

COUNCIL MEETING TUESDAY 1 FEBRUARY 2022

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No.	Item	Decision
1.	The Mayor's Business	None
2.	Apologies	Alderman Boyle, Councillor Nicholl and P McShane
3.	Declarations of Members' Interests	None
4.	Minutes of Council meeting held Tuesday 4 January 2022	Confirmed
5.	Minutes of Planning Committee Meeting held Wednesday 22 December 2021	Noted
6.	Minutes of Environmental Services Committee Meeting held Tuesday 11 January 2022	
	Matters Arising	
6.1	Issues with Council Trading Pitches (Item 24 (vi))	<i>That the number of trading pitches per site remains as it is currently, until the next Auction with no additions; When considering future pitches and to prevent difficulties, full details of what is allowed to be sold is discussed at the Environmental Services Committee and ratified by Full Council in advance of the Auction; Should there be a break clause for current pitches and at end of year 3, each pitch is discussed at</i>

		<i>the Environmental Services Committee agreeing what is permitted to be sold and ratified at Full Council in advance of the Auction.</i>
6.2	Entertainments Licensing Report - Grant of Indoor Entertainments Licence (EI411 (Item 5 (ii)))	<i>Amendment Fell</i>
6.3	Adoption of Minutes	<i>Adopted and recommendations therein approved including Amendment at 6.1 above</i>
7.	Minutes of Finance Committee Meeting held Thursday 13 January 2022	<i>Adopted and recommendations therein approved</i>
8.	Minutes of the Reconvened Leisure and Development Committee Meeting held Tuesday 18 January 2022 (adjourned from 21 December 2021)	
	Matters Arising	
8.1	Coleraine Leisure Centre and Ballycastle OBC Update (Item 4)	<i>that Council enlarge on the 4b Option to feature a larger water attraction to incorporate a separate learner pool and option for soft area.</i>
8.2	Adoption of the Minute	<i>Adopted and recommendations therein approved, including Amendment at 8.1 above, excluding Item 16.1 considered 'in committee' at the end of the meeting</i>
9.	Minutes of Leisure and Development Committee Meeting held Tuesday 18 January 2022	<i>Adopted and recommendations therein approved</i>

10.	Minutes of Corporate Policy and Resources Committee Meeting held Tuesday 25 January 2022	
	Matters Arising	
10.1	Consultation – Department of Communities Call for Evidence on Northern Ireland Councils – Remote/Hybrid Meetings submission date 15th February 2022 (Item 12 (i))	Corporate response to be submitted.
10.2	Adoption of the Minute	Adopted and recommendations therein approved including resolution at Item 10.1 above
11.	Matters for reporting to the Partnership Panel	That Council submit to the Partnership Panel - that reporting mechanisms be explored for Elected Members to communicate issues to the Department of Infrastructure as soon as possible.
12.	Conferences	
	(i) Local Government Finance Masterclass for Councillors - Thursday 10 th February 2022	Noted
13.	Correspondence	
	(i) Northern Ireland Housing Council - The Housing Council January bulletin dated 13 January 2022 and 486 th Meeting of the Northern Ireland Housing Council minutes.	Noted
	(ii) Local Boundaries Commissioner for Northern Ireland - Revised recommendations have now been published and open for public consultation	
14.	Consultation Schedule	
(i)	Department of Health, Development of a Bereavement Charter for N.I. - invitation to participate in a short survey	Noted
(ii)	Department for the Economy (DfE), Heat Network Consultation	
(iii)	Local Government Boundaries Commissioner (LGBC), Consultation on the Revised Recommendations of the Local Government Boundaries Commissioner (LGBC)	

