

## Leisure & Development Committee Tuesday 11<sup>th</sup> August 2015

### Table of Key recommendations

No	Item	Recommendation
2.	Declaration of Interest	<i>Councillor B Douglas</i>
3.	Minutes of Previous Meeting held 9 <sup>th</sup> June 2015	<i>Confirmed</i>
5.	Lansdowne Shelter Expressions of Interest	<i>Approve</i>
6.	Portstewart Environmental Improvement Scheme	<i>Approve</i>
7.	Regeneration Action Plan	<i>Allocate £8,000</i>
8.	Don't Mow let It Grow	<i>Proceed</i>
9.	Sports and Leisure Facilities Strategy	<i>Adopt subject to stated amendment</i>
10.	Sports and Leisure Facilities in Dungiven	<i>Approve recommendations</i>
11.	Audit of Community Centre and Halls Update	<i>Adopt Actions</i>
12.	Exploring Enterprise Programme	<i>Note</i>
13.	PCSP Update	<i>Note</i>
14.	Cregagh Wood, Cushendall	<i>Note</i>
16.	Smart- Grid	<i>Approve Actions</i>
17.	Environmental Improvements Works, East Strand, Portrush	<i>Approve Recommendation</i>
18.	Tourism Events Grants Funding	<i>No Discretionary Payment</i>
19.	Benone Bistro Lease Amendment	<i>Approve amendment to Lease including restrictive covenants as set out</i>
20.	Appointment of Caravan Site General Manager	<i>Approve subject to amendment</i>

21.	Bushmills Police Station	<i>Do not Participate</i>
24.	Correspondence 24.1 Justice (No.2) Bill: Future Amendments. Noted.	<i>Note</i>
25.	Consultation 25.1 Consultation on access and use of DNA/Fingerprints Data by the Historical Investigations Unit (HIU)	<i>Note</i>

## **Leisure & Development Committee**

Minutes of the Meeting of Causeway Coast and Glens Borough Council Leisure & Development Committee, held in Council Chamber, Civic Headquarters, Coleraine Office on Tuesday 11<sup>th</sup> August 2015 at 7.00 pm.

In the Chair: Councillor M A McKillop

Members present: Aldermen Hickey, Hillis and Mullan  
Councillors Clarke, Douglas, Holmes, Knight-McQuillan, McGuigan, McLean, Stevenson

In attendance: R Baker, Director of Leisure and Development  
P Beattie, Head of Prosperity and Place  
P Thompson, Head of Tourism and Recreation  
J Welsh, Head of Community and Culture  
A Jeffers, Regeneration Manager  
J Gray, Strategic Advisor  
C Toner, Democratic Services

Councillor Fielding

Also in Attendance: J O'Neill, Venturei  
Press  
Public

### **1. Apologies**

Councillors McCandless, McCorkell, Wilson

### **2. Declarations of Interest**

Councillor Douglas Declared an Interest at Item 11, Audit of Community Centre and Halls Update.

### **3. Minutes of the Meeting held Tuesday 9<sup>th</sup> June 2015.**

It was AGREED: **that the minutes of the Leisure and Development Committee Meeting held 9<sup>th</sup> June 2015 be confirmed as a correct record.**

### **4. Portrush Regeneration Strategy Update – Presentation**

The Regeneration Manager provided members with a short presentation on the Portrush Regeneration Strategy. The presentation gave context to the Scheme and provided information on the programme to date.

Following the presentation, a discussion ensued in relation to the legacy of the Irish Open in 2012 and the tourism potential of hosting the Open Golf Tournament in 2019. Members voiced concerns relating to the slow progress in securing concentrated capital programme funding. The Director of Leisure and Development assured members that he was liaising with DSD on a regular basis with regards to funding.

