

COUNCIL MEETING THURSDAY 30 JUNE 2022

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No.	Item	Decision
1.	The Mayors' Business	Received
2.	Apologies	Alderman Finlay, Councillors Anderson, Bateson, Hunter, McAuley, McCorkell, McGlinchey, Mulholland
3.	Declarations of Interest	Councillor Schenning
4.	Minutes of Annual Council Meeting held Tuesday 7 June 2022	Signed as a correct record
5.	Minutes of Council Meeting held Tuesday 7 June 2022 at 8pm	Signed as a correct record
6.	Minutes of Planning Committee Meeting held Wednesday 25 May 2022	Received and noted
7.	Minutes of Audit Committee Meeting held Wednesday 8 June 2022	
7.1	Performance Improvement Verification	Information
7.2	Adoption of the Minutes	Adopted and recommendations therein approved
8.	Minutes of Finance Committee Meeting held Thursday 9 June 2022	Adopted and recommendations therein approved
9.	Minutes of Environmental Services Committee Meeting held Tuesday 14 June 2022	
	Matters Arising	

9.1	Consideration of Proposed Dog Control Order Excluding Dogs from Lands (Item 10)	<i>That Council does progress the procedure to introduce a Dog Control Order excluding dogs from these lands</i>
9.2	Adoption of the Minutes	<i>That the Minutes of Environmental Services Committee Meeting held Tuesday 14 June 2022 were adopted and recommendations therein approved; including the Amendment at Item 9.1 above</i>
10.	Minutes of Leisure and Development Committee Meeting held Tuesday 21 June 2022	<i>Adopted and recommendations therein approved</i>
11.	Minutes of Corporate Policy and Resources Committee Meeting held Tuesday 28 June 2022	<i>Adopted and recommendations therein approved</i>
12.	Matters for reporting to the Partnership Panel	<i>None</i>
13.	Conferences	<i>None</i>
14.	Correspondence	<i>Noted (i-v)</i>
(i)	From the Office of the Justice Minister, Naomi Long MLA Minister of Justice	
(ii)	National Association of Councillors Northern Ireland Region, The NAC NI Executive Committee	
(iii)	Northern Ireland Housing Council	
(iv)	Award of Two Mineral Prospecting Licences, DG5/22 And DG6/22, to Dalradian Gold Limited	
(v)	Acknowledgements to Council correspondence (The Executive Office) and (NILGA, Partnership Panel)	
15.	Consultation Schedule	<i>Noted</i>
16.	Seal Documents	

(i)	Grave Registry Certificates, No's 5349 – 5371	Seal Affixed
17.	Notice of Motion proposed by Councillor Chivers, seconded by Councillor Nicholl <i>(abbrev, re: write to Department for Infrastructure)</i>	Referred to Environmental Services Committee
	'In Committee' (Item 18)	
18.	Minutes of Environmental Services Committee Meeting held Tuesday 14 June 2022 'In Committee'	
	Matters Arising	
18.1	Variation of Concessionary Trading Terms & Conditions – Second Legal Opinion (Item 3)	Motion Lost <i>(That Council approve Option 1 (that Council continue with the Existing Licence on the Agreed terms)</i>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE
COUNCIL HELD IN THE COUNCIL CHAMBER AND VIA VIDEO CONFERENCE
ON THURSDAY 30 JUNE 2022 AT 7.00PM**

In the Chair : The Mayor, Councillor Wallace (C) (Items 1-9 inclusive)
Councillor Scott (C) (Items 10-18.1 inclusive)

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

Councillors Beattie (R), Callaghan (C), Callan (R), Chivers
(R), Dallat O'Driscoll (R), Holmes (C), McCandless (C),
McCaw (R), McGurk (R), MA McKillop (C), McLaughlin
(R), McMullan (R), McQuillan (C), C McShane (R), P
McShane (C), Nicholl (R), Peacock (R), Quigley (C),
Schenning (R), Watton (R), Wilson (C)