(iv)	Department for the Economy, Consultation on Mineral Prospecting Licence Applications MPLA1/22 and MPLA2/22 for Dalradian Gold Limited	
(v)	Department of Agriculture, Environment and Rural Affairs (DAERA), Consultation on the Joint Fisheries Statement (JFS)	
15.	Seal Documents	
(i)	Grave Registry Certificates, No's 5270 – 5286	Seal Affixed (i-vii)
(ii)	Landfill Performance Deed	
(iii)	Barclays Loan amendment Deed - Loan ref: 5/19722698431	
(iv)	Barclays Loan amendment Deed - Loan ref: 5/19756353538	
(v)	Amendment to Commercial Lease – Causeway Coast and Glens Borough Council and Native Seafood Limited – The Crescent Café, The Crescent, Portstewart (Ref L&P 211006/ CPR 211026/CM 211102)	
(vi)	Licence Agreement – Causeway Coast and Glens Borough Council and Native Seafood Limited – Part of Former Boathouse and Outdoor Seating Area (Ref L&P 211006/ CPR 211026/ CM 211102)	
(vii)	Document TP-FOT Form of Tender for Proposed Improvements to Portrush Recreational Grounds (Ref L&D 210817/ CM 210907)	
	'IN COMMITTEE' (Items16 & 17)	
16.	Minutes of Leisure and Development Committee Meeting Held Tuesday 18th January 'In Committee'	
	Matters Arising	
16.1	Metropole Park (Item 10)	<i>That Council consider a lease or licence to CAUS that offers a suitable resolution to this request to use Council land; that includes considerations regarding affordability;</i>

		<i>maintenance; insurance and a 'get- out' clause for both parties</i>
17.	Minutes of Environmental Services Committee Meeting Held Tuesday <i>'In Committee'</i>	
17.1	Street Trader, Castlerock (Item 24 (i))	<i>Update from Director</i>

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

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

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

Councillors Anderson (C) Bateson (R), Beattie (R), Callan (R), Chivers (R), Dallat O'Driscoll (R), Hunter (R), McAuley (C), McCandless (C), McCaw (R), McCorkell (R), McGlinchey (R), McGurk (R), MA McKillop (R), McLaughlin (R), McLean (C), McMullan (R), McQuillan (C), C McShane (R), Mulholland (C), Peacock (R), Quigley (C), Schenning (R), Scott (R), Wallace (C), Watton (C), Wilson (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)
M Smyth, Finance Director (Interim) (R)
N Linnegan, Council Solicitor (R)
J Mills, Land and Property Solicitor (R)
J Welsh, Head of Community and Culture (R)
A McAuley, PR Manager (R)
S Duggan, Civic Support & Committee & Member Services Officer (R)
I Owens, Committee & Member Services Officer (C)

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

Press (No 3) (R)

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

The Chief Executive undertook a roll call.

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

1. THE MAYOR'S BUSINESS

The Mayor advised that he had no update for elected members.

2. APOLOGIES

Apologies received from Alderman Boyle, Councillor Nicholl and P McShane.

3. DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of interest.

4. MINUTES OF COUNCIL MEETING HELD TUESDAY 4 JANUARY 2022

Copy, previously circulated.

Proposed by Alderman Baird
Seconded by Councillor Watton and

RESOLVED – that the Minutes of the Council Meeting held Tuesday 4 January 2022 are confirmed as a correct record.

5. MINUTES OF PLANNING COMMITTEE MEETING HELD WEDNESDAY 22 DECEMBER 2021

Copy, previously circulated.

RESOLVED – that the Minutes of the Planning Committee Meeting held Wednesday 22 December 2021 are received and noted.

6. MINUTES OF THE ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 11 JANUARY 2021

Copy, previously circulated.

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

Matters Arising

6.1. Issues with Council Trading Pitches (Item 24 (vi))

Councillor McAuley said he wished to make an amendment regarding the number of pitches as currently traders have paid for a set number of pitches and their business may be reduced, should there be additional traders.

During discussion, Councillor Wilson provided wording to the amendment for consideration and accepted by the proposer Councillor McAuley and seconder, Councillor McQuillan.

Amendment

Proposed by Councillor McAuley
Seconded by Councillor McQuillan

- That Council approve the number of trading pitches per site remains as is currently until the next Auction with no additions;
- When considering future pitches and to prevent difficulties, full detail of what is allowed to be sold is discussed at the Environmental Services Committee and ratified by Full Council in advance of the Auction;
- Should there be a break clause for current pitches and at end of year 3, each pitch is discussed at Environmental Services Committee agreeing what is permitted to be sold and ratified at Full Council in advance of the Auction.

The Mayor put the amendment to the Council to vote.
35 Members voted For; 0 Members voted Against; 2 Members Abstained.
The Mayor declared the Motion carried.

Alderman Baird asked for an update to include the consequence of the proposal and The Director of Environmental Services advised that as the minutes had not yet been ratified there was no update since the Environmental Services Committee meeting had taken place.

