football Club and other community groups who had expressed an interest be permitted to use the Playing Fields at Lime Park, Armoy in until a decision is reached regarding the future of this asset.

The Mayor put the motion to the Council to vote  
36 Members voted For; 0 Members voted Against; 0 Members Abstained.

The Mayor declared the proposal carried unanimously.

Councillor Knight-McQuillan, in her capacity as Chair of Land and Property Sub Committee wished to have recorded that the decision was taken without regard to Council’s Land and Property policy.

**18.2 Review of Planning (Item 19)**

Councillor P McShane raised the issue of the process surrounding the appointment of the individual to carry out the Review of Planning. The Chief Executive clarified as referred to in the Minute for the Corporate Policy and Resources Committee meeting that this provider came highly recommended by other Councils in Northern Ireland and had worked as a Chief Planner. The Chief Executive clarified that the Members could consider other procurement processes if they wished to do so.

Councillor P McShane and Councillor Quigley expressed concerns regarding the procurement process used and Councillor Quigley felt that this review, while welcome, was putting unnecessary pressure on staff. Councillor P McShane confirmed that he had no issues with the performance of staff in the Planning section.



Councillor McQuillan and Councillor Callan felt that the review was needed to take stock of processes and give consideration to matters needing addressed.

Alderman Baird also referred to the pressure Planning staff are under at present trying to work from home, given the pandemic but felt that the review would be useful and concluded that it would be prudent to employ the recommended provider given his track record.

Alderman Duddy sought clarity from the Chief Executive regarding the cost of proceeding to procurement/tender process and the Chief Executive confirmed that a full public tender could cost between 15,000 and 25,000.

Proposed by Councillor P McShane  
Seconded by Councillor Quigley

- that Council await the conclusion of the Northern Ireland Audit Office (NIAO) review of Planning Authority before conducting a Review of Planning in Council.

**It was Agreed** - that a recess is held at 9.50 pm.

\* **The meeting reconvened at 10.05 pm.**

Councillor McGurk wished to put on record the position of Sinn Féin which was to postpone the review of planning for the time being due to the pandemic suggesting that there would be down time due to current lockdown, Christmas and a possible further lockdown. Councillor McGurk felt that the timing was not right to enable the engagement of stakeholders and said she was mindful of the pressures the NIAO audit would apply to staff. Councillor Dallat O'Driscoll concurred with the comments made by Councillor McGurk and paid tribute to the hard work of the staff in the Planning department.

Councillor Callan and Councillor Wilson felt that to use Covid-19 as a reason not proceed with the review of planning was not valid.

The Mayor put the motion to a vote  
16 Members voted For; 21 Members voted Against; 1 Member abstained.  
The Mayor declared the motion lost.

### **18.3 Population of the Organisational Structure (Item 20)**

Alderman Duddy referred to the decision at Committee to defer consideration of this matter to Council. Alderman Duddy confirmed that the DUP would be engaging with Unions and referred to the issues around the unfairness of lowest paid staff in Council not having the job security of higher paid staff. Alderman Duddy referred to the Director of Corporate Service who had requested a staff resource to manage the population of the organisational structure and said he took on board the work which was being undertaken within the Leisure and Development Directorate in this regard.

Proposed by Alderman Duddy  
Seconded by Councillor Wilson

- That the Population of the Organisational Structure is completed within 6 months with no additional resources.

The Mayor put the motion to a vote.

37 Members voted For; 0 Members voted Against; 0 Members Abstained.

The Mayor declared the motion carried unanimously

- \* **The Chief Executive left the meeting at 10.20pm.**
- \* **The Director of Corporate Services left the meeting at 10.25pm.**
  
- \* **Alderman Boyle left the meeting during consideration of this item at 10.29pm.**

## **19. LEGAL OPINIONS IN THE MATTER OF 2NO. CALL IN REQUESTS IN RESPECTS OF A DECISION OF THE COUNCIL DATED 6 OCTOBER 2020**

**19 (i) Legal Opinion (No1) in the matter of a Call In Notice dated 8 October 2020, in respect of a Council Motion on 6 October 2020, relating to the Happy Raspberry HR Consulting Report into a complaint.**

**19 (ii) Legal Opinion (No.2) in the matter of a Call In Notice in respect of a Council motion on 6 October 2020, relating to the Happy Raspberry Limited Report Into A Complaint**

Confidential legal opinion, previously circulated, presented by the Director of Environmental Services.

The decision of Council in relation to the matter taken on 6<sup>th</sup> October 2020 was

*That after full and careful consideration of the Happy Raspberry Report and its findings, that we cannot proceed any further;*

*The report has been leaked on social media and subsequently leaked to the media. This has led to a frenzied trial of the Chief Executive on social media before the Chief Executive has had the opportunity to see the report;*

*Furthermore this is a fundamental breach of Article 6 of the European Convention of Human Rights, the right to a fair trial;*

*The process is now irrevocably flawed, given the comments which have been made both on the media and social media.*

Councillor P McShane questioned the cost associated with employing a Barrister and felt that discussion on this matter should be deferred to a future meeting as there had been insufficient debate.