Officers Present : D Jackson, Chief Executive (C)
M Quinn, Director, Corporate Services (R)
A McPeake, Director, Environment Services (R)
M Smyth, Director, Finance (Interim) (R)
R Baker, Director of Leisure and Development (R)
D Wright, Chief Finance Officer (R)
P Donaghy, Democratic & Central Services Manager (R)
J Richardson, Head of Capital Works, Energy &
Infrastructure (R)
J Welsh, Head of Community & Culture (R)
D Hunter, Council Solicitor (R)
N Linnegan, Council Solicitor (R)
T Vauls, Car Parks Manager (R)
W Hall, Asset Realisation Officer (R)
S Duggan, Civic Support & Committee & Member Services Officer (C)
J Keen, Committee & Member Services Officer (R)

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

In attendance : S Geoghan, Solicitor A&L Goodbody }
J Flanagan, Solicitor A&L Goodbody } Item 18.1

Press (3 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 stated he had attended 52 engagements within three weeks and invited two Councillors to address Council.

Councillor MA McKillop offered congratulations to Cushendall Ruairí Og Club Under 15 Camogie and Hurling Teams on reaching the All-Ireland Féile Finals, the Hurling team were Champions.

Alderman S McKillop, in her capacity as Council's Veterans Champion; marked the Anniversary of the Battle of the Somme, a poignant date which would be commemorated by Council. Alderman S McKillop reflected on 12th June which marked the 40th Anniversary of Falklands Islands War, sadly 259 British Soldiers were killed and 777 wounded. Alderman S McKillop stated democracy, liberty and freedoms are enjoyed because of the protection and sacrifices of the Armed Forces; the Ukrainian War a stark reminder that the threat of invasion is real and Armed defences needed.

Alderman S McKillop asked Members to continue supporting the Armed Forces and Veterans, as seen in Banbridge in June on Armed Forces Day and asked Elected Members to pause to pay tribute to all those who had lost their lives serving their Country and its people.

Council paused to pay tribute.

Alderman Baird offered condolences on the passing of former Moyle Councillor, Seamus Blaney, she stated he always supported new Councillors coming into the area and the Chamber, a very good friend during her time as a Councillor in Moyle.

Councillor P McShane echoed the comments of Alderman Baird, on the passing of Seamus Blaney, he extended sympathies to the family and to acknowledge and thank him for the work he did.

Alderman S McKillop passed sincere condolences to the family of Seamus Blaney, stating he was a remarkable man.

Councillor C McShane echoed the sentiments of the previous speakers, on the passing of former Moyle Councillor, Seamus Blaney, whose nature helped with relations in Moyle District Council.

The Mayor welcomed Councillor Steven Callaghan; and congratulated Alderman McLean on becoming an Alderman.

2. APOLOGIES

Apologies were recorded for Alderman Finlay, Councillors Anderson, Bateson, Hunter, McAuley, McCorkell, McGlinchey and Mulholland.

3. DECLARATION OF MEMBERS' INTERESTS

Councillor Schenning Declared an Interest in Leisure and Development Committee minutes, Item 6, Fuel Poverty Support Scheme, via the MS Teams chat facility.

4. MINUTES OF ANNUAL COUNCIL MEETING HELD TUESDAY 7 JUNE 2022

Copy, previously circulated.

Proposed by Councillor McQuillan
Seconded by Alderman Duddy and

RESOLVED – that the Minutes of the Annual Meeting held Tuesday 7 June 2022 were taken as read and signed as correct.

5. MINUTES OF COUNCIL MEETING HELD TUESDAY 7 JUNE 2022 AT 8PM

Copy, previously circulated.

Proposed by Councillor Scott
Seconded by Alderman Baird and

RESOLVED – that the Minutes of the Council Meeting held Tuesday 7 June 2022 were taken as read and signed as correct.

6. MINUTES OF PLANNING COMMITTEE MEETING HELD WEDNESDAY 25 MAY 2022

Copy, previously circulated.

RESOLVED – that the Minutes of the Planning Committee Meeting held Wednesday 25 May 2022 are received and noted.

7. MINUTES OF AUDIT COMMITTEE MEETING HELD WEDNESDAY 8 JUNE 2022

Copy, previously circulated.

Matters Arising

7.1 Performance Improvement Verification (Item 7.4)

Alderman McKillop referred to terminology, cross fertilisation, on page 12, and if her understanding was correct; that it meant to ensure better co-ordination between Departments, then she no longer would need to speak with Moore NI.

