

**COUNCIL MEETING TUESDAY 1 NOVEMBER 2022**

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<b>No.</b>	<b>Item</b>	<b>Decision</b>
<b>1.</b>	The Mayor's Business	<b>Received</b>
<b>2.</b>	Apologies	<b>Nil</b>
<b>3.</b>	Declarations of Members' Interests	<b>Alderman Duddy, Knight McQuillan; Councillors Anderson, McCorkell, Wilson</b>
<b>4.</b>	Minutes of Council Meeting held Tuesday 4 October 2022, reconvened on Monday 10 October 2022	<b>Taken as read and signed as a correct record</b>
<b>5.</b>	Minutes of Special Council Meeting held Monday 17 October 2022	<b>Taken as read and signed as a correct record</b>
<b>6.</b>	Minutes of the Planning Committee meeting held Wednesday 28 September 2022	<b>Noted</b>
<b>7.</b>	Minutes of Environmental Services Committee meeting held Tuesday 11 October 2022	
<b>7.1</b>	Correction to the Minute	<b>Noted</b>
<b>7.2</b>	Adoption of the Minute	<b>Adopted and recommendations therein approved excluding Item Period 5 – ES Management Accounts and Financial Position 2022/23 (Item 20) and Item Harbour &amp; Marina Structure (Item 21) considered 'In Committee' at the end of the meeting</b>

8.	Minutes of Finance Committee meeting held Thursday 13 October 2022	<b><i>Adopted and recommendations therein approved</i></b>
9.	Minutes of Leisure and Development Committee meeting held Tuesday 18 October 2022	<b><i>Adopted and recommendations therein approved</i></b>
10.	Minutes of Corporate Policy and Resources Committee meeting held Tuesday 25 October 2022	
	<b>Matters Arising</b>	
10.1	Final Draft Report on Equality Impact Assessment (EQIA) – Notice of Motion re Flying of the Union Flag	<b><i>Amendment Lost That Council do not make any changes to the current Flag Policy</i></b>
10.2	Adoption of the Minute	<b><i>Adopted and recommendations therein approved</i></b>
11.	Matters for reporting to the Partnership Panel	<b><i>None</i></b>
12.	Conferences	<b><i>None</i></b>
13.	Correspondence	
(i)	Alison McCullagh, Chief Executive, Fermanagh and Omagh District Council, dated 10 October 2022 Re: Irish Passport Office in Northern Ireland	<b><i>Motion Lost That Council put forward correspondence to Minister Coveney to ask that the Irish Government give urgent consideration to establishing an Irish Passport Office in Northern Ireland</i></b>
(ii)	Alison McCullagh, Chief Executive, Fermanagh and Omagh District Council, dated 10 October 2022	<b><i>Noted</i></b>
(iii)	John Kelpie Chief Executive, Derry City & Strabane District Council, dated 17 October 2022	<b><i>Noted</i></b>
14.	Consultation Schedule	<b><i>Noted</i></b>

<b>15.</b>	Seal Documents	<b>Seal affixed (Items (i) – (viii) inclusive)</b>
<b>16.</b>	Notice of Motion Proposed Councillor Storey, seconded by Councillor Callaghan	<b>Referred to Corporate Policy and Resources Committee</b>
<b>17.</b>	Notice of Motion Proposed by Councillor Storey, Seconded by Alderman McLean	<b>Referred to Land and Property Sub Committee</b>
<b>18.</b>	Notice of Motion Proposed by Councillor McCaw, seconded by Alderman Boyle	<b>Referred to Leisure and Development Committee</b>
	<b>'In Committee' (Items 19-20 inclusive)</b>	
<b>19.</b>	Council's Local Development Plan (LDP) 2035: Draft Plan Strategy (dPS)	<b>That Council defer for one month in order to allow the opportunity for Party Group meetings with the Head of Planning</b>
<b>20.</b>	Trade Union Local Pay and Condition Demands	<p><b>That Council defer for one month in order to give consideration.</b></p> <p><b><u>Motion lost</u></b></p> <p><b>That up to Scale 6 receive an increase of 2 spinal points over 2 years and £500 cost of living payment;</b></p> <ul style="list-style-type: none"> <li>- <b>From SO1 to PO3 receive an increase of 1 spinal point and £750 cost of living payment;</b></li> <li>- <b>From PO4 to PO6 receive an increase of 1 spinal point</b></li> </ul>

