

**LEISURE & DEVELOPMENT COMMITTEE MEETING
TUESDAY 10 APRIL 2018**

Table of Recommendations

No	Item	Summary of key Recommendations
6	Causeway Coast Way Blueprint	<i>Approve Strategic direction.</i>
7	Any other relevant business notified in accordance with Standing Order 12. (o) Councillor Watton, Community Rescue Service	<i>Refer to Land and Property Sub Committee; Officers to meet with CRS representatives</i>
8	Landfill Community Fund	<i>Approve funding projects 1-5 totalling £108,662.50</i>
9	Ballycastle Shared Sports Facilities - Indemnity Agreement	<i>Approve max indemnity of £100k; agreement</i>
10	Enterprise Week	<i>Information</i>
	IN COMMITTEE	
11	Magilligan Community Centre	<i>Option 1 award tender cost of £437,000</i>
12	Leisure & Development 2018/2019 Budgetary Position	<i>Approve amended cost savings and income generation proposals</i>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF
THE LEISURE AND DEVELOPMENT COMMITTEE
IN CIVIC HEADQUARTERS, COLERAINE ON
TUESDAY 10 APRIL 2018 AT 7.00 PM**

In the Chair: Councillor Duddy

Members Present: Alderman Hillis, Robinson;
Councillors Baird, Beattie, Clarke, Chivers,
Deighan, Douglas, Holmes, McCandless, McLean,
C McShane, A Mulholland and Stevenson

**Non Committee
Member Present:** Councillor Watton [minute Item 7]

Officers Present: R Baker, Director, Leisure & Development
P Beattie, Head of Prosperity and Place
Z Bratton, Product Development Officer
R Gillen, Coast and Countryside Manager
N Harkness, SIB Project Manager
W McCullough, Head of Wellbeing and Sport
P O'Brien, Funding Unit Manager
L Scullion, Community Development Manager
M Strong, Coast & Countryside Officer
P Thompson, Head of Tourism & Recreation
J Welsh, Head of Community & Culture
S Duggan, Committee & Member Services Officer

In Attendance: Press (1 no.)

1. SUBSTITUTION

In accordance with Standing Order 22 (4) Councillor Beattie substituted for Councillor MA McKillop.

2. ORDER OF BUSINESS

AGREED - To Change the Order of Business, to receive the Item of Any Other Relevant Business upon Councillor Watton's arrival.

3. APOLOGIES

Apologies were recorded for Councillors McKillop and K Mulholland.

4. DECLARATIONS OF INTEREST

Declarations of Interest were recorded for:

- Councillor Deighan in Landfill Community Fund;
- Councillor A Mulholland in Landfill Community Fund.

5. MINUTES OF MEETING HELD TUESDAY 13 MARCH 2018

The Chair advised the Minutes of the above meeting were confirmed at 27th March 2018 Council Meeting.

6. CAUSEWAY COAST WAY BLUEPRINT

The Coast and Countryside Manager presented the report, previously circulated and illustrated via PowerPoint and Youtube clip.

The report presented a blueprint for the development of the Causeway Coast Way walking trail, and sought Members' approval to pursue the strategic direction outlined and deliver on, where possible, the recommended actions.

The 'Blueprint' document relates to the entire Causeway Coast Way walking trail, a 33 mile coastal walking trail connecting Portstewart and Ballycastle. It provides background information concerning the history and development of the walking trail to date, and sets the context in both regional and national terms.

Through an analysis of the existing trail and walking experience, current shortcomings are identified and interventions proposed for consideration. The main proposed interventions are summarised as follows:

- Review existing permissive path agreements along the CCW and propose an appropriate mechanism to secure and extend existing public access for at least the next 20-25 years.
- Conduct a trail condition survey to identify priority sections for upgrading works, identify appropriate maintenance materials and standards, and agree an action plan for proposed works.
- Engage with the local landowners in an attempt to identify and create new off-road sections on coastal farm land.
- Identify suitable sites for the development of trail heads at strategic locations along the CCW.
- Explore the need for the installation of monitoring equipment at strategic locations along the route.
- Establish a steering group to manage the development of, and implement interventions for, the CCW.

- Explore opportunities for trade engagement to boost economic benefits.
- Explore opportunities for visitor engagement and marketing to domestic and international visitors.

Recommendation

Members' approval is sought to pursue the strategic direction outlined in the Blueprint for the Causeway Coast Way and to deliver on, where possible, the recommended interventions detailed. It is noted that the success of delivery is subject to the need for negotiations regarding securing public access over land, legal constraints and funding priorities.