## **5. Lansdowne Shelter Expressions of Interest**

The Director of Leisure and Development presented the report previously circulated and as undernoted;

***The Lansdowne Shelter (the Shelter) is situated on the north eastern extremity of the Portrush peninsula. The immediate area is heavily protected with statutory designations including a National Nature Reserve at the adjacent Portandhu site. The Shelter is listed (HB03/10/061) as a 'Building of Special Architectural or Historic Interest'.***

***Originally opened c.1860 as the first purpose built lifeboat shelter in Portrush, over the years its importance and relevance have waned to the extent major repairs were required in 2012 in an effort to secure the building's future.***

***Following Coleraine Borough Council's decision not to pursue a change of use for the Shelter through the statutory planning process, Council subsequently commissioned the Lansdowne area masterplan project which included both the Shelter and the adjacent Portandhu harbour within its broader strategic context.***

***When subsequently adopting the masterplan in November 2014 Council requested an Expressions of Interest (EoI) exercise be undertaken to establish the nature and extent of community and commercial interest in the Shelter. Council also requested that a link should be required between the Shelter and the adjacent Portandhu harbour. There is no historic or operational link between the Shelter and Portandhu harbour apart from sharing a common general local maritime heritage.***

***The Department for Social Development subsequently agreed to absorb the adopted Lansdowne Masterplan within the Portrush Regeneration Strategy.***

***O'Connor Kennedy Turtle, represented by Mr Henry Taggart, were commissioned to support Council through the Expressions of Interest process.***

***Following the conclusion of the Lansdowne Masterplan project an approach was made to the Heritage Lottery Fund for possible financial support in appropriately regenerating the eastern side of the Portrush peninsula from the Arcadia to Ramore Head, including both the Shelter and Portandhu. While this approach was welcomed and met positively by the Fund, their opinions were provided without prejudice.***

### **Assessment**

***Respondents were advised that the Expressions of Interest exercise was not a procurement process.***

***The promotional brochure was released in March 2015 and the process was advertised through local and regional newspaper exposure, websites and a notice board attached to the building.***

***Seven written responses were received by the closing date of 5<sup>th</sup> June 2015.***

***An Assessment Panel of Council Officers convened on 24<sup>th</sup> June and concluded the responses fell into two distinct groups: those with absolutely no reasonable***

*expectation of fulfilling the opportunity which the Shelter represents, and a group of four responses which fell well short of meeting the reasonable criteria set out for assessing the responses on economic grounds.*

**Lansdowne Shelter Year 1 financial projections**

	<b>Causeway Coast Kayak Association &amp; assoc.</b>	<b>North Antrim Auction Rooms</b>	<b>Portrush Buildings Preservation Trust</b>	<b>Mr Keith Douthart</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
<b>Contribution to CCG</b>	<b>Not provided</b>	<b>Not provided</b>	<b>Not provided</b>	<b>12,000</b>
<b>Shelter operating costs</b>	<b>Not provided</b>	<b>4,220</b>	<b>1,500</b>	<b>Not provided</b>
<b>Proposer's income</b>	<b>9,300</b>	<b>127,803</b>	<b>2,500</b>	<b>Not provided</b>
<b>Proposer's outgoings</b>	<b>9,300</b>	<b>128,552</b>	<b>1,500</b>	<b>15,000</b>

*Of the four better responses there was no single best response. All demonstrated gaps in providing even basic operational information. None included any reasonable provision for Council to receive a net financial contribution.*

**Expressed concern**

*There is an inherent concern that the Expressions of Interest process is not harmonised with the proposed regeneration of the Lansdowne area. Ideally an indication of the Lansdowne Shelter's long term occupation and function should be outlined in Stage 2 of a Heritage Lottery Fund bid to sensitively regenerate the entire Lansdowne Masterplan area together with Ramore Head and the Arcadia.*

**Recommendations**

The contents of the report were noted by members.