		<p><i>payment and £500 cost of living payment;</i></p> <ul style="list-style-type: none"> <li>- <i>From PO7 to PO10 receive an increase of 1 spinal payment and £250 cost of living payment;</i></li> <li>- <i>From PO11 to PO13 receive £750 cost of living payment</i></li> </ul> <p><b><u>Amendment Lost</u></b> <b><i>That Council offer the National Pay Award Deal</i></b></p>
<b>21.</b>	Minutes of Environmental Services Committee Meeting Held Tuesday 11 October 2022	
	<b>Matters Arising 'In Committee'</b>	
<b>21.1</b>	Period 5 – ES Management Accounts and Financial Position 2022/23	<p><b><i>That Council do not proceed with the 3 weekly bin collection and maintain the current practice of 2 weekly bin collections, until Council have the full paper outlining the potential implications of full savings and costings and a Equality Screening Impact</i></b></p>
<b>21.2</b>	Harbour & Marina Structure	<b><i>Information</i></b>

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

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

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

Councillors Anderson (R), Bateson (R), Beattie (R), Callaghan (C), Callan (R), Chivers (R), 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), Councillor 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)  
D Wright, Chief Finance Officer (R)  
D Dickson, Head of Planning (R)  
D Hunter, Senior Council Solicitor (R)  
P Donaghy, Democratic and Central Services Manager (R)  
J Welsh, Head of Community and Culture (R)  
J Richardson, Head of Capital Works and Infrastructure (R)  
J Morton, Harbour Master (R)  
E Beattie, Head of Policy and Community Planning (C)  
S Duggan, Civic Support & Committee & Member Services Officer (R)  
J Keen, Committee & Member Services Officer (C)

A Lennox, ICT Officer (C)

**In attendance** : C Fegan, Barrister, FTB Chambers (Item 19) (R)  
S Gilmartin, Gilmartin Consulting (Item 10) (R)

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 conveyed condolences to Alderman McLean on his recent bereavement.

## **2. APOLOGIES**

There were no apologies recorded.

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

Declarations of Interest were received for:

Alderman Duddy in Item 20 - Trade Union Local Pay and Condition Demands. Having declared an interest Alderman Duddy left the meeting did not participate in this item.

Alderman Knight McQuillan in Item 20 - Trade Union Local Pay and Condition Demands, and Environmental Services Committee Item 20 Period 5 – ES Management Accounts and Financial Position 2022/23. Having declared an interest Alderman Knight McQuillan left the Chamber during consideration of these items.

Councillor Anderson in Item 20 - Trade Union Local Pay and Condition Demands. Having declared an interest Councillor Anderson left the meeting and did not participate in this item.

Councillor McCorkell in Item 20 - Trade Union Local Pay and Condition Demands. Having declared an interest Councillor McCorkell remained in the meeting and did not participate in this item.

Councillor Wilson in Item 20 - Trade Union Local Pay and Condition Demands. Having declared an interest Councillor Wilson left the Chamber during consideration of this item.

## **4. MINUTES OF COUNCIL MEETING HELD TUESDAY 4 OCTOBER 2022, RECONVENED ON MONDAY 10 OCTOBER 2022**

Copy, previously circulated.

Proposed by Councillor Mulholland  
Seconded by Councillor Scott and

**RESOLVED** – that the Minutes of the Council Meeting held Tuesday 4 October 2022, reconvened on Monday 10 October 2022 were taken as read and signed as a correct record.

**5. MINUTES OF SPECIAL COUNCIL MEETING HELD MONDAY 17 OCTOBER 2022**

Copy, previously circulated.