K Morgan, BL was invited to address the meeting and confirmed the basis for a call-in and the process undertaken to determine the merit of the decision made by Council.

Mr Morgan did clarify that the same Act required members to take a re-vote on the decision called in.

Councillor P McShane requested a Recorded Vote.

The Mayor put the reconsideration of the Decision **19 (i)** to Council to vote.

22 Members voted For; 15 Members voted Against; 0 Members Abstained.

The Mayor declared reconsideration of the Decision carried.

The Decision of Council was upheld.

Recorded Vote Table

<b>For (22)</b>	Alderman Baird, Duddy, Fielding, Finlay, Hillis, McCorkell, Sharon McKillop, Robinson, McKeown
	Councillors Anderson, Callan, Holmes, Knight-McQuillan, McAuley, McCandless, McLean, McQuillan, Scott, Wallace, Watton, Wilson, Hunter

<b>Against (15)</b>	Councillors Bateson, Beattie, Chivers, Dallat-O’Driscoll, McCaw, McGurk, McKillop, McLaughlin, McMullan, P McShane, Mulholland, Nicholl, Peacock, Quigley, Schenning
---------------------	--

The Mayor put the reconsideration of the Decision **19 (ii)** to Council to vote.

22 Members voted For; 15 Members voted Against; 0 Members Abstained.

The Mayor declared reconsideration of the Decision carried.

The Decision of Council was upheld.

Recorded vote table

<b>For (22)</b>	Alderman Baird, Duddy, Fielding, Finlay, Hillis, McCorkell, Sharon McKillop, Robinson, McKeown
	Councillors Anderson, Callan, Holmes, Knight-McQuillan, McAuley, McCandless, McLean, McQuillan, Scott, Wallace, Watton, Wilson, Hunter
<b>Against (15)</b>	Councillors Bateson, Beattie, Chivers, Dallat-O’Driscoll, McCaw, McGurk, McKillop, McLaughlin, McMullan, P McShane, Mulholland, Nicholl, Peacock, Quigley, Schenning

**20. LEGAL OPINION IN THE MATTER OF A CALL IN REQUEST, IN RESPECT OF A DECISION OF THE COUNCIL DATED 6 OCTOBER 2020, RELATING TO THE APPOINTMENT OF A PROJECT CO-ORDINATOR FOR THE COUNCILS NORTHERN IRELAND CENTENARY PROGRAMME.**

Confidential legal opinion, previously circulated, presented by The Director of Environmental Services.

*That Council appoint a Project Co-Ordinator for Council’s Northern Ireland Centenary Programme for the period October 2020 – March 2022.*

The Mayor put reconsideration of decision to Council to vote.

24 Members voted For; 12 Members voted Against; 0 Members Abstained.

The Mayor declared reconsideration of the Decision carried.

The Decision of Council was upheld.

**21. LEGAL OPINION IN THE MATTER OF A CALL IN REQUEST, IN RESPECT OF A DECISION OF THE COUNCIL DATED 3 NOVEMBER 2020, RELATING TO A PILOT SCHEME TO CHANGE THE OPENING HOURS OF HOUSEHOLD RECYCLING CENTRES LOCATED IN KILREA AND GARVAGH**

Confidential legal opinion, previously circulated, presented by the Director of Environmental Services.

*That Council approve Option 1, as amended, to include Monday (Garvagh and Kilrea).*

Site      Days Open

HRC 1    Wednesday, Friday, Saturday

HRC 2    Monday, Thursday, Saturday

After discussion ensued at the request of Councillor Bateson and for the benefit of K Morgan, BL, the Director of Environmental Services confirmed that the motion related to a 'Pilot Scheme' which was a temporary arrangement until March 2021.

The Mayor put reconsideration of the decision to Council to vote.  
20 Members voted For; 15 Members voted Against; 0 Members Abstained.  
The Mayor declared reconsideration of the Decision carried.

The Decision of Council was upheld.

**22. LEGAL OPINION IN THE MATTER OF A CALL IN REQUEST, IN RESPECT OF A DECISION OF THE COUNCIL DATED 3 NOVEMBER 2020, RELATING TO THE DECISION TO ALLOCATED A PARTICULAR LEVEL OF FUNDING TO THE CAUSEWAY COAST AND GLENS HERITAGE TRUST.**

Confidential legal opinion, previously circulated presented by the Director of Environmental Services.

*That Council agree Option 3 - Procure only a number of services detailed in Annex A (previously circulated). This will require a reduction in the number of projects delivered and therefore the cost to Council will be reduced proportionately*

The Mayor reconsideration of the Decision to Council to vote.

15 Members voted For; 17 Members voted against; 0 Members Abstained.  
The Mayor declared reconsideration of the decision lost.

The Decision of Council was not upheld.

**MOTION TO PROCEED ‘*IN PUBLIC*’**

Proposed by Councillor Callan  
Seconded by Councillor Wilson

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

This being all the business, The Mayor thanked everyone for their attendance and wished all those present a Happy Christmas, the meeting concluded at 11.40pm.

Alderman McKeown, Deputy Mayor wished those present a Happy Christmas.

---

Mayor