It was proposed by Councillor Holmes, seconded by Councillor Stevenson and AGREED; **To recommend that Council advise respondents that the Expressions of Interest process was inconclusive. Council should submit a Stage 1 bid to the Heritage Lottery Fund for support in addressing the appropriate regeneration of the Lansdowne area. The Expressions of Interest process be reviewed as part of a possible Stage 2 bid to the Heritage Lottery Fund. None of the work undertaken by the respondents is therefore nugatory if the Stage 2 bid proceeds.**

## **6. Portstewart Environmental Improvement Scheme**

The Director of Leisure and Development presented the report previously circulated and as undernoted;

***In March 2015 the Causeway Coast and Glens Shadow Council agreed to complete Stage Two, the detailed design stage, of the proposed Portstewart Environmental Improvement Scheme at risk, together with the submission of a full planning application.***

***It was also highlighted at the March meeting that Council's approval to commence the main contractor tendering process would be requested during the summer 2015.***

***The estimated project budget remains £1,500,000.***

### ***Current Project Status***

***Stage Two of the scheme will conclude in August 2015. A determination on Council's planning application submitted in May 2015 is also anticipated during August 2015. Council officers are unaware of any impediment to a planning consent at this time.***

***A third Members' Consultation session was held on 15<sup>th</sup> June 2015 when the detailed design of the scheme was outlined by the consultancy team led by Edmond Shipway LLP.***

***An Economic Appraisal was submitted to the Department for Social Development (DSD) in June 2015. The Economic Appraisal will be reviewed by economists from both the DSD and Department of Finance and Personnel (DFP) before the DSD can consider issuing a grant offer.***

***The second Pre-Qualifying Questionnaire process in appointing a main contractor has reduced the selection to a final six candidates.***

### ***Stage Three: Request for Approval to Tender.***

***As outlined in March 2015 Council's approval is requested to proceed with the tender for the main contractor. This process will be 'at risk'. A Tender Report will tabled for Council's consideration in October 2015 with view to an immediate contract start subject to all statutory approvals and an acceptable Letter of Offer from the DSD being received. The procured fee for the consultancy team to undertake this work is £14,018.04.***

### ***Requests from the Department for Social Development***

***The DSD's urban regeneration functions along with associated funding will transfer to Local Council Authorities in April 2016. Given this context the DSD has requested Council to confirm in writing that it will conclude the scheme at its own cost should the DSD's Letter of Offer expire on 31<sup>st</sup> March 2016 without all the eligible grant monies having been claimed. Effectively this request requires Council to absorb the risk of not having all eligible costs equivalent to the proposed Letter of Offer (£740,000) claimed from the DSD by 31<sup>st</sup> March 2016. To mitigate this risk Council anticipates front-loading the DSD's grant claims***

**with the cost of all relevant materials equivalent to the Letter of Offer (£740,000) by 31<sup>st</sup> December 2015.**

**The DSD is absorbing the cost of engaging the Central Procurement Directorate in the 2015/16 year. These costs are anticipated to be £10k and should be capitalised as part of the scheme which increases the DSD's contribution to £750,000.**

**The DSD also requests confirmation in writing that Council will provide funding of £750,000 inclusive of fees, contingencies and optimism bias towards the proposed scheme subject to statutory approvals and grant funding assistance being confirmed. The remainder of funding for the scheme, estimated at £740,000, will be via a grant to Council from the DSD. This provision requires that Council contributes £750,000 to the project. The DSD is satisfied that its grant allocation can be used in full even if there should be a project underspend.**

**The Portstewart Environmental Improvement Scheme project budget includes a £250,000 allowance to mitigate reasonable risks within the project. The DSD have requested that in the event anticipated costs exceed the total scheme budget (£1,500,000), Council will decide whether to meet the additional cost, revise the scheme or pursue other solutions as required. This request ensures that DSD will not be lobbied for further funding in the event of a cost overrun. Council must address the matter should it arise.**

**The DSD have requested Council to confirm in writing that it will be required to meet all due maintenance costs, limited to those costs within the Council remit, over the useful economic life of the Portstewart Environmental Improvement Scheme. This request is a confirmation of earlier undertakings and will be included within any Letter of Offer from the DSD.**

