

**THE COUNCIL MEETING TUESDAY 4 OCTOBER 2022
RECONVENED on MONDAY 10 OCTOBER 2022**

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1.	The Mayor's Business	Received
2.	Apologies	Councillor McGlinchey
3.	Declarations of Members' Interests	Alderman Baird, Duddy, Knight McQuillan, S McKillop Councillors Anderson, Chivers, McGurk, MA McKillop, C McQuillan, Wilson
4.	Minutes of Council Meeting held Tuesday 6 September 2022	Meeting Adjourned, to reconvene on Monday 10 October 2022 at 7pm

RECONVENED COUNCIL MEETING HELD MONDAY 10 OCTOBER 2022

No.	Item	Decision
1.	Apologies	Alderman Boyle, Councillor C McShane
2.	The Mayor's Business	That Council permit BBC to record the Council Meeting Received
3.	Declarations of Members' Interests	Alderman Baird, Duddy, Knight McQuillan, S McKillop

		Councillors Anderson, Chivers, MA McKillop, McCorkell, Wilson
4.	Minutes of Council Meeting held Tuesday 6 September 2022	<i>Taken as read and Signed as a correct record</i>
5.	Minutes of Special Council Meeting held Wednesday 14 September 2022, reconvened on Wednesday 21 September 2022	
	Matters Arising	
5.1	Correction to Minute	<i>Noted</i>
5.2	Adoption of the Minutes	<i>Taken as read and Signed as a correct record, subject to Correction at Item 5.1 above</i>
6.	Minutes of Special Council Meeting held Monday 26 September 2022	<i>Taken as read and Signed as a correct record</i>
7.	Minutes of the Planning Committee meeting held Wednesday 24 August 2022	<i>Noted</i>
8.	Minutes of Leisure and Development Committee meeting held Tuesday 20 September 2022	
	Matters Arising	
8.1	North West 200 Partnership (Item 28)	<i>That Council support the NW200 event in 2023 (as set out in the minute below)</i>
8.2	Temporary Skateboard Facility (Item 11)	<i>Information</i>
8.3	Notice of Motion proposed by Councillor C McShane, seconded by Councillor Nicholl (Item 24)	<i>Information</i>
8.4	Millburn Community Centre (Item 10)	<i>Deferred</i>
8.5	Adoption of the Minutes	<i>Adopted and Recommendations therein approved, including Resolutions at Items 8.1 and Amendment at Item 8.4 above</i>

9.	Minutes of Audit Committee meeting held Wednesday 21 September 2022	
	Matters Arising	
9.1	Correction to Minute	Noted
9.2	Direct Award Contracts (Item 8)	Information
9.3	Adoption of the Minutes	Adopted and recommendations therein approved; subject to Correction at Item 9.1 above
10.	Minutes of Environmental Services Committee meeting held Thursday 22 September 2022	
	Matters Arising	
10.1	Addition to the Minutes (Termination of Private Litter Enforcement Contract (Item 36))	Noted
10.2	Street Trading Licence Renewals (Item 18)	Noted
10.3	Notice of Motion proposed by Councillor Chivers, seconded by Councillor Nicholl (Item 24)	<u>Motion Lost</u> That We the undersigned propose this Council write to DfI to request they redesign and carry out works to the two roundabouts on the Limavady bypass. The new design will be to take away the arrows and lower the height to allow Council to complete maintenance of the grass
10.4	LiveSmart Community Environmental Grant Programme (2022-23) - Applicants (Item 6)	Noted
10.5	Adoption of the Minutes	Adopted and recommendations therein approved including the addition to the Minutes at Item 10.1 above
11.	Minutes of Finance Committee meeting held Thursday 8 September 2022, reconvened on Tuesday 27 September 2022 at 6pm	Adopted and recommendations therein approved

12.	Minutes of Corporate Policy and Resources Committee meeting held Tuesday 27 September 2022 at 8pm	
	Matters Arising	
12.1	Notice of Motion Proposed by Councillor P McShane, seconded by Councillor Quigley referred from Council Meeting 26 th July 2022 (Item 13)	Information
12.2	Adoption of the Minutes	Adopted and recommendations therein approved; excluding Item Minutes of the Land and Property Sub Committee meeting held 7 September 2022 (Item 18) / Dunluce Centre, Portrush – Sale of Contract of Dunluce Centre (Item 18.1) considered ‘In Committee’ at the end of the meeting.
13.	Matters for reporting to the Partnership Panel	None
14.	Conferences	None
15.	Correspondence	
15.1	Northern Health and Social Care Trust	Noted
15.2	Department for Infrastructure	
15.3	A Carleton, Director, Local Government & Housing Regulation, Department for Communities	
16.	Consultation Schedule	Noted
17.	Sealed Documents	
(i)	Grave Registry Certificates, No’s 5408 – 5428	Seal affixed (Item (i) – (ii) inclusive)
(ii)	Causeway Coast and Glens Community Centre Management Agreement – Causeway Coast and Glens Borough Council and Magilligan Community Association (L&PSC 220202/CP&R 220222/CM 220301)	

18.	Notice of Motion proposed by Councillor C McShane, seconded by Alderman Baird Re: Parental Alienation	Referred to Leisure and Development Committee
'In Committee' (Items 19-21 inclusive)		
19.	Trade Union Local Pay and Condition Demands	<p>RESOLVED -that employees up to and including Grade 6 receive 2 spinal point increments, 1 this financial year and 1 next financial year as well as £550 hardship allowance; - That SO1/SO2 employees also receive the hardship payment of £550.</p> <p><u>Motion Lost</u> -That Council approve a £550 hardship payment (up to PO 3) and 2 incremental spinal points up to and including Grade 6; - a £550 hardship payment and 1 incremental spinal point increase for those earning a salary up to £40,000 in this financial year</p>
20.	Update on the Implementation of Recommendations contained within the Extraordinary Audit Report	Council is committed to further improving the weaknesses identified in the extraordinary audit report and acknowledges the oversight of the Department -

		actions detailed at 4.1 – 4.7 inclusive
21.	Minutes of Corporate Policy and Resources Committee meeting held Tuesday 27 September 2022 at 8pm <i>'In Committee'</i>	
	Matters Arising <i>'In Committee'</i>	
21.1	Minutes of the Land and Property Sub Committee meeting held 7 September 2022 (Item 18) / Dunluce Centre, Portrush – Sale of Contract of Dunluce Centre (Item 18.1)	<i>Council Approve the draft sale contract for Dunluce Centre, Portrush to progress the development of a family entertainment offering on the Dunluce Centre with the caveat that no more than 25% of the gross floor space is allocated for gaming machines</i>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE
COUNCIL HELD IN THE COUNCIL CHAMBER AND VIA VIDEO CONFERENCE
ON TUESDAY 4 OCTOBER 2022 AT 7:00PM**

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

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

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

Officers Present : D Jackson, Chief Executive (C)
M Quinn, Director of Corporate Services (R)
A McPeake, Director of Environment Services (R)
R Baker, Director of Leisure and Development (R)
D Wright, Chief Finance Officer (R)
D Dickson, Head of Planning (R)
N McGurk, Head of Prosperity and Place (R)
P O'Brien, Funding Unit Manager (R)
A Ruddy, Audit, Risk & Governance Manager (R)
S Duggan, Civic Support & Committee & Member Services Officer (R)
J Keen, Committee & Member Services Officer (C)

J Mills, Land and Property Solicitor (R)
A McAuley, PR Manager (R)
J Winfield, ICT Operations Manager (R)
C Thompson, ICT Officer (C)
C Ballentine, ICT Officer (C)

In attendance : Press (4 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 wished to thank Democratic Services staff, the Civic Support and Committee and Member Services Officer, Corporate Support Assistant and Corporate Support Officer for their recent assistance in the Mayor's Office.