In response to a request about the timeline of Auctions, The Director of Environmental Services advised this took place in March 2021 for a 3 year period. He advised licences would not be terminated as long as licensees continue to sell what they were licenced to sell and confirmed that Officers were asked to look at a remedy which was currently being discussed to ensure fairness and equality.

Councillor Quigley suggested that corporate legal advice should be sought in advance of a recommendation being made.

The Mayor stated that the Director of Environmental Services would provide legal advice at the next Environmental Services Committee Meeting.

* **Alderman Finlay left the meeting at 7.35 pm**

6.2. Entertainments Licensing Report - Grant of Indoor Entertainments Licence (EI411 (Item 5 (ii)))

Alderman Fielding and Councillor Quigley raised concern the venue was in the heart of a residential area which would have a detrimental effect and asked that closing time be further restricted.

Alderman Duddy and Councillor Wilson stated that many licensed premises including hotels were located in residential areas and pointed this that this was a business and spoke of the need for equity when reaching decisions.

The Director of Environmental Services clarified any breach of conditions are considered during renewals and there was a mechanism to address noise issues, he advised PSNI can intervene should they be required to do so.

Amendment

Proposed by Alderman Fielding

Seconded by Councillor Quigley

- that Council review the time of the closure to earlier than 1am.

The Mayor put the amendment to the Council to vote

7 Members voted For; 24 Members voted Against; 4 Members Abstained.

The Mayor declared the amendment Lost.

6.3. Adoption of the Minutes

Proposed by Councillor Wilson

Seconded by Councillor Wallace and

RESOLVED – that the Minutes of the Environmental Services Committee Meeting held Tuesday 11 January 2022 are adopted and recommendations therein approved, including amendment at 6.1 above.

7. MINUTES OF FINANCE COMMITTEE MEETING HELD THURSDAY 13 JANUARY 2022

Copy, previously circulated.

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

Proposed by Alderman Hillis

Seconded by Councillor Callan and

RESOLVED – that the Minutes of the Finance Committee Meeting held Thursday 13 January 2022 are adopted and recommendations therein approved.

8. MINUTES OF RECONVENED LEISURE AND DEVELOPMENT COMMITTEE MEETING HELD TUESDAY 18 JANUARY 2022 (ADJOURNED FROM 21 DECEMBER 2021)

Copy, previously circulated.

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

Matters Arising

8.1 Coleraine Leisure Centre and Ballycastle OBC Update (Item 4)

Councillor Anderson referred to the only viable option being 4b from the 5 options presented to members and said that on comparison to provision in other Council areas which included soft play areas, water play, inflatable provision what was on offer was not exciting or creative.

Proposed by Councillor Anderson
Seconded by Alderman Duddy

-that Council enlarge on the 4b Option to feature a larger water attraction to incorporate a separate learner pool and option for soft area.

Alderman Duddy wished to express his thanks to Officers for their engagement towards reaching a resolution, however referred to disappointment voiced by ratepayers regarding the facilities on offer and said that assurance had been given when Waterworld in Portrush closed that the loss would be compensated at Coleraine Leisure Centre.

Councillor Watton referred to the need to avail of the Levelling Up Fund and issues which have recently arisen regarding boundaries but felt that there was a need to have a Leisure Centre, more than what was being offered.

Elected Members spoke of the benefits of swimming to mental health and general wellbeing and the need for tourists to have an alternative to a beach trip when the weather was not favourable and have a fit for purpose facility.

Elected Members felt it was vital that children had the opportunity to learn to swim and a learner pool was essential which would also cater for those with special needs or disabilities.

Councillor C McShane felt that if Coleraine Leisure and Ballycastle Leisure Centre were considered in parallel and progressed it would be a legacy at end of this current mandate for Causeway Coast and Glens Borough Council.

The Mayor put the Proposal to the Council to Vote.
36 Members voted For; 0 Members voted Against; 0 Members Abstained.
The Mayor declared the motion carried unanimously.

8.2. Adoption of the Minutes

Proposed by Councillor McAuley
Seconded by Councillor Watton and

RESOLVED – that the Minutes of the Leisure and Development Committee Meeting Tuesday 18 January 2022 (Adjourned from 21 December 2021) adopted and recommendations therein approved, including Amendment at 8.1 above, excluding Item 16.1 considered ‘in committee’ at the end of the meeting.