Alderman McQuillan queried to whom Council would respond to, in the absence of a Minister and sought clarity regarding Council continuing to sell land.

In response to Alderman McQuillan, the Mayor advised the Minutes were presented for accuracy.

He advised that in the absence of a Minister, Council would now respond to a civil servant within the Department.

The Mayor advised Alderman McQuillan that an answer to his second query would be brought up later in the meeting.

Proposed by Councillor Watton

Seconded by Councillor Mulholland and

**RESOLVED** – that the Minutes of the Special Council Meeting held Monday 17 October 2022 were taken as read and signed as a correct record.

**6. MINUTES OF THE PLANNING COMMITTEE MEETING HELD WEDNESDAY 28 SEPTEMBER 2022**

Copy, previously circulated.

**RESOLVED** – that the Minutes of the Planning Committee meeting held Wednesday 28 September 2022 are received and noted.

**7. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 11 OCTOBER 2022**

Copy, previously circulated.

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

**Matters Arising**

**7.1 Correction to the Minute**

Alderman Boyle stated she was in attendance at the meeting.

**7.2 Adoption of the Minute**

Proposed by Councillor McAuley

Seconded by Alderman Fielding and

**RESOLVED** – that the Minutes of the Environmental Services Committee meeting held Tuesday 11 October 2022 are adopted and recommendations

therein approved, excluding Item Period 5 – ES Management Accounts and Financial Position 2022/23 (Item 20) considered '*In Committee*' at the end of the meeting.

**8. MINUTES OF FINANCE COMMITTEE MEETING HELD THURSDAY 13 OCTOBER 2022**

Copy, previously circulated.

Proposed by Alderman McLean  
Seconded by Councillor Holmes and

**RESOLVED** – that the Minutes of the Finance Committee meeting held Thursday 13 October 2022 are adopted and recommendations therein approved.

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

Copy, previously circulated.

Chair, Councillor McCaw, proposed the adoption of the Minutes subject to any matters arising. Councillor McCaw drew attention to the Legal Opinion requested for Item 17 - Garvagh Land Acquisition.

Proposed by Councillor McCaw  
Seconded by Councillor Schenning and

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

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

Copy, previously circulated.

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

**Matters Arising**

**10.1 Final Draft Report on Equality Impact Assessment (EQIA) – Notice of Motion re Flying of the Union Flag (Item 6)**

Councillor McGurk raised that the matter was a divisive issue; that attention was focused on the wrong area, and Council had not flown the Union Flag in some areas a long time and would also create division amongst staff.



### Amendment

Proposed by Councillor McGurk

Seconded by Councillor Chivers

- That Council do not make any changes to the current Flag Policy.

Councillor Chivers requested a Recorded Vote.

The Mayor put the Amendment to the Council to vote.

17 Members voted For; 22 Members voted Against; 0 Members Abstained

The Mayor declared the Motion lost.

### Recorded Vote Table

For (17)	Alderman Boyle
	Councillors Bateson, Beattie, Chivers, Dallat O'Driscoll, McCaw, McGurk, MA McKillop, McMullan, C McQuillan, C McShane, P McShane, Mulholland, Nicholl, Peacock, Quigley, Schenning
Against (22)	Alderman Baird, Duddy, Fielding, Hillis, Knight McQuillan, McKeown, S McKillop, McLean, A McQuillan
	Councillors Anderson, Callaghan, Callan, Holmes, Hunter, McAuley, McCandless, McCorkell, Scott, Storey, Wallace, Watton, Wilson

## 10.2 Adoption of the Minutes

Proposed by Councillor C McShane

Seconded by Alderman Knight McQuillan and

**RESOLVED** – that the Minutes of the Corporate Policy and Resources Committee meeting held Tuesday 25 October 2022 are adopted and recommendations therein approved.