In response to questions raised by Councillor Baird, the Head of Tourism and Recreation advised Council would be looking at linking the existing Path to Fair Head and linking to the Moyle Way. Council was aware of the issues at high tide at Whitepark Bay and was continuing to look at solutions whilst understanding the sensitivities.

The Head of Tourism and Recreation advised an Expression of Interest had been submitted for Rural Development Programme Funding, of which a maximum of £500,000 was available for a section off road, where visitors access Carrick-a-Rede.

Members commended staff and the vision.

Proposed by Alderman Hillis
 Seconded by Councillor Clarke and

AGREED – to recommend that Council approve to pursue the strategic direction outlined in the Blueprint for the Causeway Coast Way and to deliver on, where possible, the recommended interventions detailed. It is noted that the success of delivery is subject to the need for negotiations regarding securing public access over land, legal constraints and funding priorities.

- * **Councillor Watton arrived at the meeting at 7.05PM during consideration of the above item.**
- * **Councillor C McShane arrived at the meeting at 7.10PM during consideration of the above item.**

7. ANY OTHER RELEVANT BUSINESS NOTIFIED IN ACCORDANCE WITH STANDING ORDER 12. (O)

'Council have a total reappraisal of support we give to Community Rescue Service'.

Councillor Watton read a prepared statement in support the Community Rescue Service, stating he felt Council could be doing a lot more to support

the organisation. Councillor Watton advised Community Rescue Service (CRS) required land between the two Bridges in Coleraine to build a Station, with a view to apply for Lottery Funding.

The Director of Leisure and Development, whilst not disagreeing with Councillor Watton, clarified Council had no legislative or statutory responsibility for the functions of CRS, that it sat with the Department of Justice.

Councillor Duddy, Chair, suggested committee pass the matter to the Land and Property Sub Committee for consideration. Councillor Duddy further advised that a review of the Pontoon usage would be carried out.

AGREED – to recommend that Council refer the matter to the Land and Property Sub Committee; that Council Officers meet with representatives from Community Rescue Service to investigate their requirements.

- * **Councillor Douglas left the meeting at 8PM.**
- * **Councillor Watton left the meeting at 8.05PM.**

8. LANDFILL COMMUNITY FUND

The Funding Unit Manager presented the report, previously circulated.

The report recommend grant decisions and awards to ENTRUST (Landfill Regulator) for projects to be supported under the Landfill Communities Fund for the 2018-19 period.

The fund opened for applications on 4th December 2017 and closed on 28th February 2018.

- Seven applications were received with requests to the fund totalling £124,848.50.
- Two applications were ineligible and did not proceed to scoring and assessment.
- Five applications totalling £108,662.50 were assessed and scored. Each scored higher than the 65% minimum threshold and are therefore recommended for funding. (Full project details are available at Annex D, circulated).

Stage 1: Eligibility Assessment

2 x applications applying under Object DA: Biodiversity Conservation and Enhancement Programme failed to satisfy the following eligibility criteria (Full Criteria set out in Annex B, circulated):

- Project site owned by applicant or satisfactory access arrangements in place.

- Source of match funding clearly stated and in place.

Name of organisation	Project	Outcome
Conservation Volunteers	Improvements at East Strand Dunes and White Rocks	No Land access arrangements No match funding <i>Ineligible</i>
Conservation Volunteers	Restoration of Bann Estuary Sand Dunes	No Land access arrangements No match funding <i>Ineligible</i>

Stage 2: Assessment & Scoring:

5 x applications were assessed and scored against the full criteria. (Full criteria set out in Annex A and C circulated).

	Applicant & Project	Score	Total project costs	Amount requested	Amount recommended
1	<i>St Patrick's Hall Committee, Portrush</i>	80	£40,000	£30,000 75%	£29,662.50
2	<i>The Diocese of Down & Connor trustees on behalf of St Patricks Church, Portrush</i>	76	£93,180	£30,000 32%	£30,000
3	<i>Focus on Family</i>	76	£40,331	£30,000 74%	£30,000
4	<i>Portrush Heritage Group</i>	72	£16,000	£12,000 75%	£12,000
5	Causeway Coast and Glens Borough Council	72	£9,300	£7,000 75%	£7,000
			£198,811	£109,000	£108,662.50

Recommendation

As per Council's Landfill Communities Fund Policy approval of projects is at the sole discretion of Council and will be dependent on the current available LCF funds.

The current available funds are £127,060.71.

It is recommended that Council award funding to projects 1-5 totalling £108,662.50.

The Funding Unit Manager responded to questions and confirmed the £19,000 differential would be rolled over.