The Mayor stated he was pleased to be at an event in Dungannon where Coleraine had won the Large Town/Small City Award Britain in Bloom Award; the presentation will be in the New Year. The Mayor offered congratulations to the Parks Department for their work.

2. APOLOGIES

Apologies were received for Councillor McGlinchey.

3. DECLARATIONS OF MEMBERS' INTERESTS

Declarations of Interest were received for:

Alderman Baird in Corporate Policy and Resources Minutes Items 13 and 14 Notice of Motions proposed by Councillor P McShane, seconded by Councillor Quigley. As the business was adjourned Alderman Baird did not participate in the Item.

Alderman Duddy in Item 19, Trade Union Local Pay and Condition Demands, Corporate Policy and Resources Committee minute Item 18 Minutes of the Land and Property Sub Committee (Item 6.1 - Dunluce Centre, Portrush - Sale Contract of Dunluce Centre). As the business was adjourned Alderman Duddy did not participate in the Item.

Alderman Knight McQuillan in Item 19, Trade Union Local Pay and Condition Demands. As the business was adjourned Alderman Knight McQuillan did not participate in the Item.

Alderman S McKillop in Leisure and Development Committee minutes and Corporate Policy and Resources Committee minutes Item 18 Minutes of the Land and Property Sub Committee (Item 6.1 - Dunluce Centre, Portrush - Sale Contract of Dunluce Centre). As the business was adjourned Alderman S McKillop did not participate in the Item.

Councillor Anderson in Item 19, Trade Union Local Pay and Condition Demands. As the business was adjourned Councillor Anderson did not participate in the Item.

Councillor Chivers in Leisure and Development Committee Minutes Item 6, Small Settlements Restore and Reactivate Grant Programme. As the business was adjourned Councillor Chivers did not participate in the Item.

Councillor McGurk in Corporate Policy and Resources Minutes, Items 13 and 14, Notice of Motions proposed by Councillor P McShane, seconded by

Councillor Quigley and Item 20, Update on Implementation of Recommendations contained within the Extraordinary Audit Report. This was declared via MS Teams chat facility. As the business was adjourned Councillor McGurk did not participate in the Item.

Councillor MA McKillop in Leisure and Development Committee Minute Item 14, DfC Funding and Poverty Support. As the business was adjourned Councillor MA McKillop did not participate in the Item.

Councillor C McQuillan in Item 19, Trade Union Local Pay and Condition Demands. As the business was adjourned Councillor C McQuillan did not participate in the Item.

Councillor Storey in Item 12, Minutes of Corporate Policy and Resources Committee meeting. As the business was adjourned Councillor Storey did not participate in the Item.

Councillor Wilson in Item 19, Trade Union Local Pay and Condition Demands. As the business was adjourned Councillor Wilson did not participate in the Item.

4. MINUTES OF COUNCIL MEETING HELD TUESDAY 6 SEPTEMBER 2022

- * The Mayor declared a recess at 7:13pm due to technical difficulties experienced by Members in The Chamber.**
- * The Mayor provided an update at 7:25pm stating there was a BT outage in the area; the Mayor declared a further recess for 10 minutes in order to resolve the issue.**

The time being 7.34pm, the Mayor advised that due to a BT outage in the BT52 postcode area, the Council meeting would propose to adjourn; the meeting will be reconvened on Monday 10 October 2022 at 7pm.

RESOLVED - that the Council Meeting business is adjourned; to reconvene on Monday 10 October 2022 at 7pm.

The Mayor thanked everyone for their attendance and the meeting adjourned at 7.35pm.

**MINUTES OF THE PROCEEDINGS OF THE RECONVENED MEETING OF THE
COUNCIL MEETING HELD
IN THE COUNCIL CHAMBER, CIVIC HEADQUARTERS AND VIA VIDEO
CONFERENCE ON MONDAY 10 OCTOBER 2022 AT 7PM**

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

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

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

Officers Present : D Jackson, Chief Executive (C) (Items 1-19 inclusive)
A McPeake, Director of Environment Services (R) (Items
20-21 inclusive)
R Baker, Director of Leisure and Development (R)
D Wright, Chief Finance Officer (R)
N McGurk, Head of Prosperity and Place (R)
P Donaghy, Democratic and Central Services Manager (R)
A Ruddy, Audit, Risk & Governance Manager (R)
I Owens, Committee & Member Services Officer (C)
J Keen, Committee & Member Services Officer (R)
J Mills, Land and Property Solicitor (R)

A McAuley, Public Relations Manager (R)
J Winfield, ICT Manager (R)
A Lennox, ICT Mobile Operations (C)
C Thompson, ICT Officer (C)

In attendance : Press (2 No) (R) (1 No) (C)

R Dickson, (Solicitor, Carson McDowell) (R) (Item 21.1)

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 put it to Council there was a media request to record the meeting and sought the views of Council.

All those in attendance were in agreement for the recording to take place.

RESOLVED – That Council permit BBC to record the Council Meeting.

1. APOLOGIES

Apologies were recorded for Alderman Boyle and Councillor C McShane.

2. THE MAYOR'S BUSINESS

The Mayor spoke of his sadness at the tragedy which occurred at Creeslough that he had found it a friendly place to visit, that there was no-one who could fail to be touched by the tragedy and his thoughts and prayers were with those affected. The Mayor advised a Book of Condolence would be opened on Tuesday 11th October in Coleraine Town Hall and on Council's website and invited Council to stand for a Minutes Silence to reflect on those who had lost their lives.

3. DECLARATIONS OF INTEREST

Alderman Duddy in Item 19 - Trade Union Local Pay and Condition Demands. Having declared an interest Alderman Duddy did not participate in this item.

Councillor Wilson in Item 19 - Trade Union Local Pay and Condition Demands. Having declared an interest Councillor Wilson did not participate in this item.

Councillor McCorkell in Item 19 - Trade Union Local Pay and Condition Demands. Having declared an interest Councillor McCorkell did not participate in this item.