- \* **The Mayor declared a recess at 7:23pm to resolve technical issues within The Chamber.**
- \* **The Meeting resumed at 7:30pm.**

## 11. MATTERS FOR REPORTING TO THE PARTNERSHIP PANEL

There were no matters to report to the Partnership Panel

## 12. CONFERENCES

There were no conferences

### 13. CORRESPONDENCE

The Mayor presented the following correspondence Items as read:

- (i) **Alison McCullagh, Chief Executive, Fermanagh and Omagh District Council, dated 10 October 2022**

**Re: Irish Passport Office in Northern Ireland**

*At the Council meeting on 4 October 2022, Members requested I write to Simon Coveney, Minister for Foreign Affairs ask that the Irish Government give urgent consideration to establishing an Irish Passport Office in Northern Ireland.*

*Members also requested that the Council makes representations to the other ten Councils in the North seeking their support for this request.*

*The Council trusts you will give this issue due consideration and looks forward to receiving your response.*

Councillor McGurk referred to the increase in the number of people in the North wishing to apply for an Irish passport and highlighted the need to broaden access to the service being provided in order that applications could be dealt with easily.

Proposed by Councillor McGurk  
Seconded by Councillor P McShane

- That Council put forward correspondence to Minister Coveney to ask that the Irish Government give urgent consideration to establishing an Irish Passport Office in Northern Ireland.

Councillor P McShane spoke to support the proposal referring to the increase in the difficulties people are experiencing when applying for an Irish passport and how an office in the North would be beneficial, and reduce travel for people currently having to travel to Dublin or Cork. Councillor P McShane stated the uptake of Irish passports was from across the community.

Councillor McMullan stated the biggest rise in applications for an Irish passport had come from the Unionist community.

Councillor Watton stated that he did not support the proposal.

Councillor Storey stated people are entitled to have an Irish passport under the Belfast Agreement and those wishing to apply for an Irish passport are capable of doing so and to have a passport office from a foreign jurisdiction, the Irish Republic, in Northern Ireland is not acceptable. He referred to Members calling this country the North and does not find this acceptable.

Alderman Duddy concurred with comments from Councillor Storey and stated that an Irish passport Office in the North would be better placed in Letterkenny or Donegal town; this would reduce travelling.

Councillor McMullan requested a Recorded Vote.

The Mayor put the motion to the Council to vote.  
 17 Members voted For; 22 Members voted Against; 0 Members Abstained.  
 The Mayor declared the Motion lost.

Recorded Vote Table

<b>For (17)</b>	Alderman Boyle
	Councillors Bateson, Beattie, Chivers, Dallat O’Driscoll, McCaw, McGurk, MA McKillop, McMullan, C McQuillan, C McShane, P McShane, Mulholland, Nicholl, Peacock, Quigley, Schenning
<b>Against (22)</b>	Alderman Baird, Duddy, Fielding, Hillis, Knight McQuillan, McKeown, S McKillop, McLean, A McQuillan
	Councillors Anderson, Callaghan, Callan, Holmes, Hunter, McAuley, McCandless, McCorkell, Scott, Storey, Wallace, Watton, Wilson

**(ii) Alison McCullagh, Chief Executive, Fermanagh and Omagh District Council, dated 10 October 2022**

*At the Council meeting held on 4 October 2022, Fermanagh and Omagh District Council adopted the following substantive Motion:*

Resolution

*That Fermanagh and Omagh District Council supports fully the Justice for Noah campaign.*

*This Council requests that there should be a rigorous, open and transparent police investigation, where every avenue is explored, to get justice for Noah and his family.*

*This Council also calls on the Secretary of State to withdraw the PII (Public interest immunity) Certificate in this case.*

*Finally, we request that this motion is sent in writing to all other Councils on the island of Ireland as well as the relevant leaders of the political parties that are members of the Policing Board.”*

*The Council looks forward to receiving your response on this matter.*

**(iii) John Kelpie Chief Executive, Derry City & Strabane District Council, dated 17 October 2022**

*At a Meeting of Derry City and Strabane District Council held on 29 September 2022, the following Motion was passed:*

Resolution

*That this Council writes to the British Secretary of State Chris Heaton-Harris to cancel the Public Interest Immunity Certificate that was issued in the case of Noah Donohoe. We need full truth and transparency into the death of this 14-year-old child. PII's have been known to hide truth and transparency in the past. That this motion be sent to the 10 other Councils in the North.*

*Furthermore, this Council supports the Donohoe family's call for Noah's inquest to be heard in front of a jury.*

*I would appreciate your consideration in this important matter and would be grateful for a response at your earliest opportunity.*

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

#### **14. CONSULTATION SCHEDULE**

Report, previously circulated.