The Director of Corporate Services clarified the terminology did mean better communication and co-operation between Departments and further advised Moore NI were no longer working for Council.

7.2 Adoption of the Minutes

Proposed by Councillor Holmes
Seconded by Alderman S McKillop and

RESOLVED – that the Minutes of the Audit Committee meeting held Wednesday 8 June 2022 were adopted and recommendations therein approved.

8. MINUTES OF FINANCE COMMITTEE MEETING HELD THURSDAY 9 JUNE 2022

Copy, previously circulated.

Proposed by Alderman McLean
Seconded by Councillor Scott and

RESOLVED – that the Minutes of the Finance Committee Meeting held Thursday 9 June 2022 were adopted and recommendations therein approved.

9. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 14 JUNE 2022

Copy, previously circulated.

Matters Arising

9.1 Consideration of Proposed Dog Control Order Excluding Dogs from Lands (Item 10)

Alderman Baird provided background information in relation to her original motion and put forward an amendment. Councillor P McShane supported Alderman Baird in sending out the right message for the Greenways, to protect livestock.

Councillor P McShane requested a Recorded Vote.

Amendment

Proposed by Alderman Baird
Seconded by Councillor P McShane

- that Council does progress the procedure to introduce a Dog Control Order excluding dogs from these lands.

The Chair put the amendment to the Council to vote.

19 Members voted For; 12 Members voted Against.

The Chair declared the amendment carried.

Recorded Vote Table

For (19)	Alderman Baird, Boyle, Hillis, McKeown
	Councillors Chivers, Holmes, McCandless, McCaw, McGurk, MA McKillop, McLaughlin, McMullan, C McShane, P McShane, Nicholl, Peacock, Quigley, Schenning, Wilson
Against (12)	Alderman Duddy, Fielding, Knight-McQuillan, S McKillop, McLean
	Councillors Beattie, Callaghan, Callan, Dallat O'Driscoll, McQuillan, Scott, Wallace

Proposed by Alderman Fielding
Seconded by Councillor MA McKillop and

RESOLVED – that the Minutes of Environmental Services Committee Meeting held Tuesday 14 June 2022 were adopted and recommendations therein approved; including the Amendment at Item 9.1 above.

The Mayor stated he had a prior external engagement and vacated The Chair.

Proposed by Councillor McQuillan
Seconded by Councillor McLean and

RESOLVED – that Councillor Scott assume The Chair for the remainder of the meeting.

The Mayor declared a recess at 7.38PM.

Councillor Scott assumed The Chair.

* **The Mayor, Councillor Wallace left the meeting at 7.38pm.**

The meeting reconvened at 7.47pm.

The Chief Executive declared the meeting quorate.

10. MINUTES OF LEISURE AND DEVELOPMENT COMMITTEE MEETING HELD TUESDAY 21 JUNE 2022

Copy, previously circulated.

Proposed by Alderman Baird
Seconded by Councillor Schenning and

RESOLVED – that the Minutes of the Leisure and Development Committee Meeting held Tuesday 21 June 2022 were adopted and recommendations therein approved.

Councillor C McShane wished to raise a question in relation to the notes of the Air Show that had been uploaded.

The Chair ruled the Item was not within the Minutes of the Leisure and Development Committee Meeting and would not be discussed.

11. MINUTES OF CORPORATE POLICY AND RESOURCES COMMITTEE MEETING HELD TUESDAY 28 JUNE 2022

Copy, previously circulated.

Proposed by Councillor Wilson
Seconded by Councillor McLean and

RESOLVED – that the Minutes of the Corporate policy and Resources Committee Meeting held Tuesday 28 June 2022 were adopted and recommendations therein approved; subject to the correction Alderman McLean was in attendance in The Chamber.

12. MATTERS FOR REPORTING TO THE PARTNERSHIP PANEL

There were no matters for reporting to the Partnership Panel.

13. CONFERENCES

There were no conferences noted.

14. CORRESPONDENCE

Report, previously circulated, presented as read.