Proposed by Councillor C McShane
Seconded by Alderman Hillis and

AGREED – to recommend that Council award funding to projects 1-5 totalling £108,662.50.

9. BALLYCASTLE SHARED SPORTS FACILITIES - INDEMNITY AGREEMENT

The Head of Wellbeing and Sport presented the report, previously circulated.

The purpose of the report was to seek Member's approval for the Agreement to indemnify Department of Education (DE) for design team and associated costs if Council should decide to withdraw from the project at or before investment decision stage.

Background

In August 2017 Members approved an Outline Business Case (OBC) for proposed upgrades to the sports facilities at Ballycastle Shared Education Campus. In March 2018 Members approved the principles of the Agreement attached at Annex A, circulated, as contained in a non-binding Heads of Terms.

Summary of Preferred Option:

The preferred option in the approved OBC involved Council making a capital contribution to the school pitches and sports hall facilities to make them suitable for community use. Council enhancements include:

- Conversion of grass soccer pitch to 3G and floodlighting.
- Floodlighting to AstroTurf hockey pitch.
- Floodlighting to 3G GAA pitch.
- Upgrade of 3 court hall to 4 court.
- Upgrade of changing and ancillary accommodation.

Anticipated Council Investment: £2.3m (based on pre-tender estimates and current construction indices). It is estimated that if Council was to independently develop facilities of this scale the construction costs alone would be in the region of £6m.

Anticipated Benefits: Community access to the enhanced sports facilities for community use during evenings, weekends and school holidays.

The Indemnity Proposal

The approval of the OBC was not the final investment decision. It is only after the project is designed and procured that there will be sufficient cost certainty to allow the OBC to be updated to a Full Business Case (FBC) and a final investment decision considered by Council.

The approval of the OBC gave the education authorities sufficient confidence to progress the in-house concept design to include the Council's requested enhancements. However, Council has the opportunity to withdraw from the project at any time up to and including investment decision stage.

DE is currently out to procurement for an Integrated Consultant Team (ICT) to design and manage the project through the various stages of its design and construction life cycle. The anticipated ICT appointment date is 1st May 2018 and a decision has to be made if the Council's requirements are to be included in the design commission or not. If Council's design requirements are included in the ICT brief and Council decides to withdraw from the project at any point after the appointment of the ICT, DE would incur nugatory costs in the form of a Compensation Event (CE) to redesign the facilities to exclude the Council's requested enhancements. The later that decision the higher the likely cost.

DE made it clear that it would only agree to commission the design of the sports facilities to the Council's specification on condition that Council indemnifies it against any nugatory redesign costs and associated statutory charges. The requirement for a financial commitment from Council in advance of the ICT appointment has been brought to Members' attention since August 2017.

The 'actual' cost of a Council withdrawal will not be fully known unless/until the project proceeds through design and the Council then decides to withdraw. The bidders are being asked to provide detailed costs for activities at each stage which would provide a framework for negotiating a CE should the eventuality occur but the 'actual' figure would not be known until that negotiation was complete.

In order to allow the ICT to be appointed, DE has agreed that this indemnity will be capped at a maximum value of £100,000. For avoidance of doubt, in the event that Council withdraws from the project, DE will seek to recoup from Council the actual costs of redesign and statutory fees only up to a maximum value of £100,000.

Typical Costs to Investment Decision Stage

Development costs to get capital projects to investment decision stage are normally in the region of 3% to 5%. If Council was the independent project promoter for this project with a total construction value of £6m, the costs to get to investment decision stage could be up to £300k. Even with the partnership

approach only requiring a Council investment of circa £2.3m, the costs to investment decision stage would normally be expected to be in the region of £70k to £115k.

The proposed indemnity cap of £100k is therefore within the normal range of pre-investment decision costs that we would expect to commit on a project of this scale.

The Agreement

Officers, supported by SIB, developed a non-binding Heads of Terms to set out the proposed terms of the design indemnity. The principles contained in the Heads of Terms were agreed by Committee and Council in the March meeting cycle and have now been converted into the proposed Agreement at Annex A, circulated. The development of this Agreement has been overseen by Council's in-house solicitor and the Departmental Solicitors Office (DSO). DE has confirmed that the Agreement satisfies its requirements.

Approving this Agreement is committing Council to a maximum cost of £100k should it decide to withdraw from the project at or in advance of an investment decision. This is very similar to a Council owned capital project where irrecoverable design costs are incurred (directly by Council) in advance of a final investment decision.