Alderman Knight-McQuillan In Item 19 - Trade Union Local Pay and Condition Demands. Having declared an interest Alderman Knight-McQuillan did not participate in this item.

Councillor Anderson in Item 19 - Trade Union Local Pay and Condition Demands. Having declared an interest Councillor Anderson did not participate in this item.

Councillor MA McKillop in Item 8 Leisure and Development Committee Minutes, Item 14 – DfC Funding and Poverty Support. Having declared an interest Councillor MA McKillop did not participate in this item.

Councillor MA McKillop in Item 12 Corporate, Policy and Resources Committee Minutes, Item 9 – Conferences. Having declared an interest Councillor MA McKillop did not participate in this item.

Councillor Chivers in Item 8 Leisure and Development Committee Minutes, Item 14 – DfC Funding and Poverty Support.
Having declared an interest Councillor Chivers did not participate in this item.

Alderman S McKillop in Item 8 Leisure and Development Committee Minutes, Item 6 – Small Settlements Restore and Reactivate Grant Programme.
Having declared an interest Alderman S McKillop did not participate in this item.

Alderman Baird in Item 12 Corporate, Policy and Resources Committee Minutes, Item 13 – Notice of Motion proposed by Councillor P McShane, seconded by Councillor Quigley referred from Council Meeting, 26th July 2022.
Having declared an interest Alderman Baird did not participate in this item.

4. MINUTES OF COUNCIL MEETING HELD TUESDAY 6 SEPTEMBER 2022

Copy, previously circulated.

Proposed by Councillor Scott
Seconded by Alderman A McQuillan and

RESOLVED – that the Minutes of the Council Meeting held Tuesday 6 September 2022 were taken as read and signed as a correct record.

5. MINUTES OF SPECIAL COUNCIL MEETING HELD WEDNESDAY 14 SEPTEMBER 2022, RECONVENED ON WEDNESDAY 21 SEPTEMBER 2022

Copy, previously circulated.

Matters Arising

5.1 Correction to Minute

Alderman S McKillop said the minute did not accurately reflect what she had said at the meeting and asked the Mayor if she could forward her presentation to update the minute.

The Mayor asked to what extent Alderman S McKillop wished to change the minute.

Alderman S McKillop said she would like to reflect on all that had been recorded.

Councillor Watton asked for a correction to the spelling of the location referred to which should read as 'Aberfan'.

The Mayor confirmed that all in attendance were in agreement and the amendments would be made to the minutes.

*** Councillors Schenning and McMullan joined the meeting at 7.15 pm**

5.2 Adoption of Minutes

Proposed by Councillor Scott
Seconded by Alderman Knight-McQuillan and

RESOLVED – that the Minutes of the Special Council Meeting held Wednesday 14 September 2022, reconvened on Wednesday 21 September 2022 were taken as read and signed as a correct record, subject to corrections at Item 5.1 above.

6. MINUTES OF SPECIAL COUNCIL MEETING HELD MONDAY 26 SEPTEMBER 2022

Copy, previously circulated.

Proposed by Councillor MA McKillop
Seconded by Councillor Watton and

RESOLVED – that the Minutes of the Special Council Meeting held Monday 26 September 2022 were taken as read and signed as a correct record.

7. MINUTES OF THE PLANNING COMMITTEE MEETING HELD WEDNESDAY 24 AUGUST 2022

Copy, previously circulated.

RESOLVED – that the Minutes of the Planning Committee Meeting held Wednesday 24 August 2022 are received and noted.

8. MINUTES OF LEISURE AND DEVELOPMENT COMMITTEE MEETING HELD TUESDAY 20 SEPTEMBER 2022

Copy, previously circulated.

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

Matters Arising

8.1 North West 200 Partnership (Item 28)

Councillor McAuley referred to the presentation by North West 200 Partnership after which, a decision had not been taken, that the matter needed to be resolved. Councillor McAuley referred to £16m income generated by North West 200 and difficulties around reaching a decision which would not attract criticism.

Proposed by Councillor McAuley
Seconded by Councillor Scott

-That Council supports the NW200 event in 2023, by building the course (either directly or through a procurement exercise for an external organisation, whichever is most financial beneficial) and providing office accommodation (subject to due process) for the NW200 management team with the following conditions:

- A detailed business plan for the commercialisation of the NW200 is provided to make the event self-funding within 5 years;
 - The development of a succession plan regards management of the event.
- Both conditions must include consideration of external commercial partners and funding for the 2023 event subject to both conditions being met and acceptable to council.

Councillor P McShane said that whilst there was a will to support the North West 200 and accommodate motor biking fans, he was concerned about the current financial position of Council.

Councillor Peacock said the North West 200 was a fantastic event which had been hugely supported by Council for many years and questioned why the event, which was successful, was not already sustainable and profitable, that it was unfair for the cost to lie with Council at the cost of ratepayers. Councillor Peacock said her key concern was the North West 200 was a Limited company and as such, a business and expressed concern regarding the legality of entering into a contract with a business, which could lead to setting a precedent. Councillor Peacock asked that legal opinion be sought on entering such a partnership with a Limited company.

Councillor Quigley requested a recess to allow Elected Members to consider the proposal.

The Mayor ruled he would allow those who wanted to speak on the proposal to do so, in advance of a recess.

Councillor Scott said he was concerned that, should the event not take place in 2023, it may never return to the Borough and referred to the business provided to accommodation providers and others in the Borough during the North West 200.

Councillor Mulholland referred to other funded events which may wish Council to partner with, although she said she stated she knew the significance of the North West 200 to the area. Councillor Mulholland felt that Council should look at ways of partnerships with local communities who are struggling, should Council be in a position to allocate monies.

Councillor Quigley referred to concern around a partnership with a Limited company and said she would like quantified what the North West 200 were

currently obtaining, in kind, and sought clarity that the proposal was in addition to this.

The Director of Leisure and Development said the current contribution by Council was detailed within the report on page 6 and read from the document:

£100,000 - Grant to North West 200 and Coleraine and District Motor Club
£64,000 - Current staff and resource contribution to event in assisting building course
£15,000 - Race Week Festival
£179,000 - Total cost in 2022

The Director of Leisure and Development said that based on the request from North West 200 and Coleraine and District Motor Club, the current grant funding would remain; the Course build in its entirety in conjunction with Environmental Services would cost £160,000; the Event Management request within the report would cost £45,000 (not part of recent proposal); the Race Week Festival would cost £15,000; The difference between the two scenarios was £141,000; If the events management aspect of £45,000 was removed, the difference between 2022 and the request for 2023 was £96,000.

At the request of Councillor Quigley, Councillor McAuley confirmed the events management element did not form part of his proposal, thus the condition that North West 200 Partnership needed to develop a succession plan for their own event management.