(i) From the Office of the Justice Minister, Naomi Long MLA Minister of Justice (correspondence dated 25 April 2022)

Re: Independent Members to the Northern Ireland Policing Board

Under Part III of Schedule 1 to the Police (Northern Ireland) Act 2000, the Minister of Justice is responsible for the appointment of independent members to the Northern Ireland Policing Board (the Board). The current term of appointment of three such members will expire in November this year and a further three members' terms of appointment will expire in March next year.

Paragraph 8(2) of Schedule 1 of the Police (Northern Ireland) Act 2000 requires consultation with the First Minister and deputy First Minister, district councils and such other bodies as are considered appropriate before making any appointment of independent members to the Board.

Views were sought by Friday 24th June 2022.

Circulated: All Councillors via email on Monday 10th June 2022.

(ii) National Association of Councillors Northern Ireland Region, The NAC NI Executive Committee (correspondence dated 7th June 2022)

Re: Review of The Roles and Responsibilities of Councillors

The NAC EC have produced the document to provide members with an update on the process currently engaged in, with the Department for Communities, in relation to a Review of the Roles and Responsibilities of Councillors.

(iii) Northern Ireland Housing Council (correspondence dated 9th June 2022)

The Housing Council June bulletin dated 9th June 2022 and 490th Meeting of the Northern Ireland Housing Council minutes.

(iv) Award of Two Mineral Prospecting Licences, DG5/22 And DG6/22, to Dalradian Gold Limited (correspondence dated 13 June 2022)

The Department has considered all the issues raised during the consultation and has taken the decision to grant the two Mineral Prospecting Licences effective from 01 June 2022 and can be seen on the map using the links circulated within the report.

The Department has produced a report setting out its responses to the issues raised in the notification process which can be found on the website link circulated within the report.

Dalradian Gold Ltd has been advised that while the granting of a Mineral Prospecting Licence confers rights on them in respect of exploring for minerals, they must get approval from the Department for any specific exploration activity they may wish to undertake under their licence. They have also been advised that some exploration activities may also require a range of further permissions from the Department and other regulatory authorities such as Councils, Northern Ireland Environment Agency (NIEA) and the Health & Safety Executive Northern Ireland (HSENI) as appropriate.

(Circulated: All Councillors – Presented to Planning Committee 22nd June 2022)

(v) Acknowledgements to Council correspondence (The Executive Office) and (NILGA, Partnership Panel)

At its Council Meeting held 7th June 2022 Council considered correspondence from Alison McCullough, Chief Executive, Fermanagh and Omagh District Council (correspondence dated 25 April 2022).

Causeway Coast and Glens Borough are encouraged to make representative to Executive Office to highlight their concerns that local Councils are being required to take on roles from central government agencies, without budget,

and to request that appropriate budget is provided to Councils for such activities.

Causeway Coast and Glens Borough Council resolved to support the correspondence and write to The Executive Office; that Council pass the matter to NILGA (Northern Ireland Local Government Association) and the Partnership Panel. Correspondence was issued from Council on 16th June 2022.

An acknowledgement has been received from the Central Correspondence Unit, The Executive Office to advise, *“that in the absence from office of a First Minister and deputy First Minister at this time, it will not be possible to provide a response. You may wish to resubmit your correspondence following the appointment of First Minister and deputy First Minister”*.

Further, NILGA Local Government Side, has acknowledged and informed Officers, the matter has been placed on the Agenda for the forthcoming meeting of the Partnership Panel, to be held on Tuesday 28 June 2022 and briefing document will be tabled accordingly.

It is recommended that Council consider the correspondence.

RESOLVED – that Council note the correspondence schedule (Items i-v).

15. CONSULTATION SCHEDULE

Consultation schedule, previously circulated, presented as read.

- (i) Armagh Banbridge and Craigavon Borough Council, Consultation On Age Friendly Strategy And Action Plan, submission by 15 July 2022
- (ii) Health and Social Care Board, Pharmacy Needs Assessment (PNA) In Northern Ireland – copy presented.

Open Consultations were listed:

- Department of Health Consultation, Review of Urgent and Emergency Care in Northern Ireland, submission 1st July 2022
- Ulster University Consultation, Screening of New Policies (November 2021-March 2022), submission 8 July 2022
- Queen’s University Belfast Consultation, Proposed Pilot Linguistic Residential Scheme, submission 8th July 2022

RESOLVED – that Council note the Consultation Schedule.