The Mayor presented the Consultation Schedule as read:

- (i) Department for the Economy Public Consultation on Miscarriage Leave and Pay submission date 19 December 2022
- (ii) Waterways Ireland Draft Equality Action Plan 2023-2025 and Draft Disability Action Plan 2023-2025 submission date 10 January 2023
- (iii) Northern Ireland Policing Board Corporate Plan 2023-2025 submission by submission date 16 January 2023
- (iv) Department for the Economy Consultation on 10x Performance Management Framework submission date 18 January 2023

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

- (i) Department of Education Equality Screenings Q/E September 2022
- (ii) Department for the Economy Section 75 Screening Report - 01 July to 30 September 2022

Open Consultations were listed

- 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
- Probation Board for Northern Ireland, Probation Board for Northern Ireland Corporate Plan 2023-26 Consultation, submission by 10 November 2022

- Department of Education, Department of Education's Draft 2023-2028 Corporate Plan, submission by 15 November 2022
- The Medicines and Healthcare product Regulatory Agency (MHRA) Medicines and Healthcare product Regulatory Agency consultation on proposals to amend its statutory fees, submission by 23 November 2022
- The Electoral Office for Northern Ireland Consultation on Revised Disability and Equality Action Plans 15 December 2022
- Ulster University, Draft Disability Action Plan 2022 – 2027, submission by 16 December 2022

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

## 15. SEAL DOCUMENTS

Members were advised of the undernoted items for signing and sealing by Council, approval having been previously granted and all necessary legislative requirements being met.

- (i) Grave Registry Certificates, No's 5429 – 5451 inclusive;
- (ii) Consent under Inhibition, Loughgiel Shamrocks GAC, Deed of Dedication (Ref: Authorised Director of Environmental Services under Scheme of Delegation 4.6);
- (iii) Renewal of Commercial Lease, Dungiven Castle, 145 Main Street, Dungiven, Causeway Coast and Glens Borough Council and Gaelcholáiste Dhoire Teoranta, Irish Language School (Ref CP&R 151117 / CM 151124);
- (iv) Licence Agreement, To Enter Upon Council Lands Main Street Car Park, Limavady - Causeway Coast and Glens Borough Council and Philip Diamond Trading as Philip Diamond Contracts (L&PSC 211103 / CP&R 211123 / CM 211207);
- (v) Renewal of Licence Agreement Lime Park Playing Fields, Drones Road, Armoy – Causeway Coast and Glens Borough Council and Trustees of Armoy Community Association (Ref L&P SC 220907/CP&R 220927/CM 221010);
- (vi) Renewal of Licence Agreement Lime Park Playing Fields, Drones Road, Armoy – Causeway Coast and Glens Borough Council and Causeway Giant's American Football Club (Ref L&P SC 220907/CP&R 220927/CM 221010);
- (vii) Lease for Multiuse Games Area, Foreglen, Dungiven – The Trustees of O'Brien's Gaelic Athletic Club, Foreglen, Dungiven and Causeway Coast and Glens Borough Council (Ref L&P SC 200205/CP&R 200225/CM 200303);
- (viii) Statement of Compliance at Conclusion of Licence Agreement, Bridge Street, Coleraine – Causeway Coast and Glens Borough Council and Bridge Park Developments Limited.

In response to Alderman Baird, the Director of Environmental Services confirmed there was a lease being drawn up for Limepark, Armoy in consultation with Armoy Community Association.