Alderman Hillis pointed to the North West 200 being the second biggest event in the Borough, bringing an income of £16m, that if Council did not support it, there was a possibility it will never run again. Alderman Hillis said that Coleraine and District Motor Club deserved credit for their passion and time invested in the North West 200 and spoke of the atmosphere at the event and the international television coverage and visitors from all over the world to the area.

At the request of Alderman Hillis, the Director of Leisure and Development confirmed a “deep dive” of the accounts for North West 200 had not been undertaken in recent years, but may have been done by the Funding Unit prior to the pandemic. The Director of Leisure and Development confirmed that accounts received by North West 200 partnership were in accordance with HMRC.

The Mayor asked if the Solicitor could be available to provide Legal opinion in advance of the recess.

At the request of Councillor MA McKillop, the Director of Leisure and Development confirmed it was acceptable to go into partnership with North West 200 Partnership, as well as grant funding them and confirmed that Council had funded and partnered with the North West 200 since 2015.

At the request of Councillor MA McKillop, the Director of Leisure and Development confirmed that Tourism NI had provided a grant of £100,000 in 2022 and had indicated the sum could increase to £150,000 in 2023, subject to validation of invoices.

Alderman McKeown referred to the excellent event and enquired about other funding and support the event receives, to give a prospective of the journey toward self-funding. The Director of Leisure and Development confirmed the significant funding was realised through commercial sponsorship; hospitality income; seating on stands and Tourism NI. The Director of Leisure and Development confirmed that Council were the single largest funder, even in current in monetary terms, as well as transfer of lands, for the purpose of supporting the event which takes place. The Director of Leisure and Development said he could not provide a specific figure due to commercial sensitivity.

Councillor McCorkell felt the Northern Ireland Executive needed to provide financial assistance for this event and asked if Council have reduced funding in recent years. The Director of Leisure and Development confirmed that Council contribution in form of grant had increased in recent years (from £64,000 pre-covid to £100,000) and the work around the Course had reduced marginally.

Councillor McCandless referred to the need for austerity due to global influences and the requirement for caution on spending a large amount of money, felt the North West 200 was a major revenue generator for the North Coast. Councillor McCandless said that if concern was expressed about management and funds of the organisation, Council can review critically and if issues are apparent, immediate action can be taken.

The Mayor invited Council's Land and Property Solicitor to provide the legal opinion requested.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Alderman Duddy
Seconded by Councillor Mulholland and

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

* **Press and Public were disconnected from the meeting at 7.50pm.**

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 Land and Property Solicitor advised that further time would be required to assess the matter in more detail, however initially the following matters would need to be taken into consideration:

Provision of office space for North West 200 Partnership, in light of Extraordinary Audit recommendations and Department for Communities Guidance on Section 96.

Specifics on what building the course would involve in terms of infrastructure and the associated risk assessment process;

Responsibility for insurance and potential claims;

Mechanism for oversight around use of Council generated income.

Councillor McAuley said that there has been a costing undertaken and that responsibilities and risk assessment has been clearly stated during presentation with confirmation that everything will be signed off by a qualified individuals within Coleraine and District Motor Club and Clerk of course who have ultimate responsible.

The Director of Leisure and Development confirmed that safety, liability and insurance details were contained in the report and that responsibility for the track and all post building was the responsibility of 3 organisations:- Coleraine and District Motor Club, Motor Cycle Union of Ireland and Independent safety panel which is formed which provides scrutineering for riders and managers spectators safety.

The Director of Leisure and Development confirmed the title of insurance included organisations engaged in supporting events and insurers, ABL group, included a principle clause which provided specific indemnity set at £30m.

- * **The Mayor declared recess at 8.10pm, in advance of the vote.**
- * **The meeting resumed at 8.15pm.**

MOTION TO PROCEED ‘IN PUBLIC’

Proposed by Councillor MA McKillop
Seconded by Councillor Anderson and

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

The Mayor put the Proposal to the Committee to Vote.
21 Members voted For; 11 Members voted Against; 3 Members Abstained.
The Mayor declared the Motion Carried.

RESOLVED - That Council supports the NW200 event in 2023, by building the course (either directly or through a procurement exercise for an external organisation, whichever is most financial beneficial) and providing office accommodation (subject to due process) for the NW200 management team with the following conditions:

- A detailed business plan for the commercialisation of the NW200 is provided to make the event self-funding within 5 years;

- The development of a succession plan regards management of the event.

Both conditions must include consideration of external commercial partners and funding for the 2023 event subject to both conditions being met and acceptable to council.

- * **Councillor Holmes joined in the Chamber at 8.30pm, having previously been in attendance remotely.**

Councillor Quigley stated there was no democracy in the Chamber as Councillor Mulholland had requested in the MS Teams chat facility to speak in advance of the vote and was declined the opportunity.

The Mayor advised the request referred to was not evident in the MS Teams chat in advance of the commencement of the vote.

8.2 Temporary Skateboard Facility (Item 11)

Councillor Quigley said she welcomed the temporary set up in Station Square referring to the inference that 'until work in Recreation grounds is completed' within the report. Councillor Quigley said she had looked at the planning portal and observed the designated area within the plans for Ramore Recreation Ground was now a seated area for recreational use and would not be fit for purpose for skateboarders.

In response, the Director of Leisure Services advised the area within Ramore Recreation Grounds was referred to as 'Urban Plaza' and had a range of offerings including seating, recreational area, picnic area and based on design and in consultation with funder can include urban sports include skateboarding.

The Director of Leisure and Development explained a 12 month period had been provided to allow CAUS project to develop their business case for Metropole Corner. The Director of Leisure and Development further confirmed the temporary nature of the provision at Station Square given that CAUS were working with credible organisations in relation to bring to fruition Metropole Park as a facility and had secured £7,000 towards consultancy fees.

The Director of Leisure and Development advised that Ramore Recreation Grounds was not on the agenda at this meeting however, confirmed there was limited affordability for this project and an urban area of 600 sq ft would accommodate a certain degree of urban sport.

Councillor Quigley wished it to be noted, the area was not sufficiently large enough for four, or more, skateboarders.

Councillor Mulholland said while she welcomed the temporary arrangement at Station Square, questioned insurance in place for this location and referred Council to the revised plans for Ramore Recreation Grounds after consultation with Environmental Health regarding noise, when the agent altered plans – Planning Application LA01/2020/1051/F. Councillor Mulholland felt that either Council had been misled or the funding application was flawed and that questions required answers.

Councillor P McShane said that it was not appropriate for the Director of Leisure and Development to advise Council on what discussions should take place during a Council meeting.

8.3 Notice of Motion proposed by Councillor C McShane, seconded by Councillor Nicholl (Item 24)

Councillor P McShane thanked those responsible for progressing the change of name for the Sports Plaza and to Sinn Féin for taking the motion to Council on his behalf and referred to the campaign which led to a favourable decision by Council on behalf of the people of Ballycastle.