**Subject to planning approval and completion of a satisfactory Economic Appraisal a Letter of Offer is anticipated from the DSD in early September 2015.**

It is proposed by Alderman Hickey, seconded by Councillor Clarke and AGREED: To recommend that Council;

- 1. Progress at risk in completing Stage Three of the Portstewart Environmental Improvement Scheme project at a fee cost of £14,018.04 which facilitates production of a Tender Report for Council's consideration in October 2015.**
- 2. Confirms acceptance of the Department for Social Development's requests which require Council:**

**To confirm that it will conclude the scheme at its own cost should the Department's Letter of Offer expire on 31<sup>st</sup> March 2016 without the total eligible amount of grant funding having been claimed.**

- a) To provide £750,000 of funding towards the project thereby matching the proposed Letter of Offer from the Department for Social Development.**
- b) To confirm it will absorb all project overrun costs.**
- c) To confirm it will absorb all relevant maintenance costs over the scheme's useful economic life.**

## 7. Regeneration Action Plan

The Head of Prosperity and Place presented the report, previously circulated and as undernoted;

***The Economic Strategy and Action Plan have been approved by Council and this marks the workplan and direction for economic development functions in the lead up to Community Planning in 2017.***

***The second part of the Prosperity and Place unit's work is that of regeneration.***

***The need and purpose of a Regeneration action plan is two-fold:***

- ***Not to define new work or a long term direction for regeneration, but to develop a prioritised, needs-based action plan based on the strategic and policy context for regeneration for Northern Ireland, the Causeway Coast and Glens, and the various hubs within the Borough.***
- ***To act as a guide for external departments which have assisted Council in previous years with funding towards town masterplanning, village renewal, and urban and resort regeneration – namely, the Department for Social Development, Tourism Northern Ireland and the Department for Agriculture and Rural Development.***

***The Department for Social Development has signalled that they too would like to work within an agenda which is backed up by quantifiable evidence of need, as the relationship between the Department and the new Council develops. It should also be noted that one part of the Borough – Limavady – remains within the remit of the North West offices, while the remainder is within the auspices of the Regional Office.***

***The new Rural Development Programme will again have a significant remit for Village Renewal. While there are several renewal plans in places, some of which have been progressed, there is no assessment of need, or criteria for action against which to prioritise activity.***

***This study would not include actions which are contained within the wider Portrush Regeneration Scheme, which is separately being considered as a special project/project of regional significance. It will focus on the four main centres within the Borough, and those remaining villages and towns which could avail of funding from the bodies mentioned above.***

***Recommendation:***

***Members are asked to consider the need for a quantitative approach to prioritising the need for regeneration actions across the Borough; the need for an independent, expert view; and permission to proceed with commissioning this work. It is recommended that a maximum of £8,000 is allocated to this activity, and this funding is already available within the current Prosperity economic action plan.***

The contents of the report were noted by members.



It was proposed by Alderman Hickey, seconded by Councillor McGuigan and AGREED: To recommend that Council agree to a maximum of £8,000 to be allocated to develop a Regeneration Action Plan for the new Causeway Coast and Glens Borough Council.

## **8. Don't Mow Let it Grow**

The Biodiversity Officer presented the report to Members previously circulated and as undernoted;

*The Biodiversity Officer report to the Leisure and Development Committee in April 2015 stated that CC&GBC had been successful in securing funding from Heritage Lottery Fund (HLF), £9k, and NIEA, £1k, to develop this project and submit a round two application to HLF for the delivery phase of the project, for a further £126k of funding from HLF.*

### **Project Detail**

*The delivery phase of this project will look at the conservation of semi-natural grassland. Focusing on the management of amenity grasslands and roadside verges across Causeway Coast and Glens Borough Council, working in partnership with Transport NI and NIEA. This project will look at different ways of managing semi-natural grasslands to promote how small changes in management give large benefits to biodiversity and ecosystem services. The project will identify trial verges and amenity grassland sites in order to:*