Proposed by Councillor Scott  
Seconded by Alderman Baird and

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

**16. NOTICE OF MOTION PROPOSED COUNCILLOR STOREY, SECONDED BY COUNCILLOR CALLAGHAN**

*This council acknowledges, with sadness, the recent passing of our late Sovereign Lady, Queen Elizabeth II. Pays tribute to the exemplary dignity, wisdom and diligence with which Her Late Majesty served our nation and the Commonwealth. Further acknowledges the tremendous debt of gratitude owed for the personal sacrifice and unwavering loyal devotion over her glorious 70-year reign.*

*This Council commits to honour and enshrine her memory in tangible commemoration across the Borough and invites council officers to present an options paper to the relevant committee for consideration in due course.*

*This council shall also establish a sub-committee to commence preparation for the coronation of His Majesty, King Charles III.*

The Notice of Motion was referred, without discussion, to the Corporate Policy and Resources Committee.

**17. NOTICE OF MOTION PROPOSED BY COUNCILLOR STOREY, SECONDED BY ALDERMAN MCLEAN**

*That Causeway Coast & Glens Borough Council adopts the access from Townhead Street car park unto Eastermeade Gardens.*

The Notice of Motion was referred, without discussion, to the Land and Property Sub Committee.

**18. NOTICE OF MOTION PROPOSED BY COUNCILLOR MCCAWE, SECONDED BY ALDERMAN BOYLE**

*This Council commits to providing the following criteria when it comes to Changing Places toilets at Council events.*

- *A Changing Places unit will be available at all large-scale public events organised or funded by Council.*
- *Consideration will be given to holding smaller scale events at venues where there already is a Changing Places unit available.*

- *Smaller events taking place in other venues will advertise in advance asking if people who plan to attend need these facilities to be available.*

The Notice of Motion was referred, without discussion, to the Leisure and Development Committee.

**MOTION TO PROCEED ‘IN COMMITTEE’**

Proposed by Councillor McAuley  
Seconded by Councillor Quigley and

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

- \* **Press and Public were disconnected from the meeting at 7:43pm.**

***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.

- \* **Councillor Anderson left the meeting at 8:45pm**

**19. COUNCIL’S LOCAL DEVELOPMENT PLAN (LDP) 2035: DRAFT PLAN STRATEGY (DPS)**

Confidential report, previously circulated, presented by the Head of Planning.

**Purpose of Report**

To present the Council’s Local Development Plan (LDP) 2035: Draft Plan Strategy (dPS) for decision (attached at Appendix 1(circulated)).

**Recommendation**

**It is recommended** that the Council AGREES to ratify the draft Plan Strategy and to the Head of Planning making any additional changes deemed necessary in advance of publication.

During discussion Elected Members thanked Planning staff for the work undertaken to complete the Local Development Plan.

In response to questions from Elected Members, the Head of Planning clarified the Local Development Plan can be reviewed on a topic basis. It was further clarified that Council are required to satisfy Legislation and procedures; that evidence was required to make changes to the Plan and both a Rural Impact Assessment and Equality Impact Assessment had been completed.

The Head of Planning cited Section 5 of the Planning Act regarding Sustainable development. It was clarified that all evidence used in developing the Local Development Plan was presented at Elected Member workshops. It

was also clarified the Local Development Plan had been presented ‘*in committee*’ as it was Policy development.

During discussion Elected Members expressed frustration regarding the level of involvement from the Department for Infrastructure in the development of the Local Development Plan, particular concerns were raised regarding the negative impact on rural dwellers.

Proposed by Alderman Baird  
 Seconded by Councillor Dallat O’Driscoll

- That council agree to ratify the draft Plan Strategy and to the Head of Planning making any additional changes deemed necessary in advance of publication.

The Barrister provided an example of evidence that was required; he advised that public consultation does have a role, but ultimately, the Local Development Plan was required to be on evidence.

Amendment

Proposed by Alderman McQuillan  
 Seconded by Councillor McCorkell

- That Council defer for one month in order to allow the opportunity for Party Group meetings with the Head of Planning.