8.4 Millburn Community Centre (Item 10)

Alderman Duddy referred to discussions around green energy and other ways of saving energy for Council run Community Centres. Alderman Duddy referring to the Millburn Centre pointed to the good work undertaken by that community.

Amendment

Proposed by Alderman Duddy

Seconded by Councillor Anderson and

RESOLVED -that Council defer the decision to proceed with Option 2 - Enter into a Shared Management Agreement with Millburn Community Association - to allow Head of Infrastructure and Capital Works and his team to come back with possible solutions to reduce energy costs and roll out to alleviate costs at Community Centres and look at running costs in light of inflation.

8.5. Adoption of Minutes

Proposed by Councillor Schenning

Seconded by Councillor MA McKillop and

RESOLVED – that the Minutes of the Leisure and Development Committee Meeting held Tuesday 20 September 2022 were adopted and recommendations therein approved including the resolution at Item 8.1 and Amendment at Item 8.4 above.

9. MINUTES OF AUDIT COMMITTEE MEETING HELD WEDNESDAY 21 SEPTEMBER 2022

Copy, previously circulated.

Chair, Alderman McKeown, proposed the adoption of the Minutes subject to any matters arising.

9.1 Correction to Minute

The Chair advised Alderman McLean was not in attendance.

9.2 Direct Award Contracts (Item 8)

Councillor P McShane felt there was evidence of abuse of the Direct Award Contract within Council and the examples provided by the NIAO Auditor were not telling enough.

9.3 Adoption of the Minutes

Proposed by Alderman McKeown
Seconded by Councillor Anderson and

RESOLVED – that the Minutes of the Audit Committee Meeting held Wednesday 21 September 2022 are adopted and recommendations therein approved, subject to correction at Item 9.1 above.

Councillor P McShane asked for an update from the actions arising from the Northern Ireland Audit Office feedback and request to present to Council.

The Director of Environmental Services advised the decision had not yet been ratified.

10. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD THURSDAY 22 SEPTEMBER 2022

Copy, previously circulated.

Vice Chair, Alderman Fielding, proposed the adoption of the Minutes subject to any matters arising.

Matters Arising

10.1 Addition to the Minutes

(Termination of Private Litter Enforcement Contract (Item 36))

Councillor Bateson referred to an ‘in committee’ discussion and asked if it could be included that “*examination and look at best practice for dog fouling and littering across the north, south and Britain, if needs be to see we could do better inhouse and provide us with a better understanding of what we are doing wrong and what we could do better*”.

The Director of Environmental Services agreed to this request.

10.2 Street Trading Licence Renewals (Item 18)

Councillor P McShane asked how much it had cost for external Legal advice and detail of the procurement procedure.

The Director of Environmental Services advised that costs had been brought to Council. The Director of Environmental Services advised that Elected Members had agreed at Environmental Services Committee to put the pitch out to auction again.

10.3 Notice of Motion proposed by Councillor Chivers, seconded by Councillor Nicholl (Item 24)

Councillor Nicholl said that in the interests of safety, the roundabout should be only black and white, that his Party had been lobbied from all sections of the community. Councillor Nicholl referred to unhelpful comments at Environmental Services Committee meeting and suggested the colour of the roundabout was leading to accidents.

Proposed by Councillor Nicholl
Seconded by Councillor Peacock

- That We the undersigned propose this Council write to DfI to request they redesign and carry out works to the two roundabouts on the Limavady bypass. The new design will be to take away the arrows and lower the height to allow Council to complete maintenance of the grass.

At the request of Alderman A McQuillan, the Director of Environmental Services advised that Council had no responsibility in terms of the roundabout.

Alderman Duddy felt there had been no evidence of the colour of the roundabouts being a contributing factor to the number of accidents and that when the roundabout was planned and designed it was in accordance with road safety measures in terms of shape and size, that bad drivers cause accidents not roundabouts, irrespective of the colour.

The Mayor put the Proposal to the Council to Vote.
12 Members voted For; 22 Members voted Against; 0 Members Abstained.
The Mayor declared the Motion Lost.

* **Democratic and Central Services Manager left the meeting at 8.55pm.**

10.4 LiveSmart Community Environmental Grant Programme (2022-23) - Applicants (Item 6)

At the request of Councillor MA McKillop, the Director of Environmental Services advised of an extension to programme for community and environment grant. Confirmation had been provided by the Funding Unit Manager of continuation with its closure in December to allow applications to be assessed and work completed by end of financial year.

10.5 Adoption of the Minutes

Proposed by Alderman Fielding
Seconded by Alderman A McQuillan and

RESOLVED – that the Minutes of the Environmental Services Committee Meeting held Thursday 22 September 2022 are adopted and recommendations therein approved, including the addition to the Minute at Item 10.1 above.

11. MINUTES OF FINANCE COMMITTEE MEETING HELD THURSDAY 8 SEPTEMBER 2022, RECONVENED ON TUESDAY 27 SEPTEMBER 2022 AT 6PM

Copy, previously circulated.

Chair, Alderman McLean, proposed the adoption of the Minutes subject to any matters arising.

Proposed by Councillor McLean
Seconded by Councillor Holmes and

RESOLVED – that the Minutes of the Finance Committee Meeting held Thursday 8 September 2022, reconvened on Tuesday 27 September 2022 at 6pm are adopted and recommendations therein approved.

Alderman McLean wished to have on record his thanks to the former Interim Director Finance for the work undertaken during the year saying his contribution made a difference to the Council and the finance group as a whole. In response to Alderman McLean the Chief Executive confirmed he was progressing a replacement.

Councillor Scott concurred with Alderman McLean's comments.

12. MINUTES OF CORPORATE POLICY AND RESOURCES COMMITTEE MEETING HELD TUESDAY 27 SEPTEMBER 2022 AT 8PM

Copy, previously circulated.

Alderman Knight-McQuillan, proposed the adoption of the Minutes subject to any matters arising.

Matters Arising

12.1 Notice of Motion Proposed by Councillor P McShane, seconded by Councillor Quigley referred from Council Meeting 26th July 2022 (Item 13)

Councillor P McShane said he wished to make a proposal the motion be debated in public, as was listed, and that nothing within the report identified anyone outside of the Extraordinary Audit.

The Mayor ruled there was a process in place since the matter was raised including procedures and policies to deal with what the Northern Ireland Audit Office had required and there would be no further discussion on the matter at this meeting.

12.2 Adoption of the Minutes

Proposed by Alderman Knight-McQuillan
Seconded by Alderman Hillis and

RESOLVED – that the Minutes of the Corporate Policy and Resources Committee Meeting held Tuesday 27 September 2022 at 8pm are adopted and recommendations therein approved; excluding Minutes of the Land and Property Sub Committee meeting held 7 September 2022 (Item 18) / Dunluce Centre, Portrush – Sale of Contract of Dunluce Centre (Item 18.1) considered '*In Committee*' at the end of the meeting.