- *Educate and promote benefits to wider public, through a wide ranging community engagement and PR campaign.*
- *Carry out an economic appraisal to assess cost benefits.*
- *Train land managers, including staff, and volunteers in management options, grassland selection.*
- *Develop and highlight a range of management options through the selected Transport NI and CCGBC trial sites.*
- *Assess biodiversity and ecosystem services benefits.*
- *Species identification, Invasive Alien Species (IAS) and monitoring.*

*A major outcome will be the production of a practical management toolkit, covering all aspects of the project that any organisation can use to show the benefits and implement similar improved operations in their management.*

*Consultants have been appointed for the development phase and are working with us along with our partners, Transport NI and Northern Ireland Environment Agency, to submit our second round application by the 7<sup>th</sup> September 2015.*

*If successful this will bring in £126k of HLF funding, part of which is £3k over the three years as a management fee to CC&GBC, and it is proposed to submit a match funding application to Landfill Communities Fund (LCF) for £32k.*

*The proposed LCF application, in addition to leveraging the £126k from HLF through match funding, if successful could fund the management of the proposed Council trial sites for 2 years.*

### **Recommendation**

*It is recommended that Council proceeds with the second round application, and that Council approves and proceeds with LCF application for match funding.*

The contents of the report were noted by members.

It was proposed by Councillor Stevenson, seconded by Councillor McLean and AGREED: **To recommend that Council proceeds with the second round application, and that Council approves and proceeds with HCF application for match funding.**

## **9. Sport and Leisure Facilities Strategy**

The Director of Leisure and Development presented the report previously circulated and as undernoted;

*During the period leading up to the convergence of Ballymoney, Coleraine, Limavady and Moyle Councils to form Causeway Coast and Glens Borough Council, a number of high value Sport and Leisure Capital Projects were being proposed by each of the legacy authorities.*

*Members of the then Shadow Council were concerned to ensure that Council capital investments moving forward both took account of needs across the entire new area and that developments did not proceed that resulted in its facilities competing with each other for participation rather than providing genuinely additional benefits .*

*Accordingly, officers were instructed to bring forward a Causeway Coast and Glens Borough Council Sport and Leisure Facility Strategy.*

### *Sport and Leisure Facility Strategy*

*Since the formation of Shadow Council, work has been ongoing to identify areas of undersupply and oversupply of sport and leisure facilities across the new Council area. This was presented to Shadow Council at a workshop held on Thursday 30th October 2014 in Garvagh. By adopting an evidence / needs based approach to future investment, Council can ensure optimum value for money is achieved.*

*Building on the needs analysis work, a series of Sport and Leisure Facility Investment Criteria were developed and these were adopted by Council in December 2014.*

*This work has now been drawn together into a Facilities Strategy that provides an overview of Council's existing assets and resources for the provision of sport and leisure facilities;*

- *A visual portrayal of these assets showing demand / unmet demand;*
- *Representation of other provision (non-council);*
- *The decision-making process required for any new opportunities for investment in similar facilities by council and*
- *Other options to be considered when council is not in a position to provide such investment by itself.*

*The strategy sets a framework against which Council can make decisions about resources, how best to maximise those resources and also provide clarity to external stakeholders about Council's plans.*

*Such a framework is vital as Council seeks to consolidate and rationalise its sport and leisure service provision following the convergence from four*

**councils into one, the increasing pressure on financial resources and the desire to ensure equality of access and parity in service provision across the new Causeway Coast & Glens Borough Council.**

**Whilst the availability of such a framework benefits the decision-making process for council it must not be used in isolation to input received from external stakeholders and engagement with local people.**

**The investment criteria within the strategy also provide for due consideration of other influencing factors such as;**

- **The current condition of existing facilities;**
- **The physical environment;**
- **Social return on Investment / wider value considerations and**
- **Socio-economic and political considerations.**

**The Facilities strategy is set within the context of service delivery for the Health Well-being & Sport Unit and its service level mandate – namely; A high quality service provision that is based on need, is affordable and sustainable and improves not only the lives of our community and visitors to the area, but also the way in which we do things.**