Alderman Baird requested a Recorded Vote.

The Mayor put the Amendment to the Council to vote.  
 28 Members voted For; 11 Members voted Against; 0 Members Abstained.  
 The Mayor declared the Amendment carried.

**RESOLVED** - That Council defer for one month in order to allow the opportunity for Party Group meetings with the Head of Planning.

Recorded Vote Table

For (28)	Alderman Boyle, Duddy, Fielding, Knight McQuillan, S McKillop, McLean, A McQuillan
	Councillors Anderson, Bateson, Callaghan, Callan, Chivers, Holmes, McAuley, McCandless, McCaw, McCorkell, McGurk, McMullan, C McQuillan, C McShane, Nicholl, Peacock, Scott, Storey, Wallace, Watton, Wilson
Against (11)	Alderman Baird, Hillis, McKeown
	Councillors Beattie, Dallat O’Driscoll, Hunter, MA McKillop, P McShane, Mulholland, Quigley, Schenning



## 20. 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 last offer made by the Council. Unite the Union have temporarily suspended their strike, GMB have notified Council of the results of their recent ballot which indicates that the majority of their members are prepared to take part in strike action, whilst NIPSA are currently balloting their 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.

In response to questions, the Chief Executive confirmed the last offer made by Council.

In response to questions about availing of legal advice pertaining to potential legal challenges on discrimination, the Chief Executive referred to an offer from another Council which was contained within the report presented to Council that had not been challenged.

In response to questions regarding a pay rise in relation to staff performance, the Chief Executive advised this would need to be referred to Human Resources.

In response to questions, the Chief Finance Officer provided information on costs to Council and what budget the money would come from.

\* **The Mayor declared a recess at 9.18pm.**

\* Alderman Knight McQuillan left the meeting at 9:21pm during the recess.  
Councillor Wilson left the meeting at 9:23pm during the recess.

\* **The Meeting resumed at 9.32pm.**

Proposed by Councillor Peacock  
Seconded by Councillor McGurk

- That up to Scale 6 receive an increase of 2 spinal points over 2 years and £500 cost of living payment;
- From SO1 to PO3 receive an increase of 1 spinal point and £750 cost of living payment;
- From PO4 to PO6 receive an increase of 1 spinal point payment and £500 cost of living payment;
- From PO7 to PO10 receive an increase of 1 spinal payment and £250 cost of living payment;

- From PO11 to PO13 receive £750 cost of living payment.

In response to questions, the Chief Finance Officer clarified the cost of this proposal to Council as being £1.677M plus the NJC Award of £1.64M; this brings the total to £3.317M.

Amendment

Proposed by Councillor Holmes  
 Seconded by Alderman Hillis

- That Council offer the National Pay Award Deal.

Councillor P McShane spoke in support of the proposal from Councillor Peacock and seconded by Councillor McGurk.

Councillor Peacock requested a Recorded Vote.

The Mayor put the Amendment to the Council to vote.  
 16 Members voted For; 17 Members voted Against; 0 Members Abstained.  
 The Mayor declared the Amendment lost.

Recorded Vote Table

<b>For (16)</b>	Alderman Baird, Fielding, Hillis, McKeown, S McKillop, McLean, A McQuillan
	Councillors Callaghan, Callan, Holmes, Hunter, McAuley, McCandless, Scott, Storey, Wallace
<b>Against (17)</b>	Alderman Boyle
	Councillors Bateson, Beattie, Chivers, Dallat O’Driscoll, McCaw, McGurk, MA McKillop, McMullan, C McShane, P McShane, Mulholland, Nicholl, Peacock, Quigley, Schenning, Watton

Councillor Peacock requested a Recorded Vote.

The Mayor put the substantive proposal to the Council to vote.  
 15 Members voted For; 17 Members voted Against; 1 Member Abstained.  
 The Mayor declared the substantive proposal lost.