13. MATTERS FOR REPORTING TO PARTNERSHIP PANEL

There were no matters for reporting to Partnership Panel.

14. CONFERENCES

There were no conferences to present to Council.

15. CORRESPONDENCE

The Mayor presented the following correspondence Items as read:

- (i) **Northern Health and Social Care Trust** (correspondence dated 14 September 2022)

Equality News, August 2022, Issue 9.

- (ii) **Department for Infrastructure** (correspondence received 14 September 2022)

Amendment to the Footway (Prohibition of Waiting) Order.

The Department for Infrastructure propose amending the Footway (Prohibition of Waiting) Order to prohibit vehicles waiting on a footway adjacent to a bus stand. While the Department for Infrastructure are amending it, they also propose to prohibit vehicles parking on a footway adjacent to the limits of any mandatory cycle lane or school keep clear, as delineated by markings on the carriageway at any time.

The Department for Infrastructure would welcome any comments you may have on this proposal.

- (iii) **A Carleton, Director, Local Government & Housing Regulation, Department for Communities**, (correspondence dated 26 September 2022)

Re: Council Remote/ Hybrid Meetings

Correspondence has been received advising a further extension order has been made to extend section 78 of the Coronavirus Act for a further 6 months, until 24 March 2023. The Coronavirus Act 2020 (Extension of Provisions Relating to Local Authority Meetings) (No2) Order (Northern Ireland) 2022 was made on 22 September. This Order is subject to the confirmatory procedure in the Assembly which means that whilst it comes into operation once made, it will cease to have effect 40 days from the date of making unless it has been approved by resolution of the Assembly (the 40 day period does not include any time in which the Assembly is dissolved, in recess for more than 4 days or adjourned for more than 6 days).

RESOLVED – that Council note the Correspondence Schedule.

16. CONSULTATION SCHEDULE

Report, previously circulated.

The Mayor presented the Consultation Schedule as read:

- (i) Department for Communities 'Trust Inclusion' Survey submission date 11 October 2022
- (ii) Department of Finance Proposed Department of Finance Equality Scheme submission date 17 October 2022
- (iii) The Regulation and Quality Improvement Authority Proposal to Publish RQIA Inspection Reports on Children's Services submission date 20 October 2022
- (iv) Probation Board for Northern Ireland Probation Board for Northern Ireland Corporate Plan 2023-26 Consultation submission date 10 November 2022
- (v) Department of Education Department of Education's Draft 2023-2028 Corporate Plan submission date 15 November 2022
- (vi) The Medicines and Healthcare product Regulatory Agency (MHRA) Medicines and Healthcare product Regulatory Agency consultation on proposals to amend its statutory fees submission date 23 November 2022
- (vii) The Electoral Office for Northern Ireland Consultation on Revised Disability and Equality Action Plans submission date 15 December 2022
- (viii) Ulster University Draft Disability Action Plan 2022 – 2027 submission date 16 December 2022

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

- (i) The Regulation and Quality Improvement Authority Annual Report and Accounts
- (ii) Northern Health and Social Care Trust Public Authority Statutory Equality and Good Relations Duties Annual Progress Report

Open Consultations were listed

- Health and Safety Executive for Northern Ireland Consultation on HSENI's 2023-2028 Corporate Plan, submission by 10th October 2022
- Department of Education Consultation on Period Products (Free Provision) Regulations, submission by 16th October 2022
- The Regulation and Quality Improvement Authority Consultation on Proposal to Publish RQIA Inspection Reports Relating to Children's Services, submission by 20th October 2022
- Department of Agriculture, Environment and Rural Affairs Northern Ireland Peatland Strategy - Consultation on the Equality Impact Assessment, submission by 4th November 2022
- Regulation and Quality Improvement Authority Consultation on RQIA's Draft Strategic Plan 2022-27, submission by 17th November 2022

RESOLVED – that Council note the Consultation Schedule

17. 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 5408 – 5428;
- (ii) Causeway Coast and Glens Community Centre Management Agreement – Causeway Coast and Glens Borough Council and Magilligan Community Association (L&PSC 220202/CP&R 220222/CM 220301)

Proposed by Councillor Callan
Seconded by Councillor Mulholland and

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

18. NOTICE OF MOTION PROPOSED BY COUNCILLOR C MCSHANE, SECONDED BY ALDERMAN BAIRD

Parental Alienation Motion

That Causeway Coast and Glens Council recognises that domestic abuse can take many forms.

To recognise that Parental Alienation can be captured as a form of domestic abuse as it is accepted as a group of behaviours.

That this Council acknowledges that more needs to be done to include training and education within the area of parental alienation, so that professionals are trained to meet the ongoing needs of families.

Furthermore, that this Council writes to the Justice Minister to highlight the issue of parental alienation, raising the concerns of families who have been

impacted locally and requesting a meeting with representatives from the La Dolce Vita Project, to help inform and shape future solutions for children and families involved in court related matters.

The Mayor advised the Notice of Motion would be referred to the Leisure and Development Committee.

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Councillor Callan
Seconded by Alderman Duddy and

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

- * **Press and Public were disconnected from the meeting at 9.15 pm**

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

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

- * **Alderman Duddy, Knight McQuillan and Councillor Anderson, having declared an interest in Item 16 – Trade Union Local Pay and Condition Demands, left The Chamber at 9.15pm.**

19. TRADE UNION LOCAL PAY AND CONDITION DEMANDS

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

Purpose of Report

This report is to inform Members on the trade union local pay and condition demands following the joint trade union rejection of the offer made by the Council. Unite the Union have temporarily suspended their strike, whilst NIPSA and GMB have communicated their intention to ballot members on industrial action.

Recommendation

It is recommended that Elected Members further consider the Trade Union Side pay and condition demands and make an offer to alleviate the risk of strike action.

Councillor Peacock said the key element was that employees facing most hardship are prioritised in these times and in the interests of reaching a compromise, the lowest paid scales should receive additional funds.

Proposed by Councillor Peacock
Seconded by Councillor Nicholl

-That Council approve a £550 hardship payment (up to PO 3) and 2 incremental spinal points up to and including Grade 6;
- a £550 hardship payment and 1 incremental spinal point increase for those earning a salary up to £40,000 in this financial year.

The Chief Finance Officer clarified the £40,000 limit would include Grade PO3.

Councillor McAuley said he wished to bring an amendment, however the Mayor ruled that legal advice needed to be sought, given the current live proposal by Councillor Watton which had been rejected by Trade Unions the proposal by Councillor Peacock may be defined as an amendment.

Council's Land and Property Solicitor advised the amendment from Councillor Peacock had to be dealt with.

Councillor McCandless and Alderman Hillis stated there were unhappy with the decision making process for pay negotiations lying with Elected Members.