16. 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 5349 – 5371.

Proposed by Alderman McLean
Seconded by Councillor McQuillan and

RESOLVED – that the Sealing of documents, as listed, be approved (Items i).

17. NOTICE OF MOTION PROPOSED BY COUNCILLOR CHIVERS, SECONDED BY COUNCILLOR NICHOLL

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.

The Notice of Motion was referred, without discussion, to Environmental Services Committee.

Councillor Quigley raised that she wished to speak on Item 24 of Environmental Services Committee.

The Chair ruled the Minutes of the Environmental Services Committee had already been passed.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Alderman Duddy
Seconded by Councillor McQuillan and

RESOLVED – that Council move 'In Committee'.

- * **Press and Public were disconnected from the meeting at 7.55pm.**

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.

18. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 14 JUNE 2022 'IN COMMITTEE'

Matters Arising

- 18.1 Variation of Concessionary Trading Terms & Conditions – Second Legal Opinion (Item 3)**

Councillor Wilson addressed Council by outlining the Concessionary Trading Auction process that had taken place and detailed the issues that arose as a result. Councillor Wilson advised that some sites were now not viable, that options were required to be explored to resolve the issues, whilst not being open to legal challenge. Councillor Wilson detailed a further Option that he considered would satisfy, including Audit. Councillor Wilson requested an Opinion and recess prior to reaching a decision.

The Chair declared a recess at 8.04pm.

* **The meeting reconvened at 8.06pm.**

The Chief Executive declared the meeting quorate.

The Chair invited S Geoghan to address Council.

S Geoghan stated he had prepared a Speaking Note and addressed Council on the Options presented, adding a further fifth option and associated risk levels.

Councillor P McShane referred to a colleague's conflict of interest and further put questions to the meeting.

The Director of Environmental Services provided responses to Council on questions regarding how many traders had requested to vary their licence, the procurement of A&L Goodbody Solicitors, associated cost and approvals for their works carried out to date, Planning permission and enforcement; the timeline for a public auction and any consequences of the vacation of licences.

During debate, the Chair advised Councillor P McShane that he had strayed into a different field. Councillor P McShane asked that it was noted the Chair had accepted instruction.

Proposed by Councillor P McShane

Seconded by Councillor Quigley

- That Council approve Option 1 (*that Council continue with the Existing Licence on the Agreed terms*).

Councillor Wilson responded on the reference to Conflict of Interest.

The Chair advised it was a matter for the Elected Member to determine.

The Chair declared a recess at 8.35pm.

* **The meeting reconvened at 8.46pm.**

The Chief Executive advised the meeting was quorate.

Councillor P McShane requested a Recorded Vote.

Councillor McMullan queried whether there was a Recorded Vote.

Councillor Quigley stated she had a question.

The Chair ruled the vote was being put; there would be no Recorded Vote.

Councillor P McShane stated Councillor McLaughlin had placed a request for a Recorded vote previously on the MS Teams Chat facility.

The Chair advised his MS Teams chat was slow and ruled there would be a Recorded Vote.

The Chair put the motion to the Council to vote.

15 Members voted For; 15 Members voted Against: 1 Member Abstained.

The Chair applied his Casting Vote Against.

The Chair declared the motion lost.

Recorded Vote Table

For (15)	Alderman Boyle
	Councillors Beattie, Chivers, Dallat O'Driscoll, McCaw, McGurk, MA McKillop, McLaughlin, McMullan, C McShane, P McShane, Nicholl, Peacock, Quigley, Schenning
Against (15)	Alderman Baird, Duddy, Fielding, Hillis, Knight-McQuillan, McKeown, S McKillop, McLean
	Councillors Callaghan, Holmes, McCandless, McQuillan, Scott, Watton, Wilson
Abstain (1)	Councillor Callan
Casting Vote Against (1)	The Chair, Councillor Scott

MOTION TO PROCEED 'IN PUBLIC'

Proposed by Alderman Duddy

Seconded by Councillor McQuillan and

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

This being all the business, The Mayor thanked everyone for their attendance and the meeting concluded at 8.53pm.

Mayor