Councillor McShane asked why the Air Show item was held in committee as she felt the matter should be in the public domain, the detail around the business of organising the event was not in itself sensitive or confidential.

The Mayor advised the Director of Leisure and Development had already confirmed matters relating to the work of individuals including Agency staff and Consultants deemed it to be sensitive and such items were always taken in committee and in response to Councillor Mulholland clarified Metropole Park was held in committee as all matters relating to leases considered commercially sensitive.

Councillor C McShane said she felt that subjective criteria was applied when deciding what is taken in committee, and did not accept the rationale.

- * **The Mayor called a recess for a comfort break at 8.30pm.**
- * **The meeting reconvened at 8:40pm.**

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

9. MINUTES OF LEISURE AND DEVELOPMENT COMMITTEE MEETING HELD TUESDAY 18 JANUARY 2022

Copy, previously circulated.

Proposed by Councillor McAuley
Seconded by Councillor Watton and

RESOLVED – that the Minutes of the Leisure and Development Committee Meeting held Tuesday 18 January 2022 are adopted and recommendations therein approved.

At the request of C McShane the Mayor confirmed the Zero Rates Budgeting paper was for information and no commitments had been made to agreeing a budget in advance of the rates workshops.

- * **Alderman McKeown arrived at the meeting in Chamber at 8.40 pm, having been in attendance remotely prior.**

10. MINUTES OF CORPORATE POLICY AND RESOURCES COMMITTEE MEETING HELD TUESDAY 25 JANUARY 2022

Copy, previously circulated.

Matters Arising

10.1 Consultation – Department of Communities Call for Evidence on Northern

Ireland Councils – Remote/Hybrid Meetings submission date 15 February 2022 (Item 12 (i))

Councillor McGurk referred to the draft Corporate response circulated, and proposed its content. She advised there had been savings of approximately £40,000 in members travel in the year 2020/21 which she believed gave quantitative evidence to hold hybrid meetings, where possible, going forward.

Proposed by Councillor McGurk
Seconded by Councillor McMullan

-that Council agree the Corporate response to the Consultation on Department of Communities Call for Evidence on Northern Ireland Councils – Remote/Hybrid Meetings submission date 15 February 2022

The Mayor put the Proposal to the Council to vote.
22 Members voted for; 12 Members voted Against; 0 Members Abstained
The Mayor declared the Motion carried.

Councillor Watton said that it was less of a Council having reduced numbers of Elected Members in the Chamber which made it impersonal and referred to connectivity issues which are experienced by remote attendees.

10.2 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 25 January 2022 are adopted and recommendations therein approved, including the resolution at Item 10.1 above.

11. MATTERS FOR REPORTING TO THE PARTNERSHIP PANEL

The Mayor invited the Partnership Panel Chair, Alderman McKeown to address committee. Alderman McKeown advised a meeting was being held on 2nd February 2022 to raise matters that had been tabled.

Councillor Wilson referred to difficulties communicating issues to the Department of Infrastructure, it was his view that Elected Members have direct access for reporting to this statutory body.

Proposed by Councillor Wilson
Seconded by Alderman Duddy and

RESOLVED -that Council submit to the Partnership Panel - that reporting mechanisms be explored for Elected Members to communicate issues to the Department of Infrastructure as soon as possible.

Councillor Holmes commended the reporting mechanism available for Northern Ireland Electricity.

12. CONFERENCES

The Mayor presented the following conference Items as read:

- (i) Local Government Finance Masterclass for Councillors - Thursday 10th February 2022

RESOLVED – that Council note the Conference Report.

13. CORRESPONDENCE

The Mayor presented the following correspondence Items as read:

- (i) Northern Ireland Housing Council - The Housing Council January bulletin dated 13 January 2022 and 486th Meeting of the Northern Ireland Housing Council minutes.
- (ii) Local Boundaries Commissioner for Northern Ireland - Revised recommendations have now been published and open for public consultation

RESOLVED – that Council note the Correspondence Schedule.

14. CONSULTATION SCHEDULE

Report, previously circulated.