At the request of Alderman Hillis, the Chief Executive confirmed that in Scotland and Wales an offer of £1,925 was made by management side which was rejected by Trade Unions, with the exception of Unison who were not represented at Causeway Coast and Glens Borough Council and had resulted in industrial action. The Chief Executive advised the results of ballots would be available in October, which would determine if Trade Unions had accepted offer.

At the request of Alderman Hillis, the Chief Finance Officer provided the cost of the proposal by Councillor Peacock as:-

1st incremental spinal point up to and including grade PO3 in this year -
£641,000
2nd incremental spinal point next year up to and including Grade 6 next year -
£349,000
£550 hardship payment up to and including Grade 6 - £405,000
A Total cost of £1.395m.

The Chief Finance Officer confirmed the £1,925 if agreed, would be in excess of that, the cost being £1.64m, a total of £3m.

Councillor Watton said the proposal was similar to the one proposed by him which he felt was fair and equitable.

At the request of Alderman McLean, Councillor Peacock confirmed the proposal included a hardship payment up to Grade PO3.

Alderman McLean felt those who were earning £40,000 salaries were not in need of a hardship payment.

Alderman McKeown asked for the percentage increase as at £20,000, £30,000 and £40,000 across the Pay bands, including the hardship allowance.

The Chief Finance Officer said he considered the hardship allowance up to Grade 6 in previous figures and to include grade up to PO3 would cost £542,000, a total cost of £1.53m for the proposal and including the NJC offer, a total of £3.168m in total.

- * **The Mayor declared a recess at 9.40pm to allow the Chief Finance Officer to undertake some calculations.**
- * **The Meeting resumed at 9.50pm.**

The Chief Finance Officer advised those receiving 2 incremental spinal points up to Grade 6, including a £550 hardship allowance, the percentage rise would be 6.3% – 7% and 1 incremental spinal point up to Grade PO3 would be 3.9% – 4.7%. If the NJC Pay Award of £1,925 was included, the percentages would be up to 10% and 3% respectively.

The Mayor put the Proposal to the Council to Vote.
13 Members voted For; 17 Members voted Against; 0 Abstained.
The Mayor declared the Motion Lost.

Proposed by Councillor McAuley

Seconded by Councillor Scott

-that employees up to and including Grade 6 receive 2 spinal point increments, 1 in this financial year and 1 in the next financial year, as well as £550 hardship allowance;

- That SO1/SO2 employees also receive the hardship payment of £550.

Councillor P McShane pointed to a lower pay scale, potentially overtaking the one above. The Chief Executive advised that if Grade 6 overtook SO1 it could be placed up an incremental point and advised that no matter what was proposed or accepted by Trade Unions, a report would be brought back to Council for consideration.

Councillor Holmes asked for costings on the proposal from Councillor McAuley.

The Chief Finance Officer advised as:-

1st incremental spinal point up to and including Grade 6 in this financial year - £375,000 (approximately)

2nd incremental spinal point up to and including Grade 6 in this financial year - £349,000 (approximately)

£550 hardship payment up to and including Grade SO2 - £459,000 (approx)

A Total cost of £1.084m.

The Mayor put the Proposal to the Committee to Vote.

17 Members voted For; 11 Members voted Against; 0 Members Abstained.

The Mayor declared the Motion Carried.

RESOLVED - that employees up to and including Grade 6 receive 2 spinal point increments, 1 this financial year and 1 next financial year as well as £550 hardship allowance;

- That SO1/SO2 employees also receive the hardship payment of £550.

- * **Chief Executive left the Chamber at 10.10pm.**
- * **Councillors Holmes and McGurk left the meeting at 10.10pm.**
- * **Alderman Duddy, Knight McQuillan and Councillor Anderson rejoined the meeting in the Chamber at 10.10pm.**

The Director of Environmental Services moved to the top table at 10.10 pm.

20. UPDATE ON THE IMPLEMENTATION OF RECOMMENDATIONS CONTAINED WITHIN THE EXTRAORDINARY AUDIT REPORT

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

Purpose of Report

The report updates Council in relation to the progress made in the implementation of the recommendations as contained within the Extraordinary Audit Report.

Recommendation(s)

The Council is committed to further improving the weaknesses identified in the extraordinary audit report and acknowledges the oversight of the Department.

It is recommended that:

- 4.1 That Council notes the updates to the Action Plan and progress to date on the implementation of the Recommendations.
- 4.2 That Council approves the Terms of Reference(s) in relation to the Council-wide review of governance arrangements and Review of all of its land related policies and procedures, and guidance to Council to ensure that it demonstrates clearly that it is meeting the legislative requirements and best practice in land and property transactions.
- 4.3 That Council approves the various expenditure required for the delivery and implementation of the recommendations listed within this report as per paragraph 3.5.
- 4.4 That Council approves the procurement process for the appointment of the independent persons/organisations. In addition, that Council delegates authority to the Director of Environmental Services for the awarding of contracts necessary to carry out the actions associated with the recommendations as detailed in Annexe 1 (previously circulated).

- 4.5 That Council approves the appointment of an independent advisor to assist Council in the delivery of the Action Plan and lead the implementation team.
- 4.6 That Council notes that the successful implementation of the recommendations contained within the Extraordinary Report are dependent upon Elected Members and Officers attendance at training in respect of recommendations 3 and 4.
- 4.7 That Council notes the change of Lead Officer for Actions 2 & 5 from Democratic and Central Services Managers to Director of Environmental Services. Action 6&7 will be led by LGSC and supported by Head of ODHR. The Department will be informed of the change of Lead Officer.

The Director of Environmental Services provided a detailed timeline of actions to date and the recommendations to be addressed by 30th December 2022.

Councillor P McShane welcomed the appointment of an independent individual to take lead role which he believed would alleviate the responsibility from the Director of Environmental Services. Councillor P McShane provided a timeline of costs since 2018, that he stated continue to escalate astronomically, including the cost of reputation.

Proposed by Councillor P McShane
Seconded by Councillor Quigley and

RESOLVED - that Council is committed to further improving the weaknesses identified in the extraordinary audit report and acknowledges the oversight of the Department:-

4.1 - That Council notes the updates to the Action Plan and progress to date on the implementation of the Recommendations.

4.2 - That Council approves the Terms of Reference(s) in relation to the Council-wide review of governance arrangements and Review of all of its land related policies and procedures, and guidance to Council to ensure that it demonstrates clearly that it is meeting the legislative requirements and best practice in land and property transactions.

4.3 - That Council approves the various expenditure required for the delivery and implementation of the recommendations listed within this report as per paragraph 3.5.

4.4 - That Council approves the procurement process for the appointment of the independent persons/organisations. In addition, that Council delegates authority to the Director of Environmental Services for the awarding of contracts necessary to carry out the actions associated with the recommendations as detailed in Annexe 1 (previously circulated).