Recorded Vote Table

<b>For (15)</b>	Alderman Boyle
	Councillors Bateson, Beattie, Chivers, Dallat O’Driscoll, McCaw, McGurk, MA McKillop, McMullan, C McShane, P McShane, Nicholl, Peacock, Quigley, Schenning

Against (17)	Alderman Baird, Fielding, Hillis, McKeown, S McKillop, McLean, A McQuillan
	Councillors Callaghan, Callan, Holmes, Hunter, McAuley, McCandless, Mulholland, Scott, Storey, Wallace
Abstain (1)	Councillor Watton

- \* **The Mayor declared a recess at 9.56pm.**
- \* **The Meeting resumed at 10.05pm.**

In response to questions, the Chief Executive clarified the highest salary grade within Council was PO12.

Proposed by Councillor P McShane  
Seconded by Councillor Quigley

- That up to Scale 6 receive an increase of 2 spinal points over 2 years and £500 cost of living payment
- That SO1 to PO3 receive an increase of 1 spinal point and £750 cost of living payment
- That PO4 to PO6 receive an increase of 1 spinal payment and £500 cost of living payment
- PO7 to PO10 receive an increase of 1 spinal payment and £250 cost of living payment
- PO11 to PO12 receive £250 cost of living payment

The Chief Finance Officer clarified the difference to the cost to Council would be £1200 to the overall package.

#### Amendment

Proposed by Alderman Hillis  
Seconded by Councillor McCandless

- That Council defer for one month in order to give consideration.

The Mayor put the Amendment to the Council to vote.

18 Members voted For; 15 Members voted Against; 0 Members Abstained.  
The Mayor declared the Amendment carried.

**RESOLVED** - That Council defer for one month in order to give consideration.

In response to questions, the Chief Executive confirmed that Council would revert to Councillor P McShane's proposal.

In response to questions, the Chief Finance Officer advised that any monetary payment would be taxable and National Insurable and would obtain this information for Members.

- \* **Councillor Wilson rejoined the meeting remotely at 10.12pm.**

## 21. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 11 OCTOBER 2022

### Matters Arising 'In Committee'

#### 21.1 Period 5 – ES Management Accounts and Financial Position 2022/23

##### Amendment

Proposed by Councillor Bateson

Seconded by Councillor Mulholland

- That Council do not proceed with the 3 weekly bin collection and maintain the current practice of 2 weekly bin collections, until Council have the full paper outlining the potential implications of full savings and costings and a Equality Screening Impact.

During discussion concern was raised regarding the 3 weekly bin collections particularly with the length of time bins will go unemptied. Members also considered promoting recycling and promoting a positive message.

In response to questions from Elected Members, the Director of Environmental Services confirmed the report had been brought to Environmental Services as a money saving option ; that an Equality Impact Assessment would be completed; and he referred to statistics and provided further information in relation to financial and operational matters.

Councillor Mulholland requested a Recorded Vote.

The Mayor put the Amendment to the Council to vote.

34 Members voted For; 1 Member voted Against; 0 Members Abstained.

The Mayor declared the Amendment carried.

##### Recorded Vote Table

For (34)	Alderman Baird, Boyle, Fielding, Hillis, McKeown, S McKillop, McLean, A McQuillan
	Councillors Bateson, Beattie, Callaghan, Callan, Chivers, Dallat O'Driscoll, Hunter, McAuley, McCandless, McCaw, McCorkell, McGurk, MA McKillop, McMullan, C McQuillan, C McShane, Mulholland, Nicholl, Peacock, Quigley, Schenning, Scott, Storey, Wallace, Watton, Wilson
Against (1)	Councillor Holmes

#### 21.2 Harbour & Marina Structure

The Director of Environmental Services provided a verbal update regarding the costs for the Harbour and Marina Structure as £326K, confirming this is within budget.

**MOTION TO PROCEED '*IN PUBLIC*'**

Proposed by Councillor Mulholland  
Seconded by Alderman Baird

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

This being all the business, The Mayor thanked everyone for their attendance and the meeting concluded at 11.09pm.

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Mayor