Proposed Timelines

The funding for the Ballycastle Shared Education Campus will have the normal central government year-end spend targets and therefore adherence to programme is related to budget availability. The DE programme proposes the completion of the tender evaluation process on 9th April leading to the ICT appointment on 1st May. This appointment will not include Council's proposed design enhancements (for community use) in the absence of approval of the indemnity Agreement.

Tax Efficiency

Based on specialist VAT advice and confirmation from HMRC the most tax efficient solution for the project currently appears to be a joint construction contract between DE/Council and a contractor.

It is recommended that Members approve the following:

- The maximum indemnity figure of £100k.
- The Agreement attached at Annex A, circulated.

In response to questions by Councillor Baird, the SIB Project Manager clarified due diligence had been carried out, the cost of the indemnity, and Councils decision making powers.

Proposed by Councillor Baird

Seconded by Councillor C McShane and

AGREED – to recommend that Council approve the following:

- The maximum indemnity figure of £100k.
- The Agreement attached at Annex A, circulated.

10. ENTERPRISE WEEK

The Head of Prosperity and Place presented the information report, previously circulated.

The purpose of the report was to provide Members with an overview and feedback to date of the Council's inaugural Enterprise Week which was held between the 2nd – 9th March 2018.

The inaugural Enterprise Week for Causeway Coast and Glens took place between the 2nd – 9th March 2018. Organised by the Council in partnership with a range of economic stakeholders, the aim of Enterprise Week was to help local businesses to succeed. The week showcased employment opportunities, careers advice and business support avenues, to suit those at various stages of their entrepreneurial journey, whether they be an existing businesses, those aspiring to start their own business, social enterprise or school children wanting to learn the basics of running a business. Feedback is still coming in from the various economic stakeholders involved in Enterprise Week. This will form the basis of a more detailed evaluation, as well as looking at how Enterprise Week can be expanded and improved on for next year.

In order to give Council an understanding of the success of the inaugural Enterprise Week, details are included of those events across the Borough by the various stakeholders involved, and a snapshot of the feedback received to date.

Pending the outcome of allocation of budgets, it is hoped to build on the success of the inaugural Enterprise Week for the Causeway Coast and Glens area, by making this an annual event and involve as many economic stakeholders as possible, particularly as all are keen to engage in more such successful partnership work with Council.

The Chair, Councillor Duddy thanked staff.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Councillor McCandless
Seconded by Alderman Hillis and

AGREED - that the Committee proceed to conduct the following business 'In Committee'.

* **Press left the meeting at 8.20PM.**

11. MAGILLIGAN COMMUNITY CENTRE

Confidential report, previously circulated.

The purpose of the report was to present options to Members and to seek direction on how to proceed in relation to award or otherwise of the winning bid to construct Magilligan Community Centre.

Accordingly, two options were developed for Members consideration;

- Option 1 – Award the Tender as-is at a cost of £437,000 in line with community and sustainability requirements.
- Option 2 – Reduce the specification to a standard below that normally provided in public buildings with a projected saving of £7,200 and award the Tender with a target cost of £429,800.

Recommendation

Members are asked to consider the options and direct which option is to proceed.

Proposed by Alderman Robinson
Seconded by Councillor Clarke and

AGREED – to recommend that Council approve Option 1 - Award the Tender as-is at a cost of £437,000 in line with community and sustainability requirements.

* **Councillor Baird left the meeting at 8.24PM.**

12. LEISURE & DEVELOPMENT 2018/2019 BUDGETARY POSITION

The Director of Leisure and Development presented the confidential report, previously circulated and advised the 4 contentious items previously included had been removed.

Councillors were requested to consider the amended cost savings and income generation proposals, relevant to Leisure and Development Services. In order to achieve the district rates position of 0% increase further cost saving options will be brought before the Committee in due course.

Proposed by Councillor Holmes
Seconded by Alderman Hillis and

AGREED – to recommend that Council approve the amended cost savings and income generation proposals, relevant to Leisure and Development Services. In order to achieve the district rates position of 0% increase further cost saving options will be brought before the Committee in due course.

Councillor Stevenson asked that it was recorded he voted against.

The Chair, Councillor Duddy, put the Motion to the committee to vote, 4 Members voted For, 3 Members voted Against, the Chair declared the motion carried.

Councillor C McShane requested that Council consider a 2019/2020 Event funding workshop, the Director agreed to schedule a workshop in June.

MOTION TO PROCEED ‘IN PUBLIC’

Proposed by Councillor McCandless

Seconded by Councillor Chivers

AGREED - that the Committee proceed to conduct the following business ‘In Public’.

There being no further business the Chair thanked everyone for their attendance and the meeting concluded at 8.38PM.

Chair