4.5 - That Council approves the appointment of an independent advisor to assist Council in the delivery of the Action Plan and lead the implementation team.

4.6 - That Council notes that the successful implementation of the recommendations contained within the Extraordinary Report are dependent upon Elected Members and Officers attendance at training in respect of recommendations 3 and 4.

4.7 - That Council notes the change of Lead Officer for Actions 2 & 5 from Democratic and Central Services Managers to Director of Environmental Services. Action 6&7 will be led by LGSC and supported by Head of ODHR. The Department will be informed of the change of Lead Officer.

- * **Head of Prosperity and Place and External Solicitor, joined the meeting at 10.20pm.**
- * **The Audit, Risk and Governance Manager left the meeting at 10.20pm.**

21. MINUTES OF CORPORATE POLICY AND RESOURCES COMMITTEE MEETING HELD TUESDAY 27 SEPTEMBER 2022 AT 8PM

Matters Arising 'In Committee'

21.1 Minutes of the Land and Property Sub Committee meeting held 7 September 2022 (Item 18) Dunluce Centre, Portrush – Sale of Contract of Dunluce Centre (Item 18.1)

Councillor McAuley sought clarity regarding the caveat for the Contract of Sale of the Dunluce Centre, that no more than 15% of the gross floor space was allocated to gaming machines, whether this would impact the sale.

The Director of Environmental Services advised the Head of Prosperity and Place and External Solicitor had joined the meeting to answer Elected Member questions.

The Head of Prosperity and Place provided a summary of the initial recommendation to Corporate Policy and Resources Committee meeting held 27 September 2022. The Head of Prosperity and Place further clarified the requirements of the preferred bidder with regards to the matter raised and Contract negotiations underway. He advised Special Condition 6 was specifically negotiated and cited the Condition.

Amendment

Proposed by Councillor McAuley
Seconded by Alderman A McQuillan

-that Council Approve the draft sale contract for Dunluce Centre, Portrush to progress the development of a family entertainment offering on the Dunluce Centre with the caveat that no more than 25% of the gross floor space is allocated for gaming machines.

Councillor P McShane sought clarification whether there had been advice to Council from internal or external agencies, not to be disposing of assets until the conclusion of the workings of the Extraordinary Audit and Action Plan, in order that Council are not selling assets and find itself in trouble. Councillor P McShane stated there had been major issues raised from the start. Councillor P McShane referred to the type of business carried out by the preferred bidder and that a change of Legislation had now increased the value of the site and urged caution.

The Director of Environmental Services responded, that Council's Internal Auditor had provided advice that land transactions should not take place while the review of the Extraordinary Audit was underway. The Director of Environmental Services stated there had been no communication from Northern Ireland Audit Office nor Department for Communities and he had written to the Department and had not received a response.

Alderman Hillis reflected on the Family Entertainment Centre and representatives who had presented, Council had been advised this, their first Family Entertainment Centre and area of expertise was gambling. Alderman Hillis reflected on the prior close vote and opposition in the Portrush area and stated shock at 25% floor space for gambling. Alderman Hillis opposed the Amendment.

Councillor McCandless reflected on the earlier proposed Family Entertainment Centre offering, stated disappointment at 25% floor space for gambling. Councillor McCandless detailed problems with gambling and what it would lead to.

Councillor Quigley stated the figure of 25% was not said on the night of the initial presentation to Council and was not right for the Borough and concurred with Alderman Hillis and Councillor McCandless. Councillor Quigley suggested that prior to a vote, or being discussed, the Director of Environmental Services contact the Department for Communities to seek clarification of whether Council can sell. Councillor Quigley stated when she had spoken with an individual at the Department for Communities, was informed nothing will be sold.

Councillor Watton stated Bookmakers are now open on a Sunday, there were gaming machines everywhere and this was being used as an excuse to stymie a sale, that three quarters was available for family entertainment.

Alderman McQuillan stated gambling was now all online. Alderman McQuillan sought clarification whether Council had to go to the Department for Communities and felt Council should be running itself. Alderman McQuillan stated other premises in Portrush had gaming machines in them and asked Alderman Hillis to clarify.

The Head of Prosperity and Place reiterated the Special Conditions which state that development must be a family leisure facility and the six elements to the proposed development were - soft play, kids amusements, mini golf, food court,

indoor rides and amusement slots. The Head of Prosperity and Place detailed how the 25% figure had been arrived at and the figure was at the request of Council.

Alderman Duddy referred to the vacant building and reflected on the residents' opposition. Alderman Duddy queried the role of Council's Internal Auditor with regards to the Extraordinary Audit. Alderman Duddy queried whether the Department for Communities were aware Council was selling the Dunluce Centre and whether they had communicated that Council should not be. Alderman Duddy referred to the cost of the Dunluce Centre to date that had still not been sold and stated the restriction was that it would not be a Casino and Council could not control what was being bought off it and urged caution.

The Director of Environmental Services responded, the role of Council's Internal Auditor was advisory. The Director of Environmental Services advised that if the Department for Communities did not previously know, they would now know and clarified they had not communicated Council should not be selling the Dunluce Centre.

Councillor Mulholland agreed with Alderman Hillis, Council needed to emphasise that ratepayers did not want the facility that was on offer.

Alderman Baird stated residents' voices should be listened to. Alderman Baird sought clarification why did the issue of 25% gaming come before Council to make a decision and if it was not a Council decision, have an explanation. Alderman Baird queried the Covenants and their impact and whether they could be removed at a later date.

Council's external Solicitor detailed the 25% gaming percentage floor space negotiations and further advised of the freehold title, Inhibition Order and Special Conditions Contract.

Councillor Quigley requested a Recorded Vote.

The Mayor put the Amendment to the Council to vote.
19 Members voted For; 15 Members voted Against; 0 Members Abstained
The Mayor declared the Amendment Carried.

RESOLVED - that Council Approve the draft sale contract for Dunluce Centre, Portrush to progress the development of a family entertainment offering on the Dunluce Centre with the caveat that no more than 25% of the gross floor space is allocated for gaming machines.

Recorded Vote Table

For (19)	Alderman Duddy, Knight-McQuillan, McLean, A McQuillan Councillor Anderson, Callaghan, Callan, Chivers, McCorkell, McAuley, McGurk, McMullan, C McQuillan, Nicholl, Peacock, Scott, Storey, Wallace, Watton
Against (15)	Alderman Baird, Fielding, Hillis, McKeown, S McKillop Councillor Beattie, Dallat O-Driscoll, Holmes, Hunter, McCandless, MA McKillop, P McShane, Mulholland, Quigley, Wilson

MOTION TO PROCEED ‘IN PUBLIC’

Proposed by Alderman Duddy
Seconded by Councillor Callan

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

This being all the business, The Mayor thanked everyone for their attendance and the meeting concluded at 11.05 pm.

Mayor