The Mayor presented the Consultation Schedule as read:

- (i) Department of Health, Development of a Bereavement Charter for N.I. - invitation to participate in a short survey;
- (ii) Department for the Economy (DfE), Heat Network Consultation;
- (iii) Local Government Boundaries Commissioner (LGBC), Consultation on the Revised Recommendations of the Local Government Boundaries Commissioner (LGBC);
- (iv) Department for the Economy, Consultation on Mineral Prospecting Licence Applications MPLA1/22 and MPLA2/22 for Dalradian Gold Limited
- (v) Department of Agriculture, Environment and Rural Affairs (DAERA), Consultation on the Joint Fisheries Statement (JFS)

RESOLVED – that Council note the Consultation Schedule, (items i-v).

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 5270 – 5286 inclusive;
- (ii) Landfill Performance Deed
- (iii) Barclays Loan amendment Deed - Loan ref: 5/19722698431
- (iv) Barclays Loan amendment Deed - Loan ref: 5/19756353538
- (v) Amendment to Commercial Lease – Causeway Coast and Glens Borough Council and Native Seafood Limited – The Crescent Café, The Crescent, Portstewart (Ref L&P 211006/ CPR 211026/CM 211102)
- (vi) Licence Agreement – Causeway Coast and Glens Borough Council and Native Seafood Limited – Part of Former Boathouse and Outdoor Seating Area (Ref L&P 211006/ CPR 211026/ CM 211102)

Proposed by Councillor Watton
Seconded by Alderman Hillis and

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

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Alderman Duddy
Seconded by Councillor Wilson and

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

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

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

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

16. MINUTES OF LEISURE AND DEVELOPMENT COMMITTEE MEETING HELD TUESDAY 18 JANUARY 2022 (ADJOURNED FROM 21 DECEMBER 2021) 'IN COMMITTEE'

16.1 Metropole Park (Item 10)

Alderman Hillis felt that members were in support of CAUS and wished them success, he requested clarification of Council's processes in the event the skatepark would not proceed.

Alderman Hillis asked if the current Land and Property Policy required Council to declare the land surplus before agreeing to a lease.

The Chief Executive invited the Director of Corporate Services to answer questions in relation to the Land and Property Policy.

The Director of Corporate Services invited Council's Land and Property Solicitor to address Council regarding issues raised.

The Land and Property Solicitor provided legal advice surrounding the Land and Property Policy and assets being declared surplus by a Directorate and by Council and the process thereafter. An example was provided referring to the recent sale of the Dungiven Sports Pavilion and an example of a Development Brief was used. The Land and Property Solicitor clarified the remit of the Land and Property Sub Committee in relation to the specific matter and options available for their use. He stated a community transfer referred to by a Member during the course of the debate, was not a viable option for consideration by Council.

Councillor Quigley raised the matter of the detail within the report presented at Leisure and Development Committee which she had discussed with the Mayor during recess, stating, that in her view, the report contained inaccuracies.

Councillor Quigley said that she had been in communication with CAUS who were annoyed that this misleading report was in the public domain and further advised that CAUS had been specific, in compliance with skateboarding legislation, regarding the land requested, highlighted in yellow and that the reference to conflict of interest at Ramore was untrue.

During debate it was raised the Land and Property Policy was required to be further refined regarding the use of the term 'surplus'.

During debate the Chief Executive confirmed that no other group had expressed an interest in a skate park.

Amendment
Proposed by Alderman Hillis
Seconded by Councillor Mulholland

-that Council consider a lease or licence to CAUS that offers a suitable resolution to this request to use Council land; that includes considerations regarding affordability; maintenance; insurance and a 'get-out' clause for both parties.

The Mayor put the Amendment to the Council to vote.
32 Members voted For; 0 Members voted Against; 0 Members abstained.
The Mayor declared the motion carried unanimously.

17. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 11TH JANUARY 2022 'IN COMMITTEE'

17.1 Street Trader, Castlerock (Item 24 (i))

At the request of Councillor Quigley, the Director of Environmental services advised that at the meeting it was agreed that Council does not terminate

licence and are working towards a suitable remedy to incorporate legal advice and a report will tabled for decision.

At the request of Alderman Baird, the Director of Environmental Services clarified that a license at Whiterocks had not been terminated or revoked.

MOTION TO PROCEED ‘*IN PUBLIC*’

Proposed by Councillor Quigley
Seconded by Alderman Mulholland and

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

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

Mayor