**The need mapping work within this Strategy will require updating from time to time in line with both opening (and closing) of any public or private facilities and any significant population changes coming through the census process.**

**This document highlights areas of need for facilities and it is a priority of Council to bring forward schemes that meet the identified needs in a manner that is affordable, sustainable and equitable in accordance with this strategy.**

**Accordingly, it is a basic requirement for any new Sport and Leisure facility or any major upgrade being put forward, that the Business Case for the work is consistent with the needs identified in this strategy and also that evidence is provided that each of the Investment Criteria is adequately satisfied.**

#### **Summary of Need**

- **West (Limavady)**
  - **There is marginal unmet demand for gym stations.**
  - **Other demand is mainly met but there are need issues in terms of facility condition and Artificial Grass Pitch accessibility in the Dungiven vicinity.**
- **Central (Coleraine / Ballymoney)**
  - **There is significant unmet demand for pool and gym visits indicating that existing facilities are undersized and there are condition issues in the Portrush and Coleraine facilities.**
- **East (Moyle)**
  - **There is unmet demand for all services indicating lack of facilities, and while the scale of demand may be relatively low, there are also seasonal population, tourism and economic development considerations.**
- **General**

- *There are over 100 grass pitches in the area for which detailed condition / playability data is required.*

### **Strategy Objectives**

#### **Development**

- *Use evidence base to secure funding from SNI / DCAL and others.*
- *Develop an affordable Facilities Capital Investment Plan for CC&G – over a ten year term (incorporating a Priority Investment Plan with Outline Business Case for first phase investments).*
- *“Sweat the assets” – get the most from existing facilities.*
- *Open up access to school, club and other facilities for wider community use.*

#### **Operations**

- *Optimising use of all CC&G facilities.*
- *Realise the benefits of a single management approach – CC&G area focus rather than individual area.*
- *Derive savings from single management approach to CC&G facilities and possibility of savings deriving from alternative delivery models.*

#### **Generating the Investment Fund**

- *Maximise third party grant funding by using strong evidence base and “best in class” approach to strategic facilities planning / investment ...*
- *To help finance priority investment proposals;*
  - *Set up a Capital Assets Realisation Team (CART) to review the existing asset base with a view to rationalising and consolidating – raising capital from sales of redundant assets, bringing them into productive use in other areas of the public or private sector and saving on upkeep and maintenance costs.*
  - *Commit to savings plan – based on range of initiatives arising from single management of all CC&G facilities.*
  - *Investigate and quantify likely savings that may accrue from alternative service delivery models.*

#### **Recommendation**

***That Council adopt the Sport and Leisure Facility Strategy document presented as the strategy of Council.***

The contents of the report were noted by members.

Members voiced concerns relating to measurability of the Strategy in terms of quantifying demand and more specifically the risk of overdevelopment and underuse of facilities. It was also felt that the area of marketing and the overall commercial dimension required consideration.

Councillor McGuigan stated there was a need for Council to support other organisations who were currently providing leisure facilities within the Borough. Councillor Clarke stated there was a need for a more joined up approach going forward in relation to working with other bodies. In response to this, the Director of Leisure and Development advised that work would

be undertaken under the umbrella of Community Planning to address this. Councillor M McKillop highlighted the lack of leisure facilities within The Glens area of the Borough.

Councillor Stevenson proposed that Ballymoney and Coleraine be assessed individually on their own merit in the Summary of Need within the strategy, this was seconded by Councillor McLean.

On being put to the vote, with 4 votes for, 5 votes against and 2 abstentions the Chair declared the proposal fallen.

Councillor Holmes proposed that point 1.4.4 within the Strategy be amended to read, "should not be reflective of 100% of the population", this was seconded by Alderman Mullan.

On being put to the vote, with 8 votes for and 3 votes against the Chair declared the proposal carried.

It was proposed by Councillor Holmes and seconded by Councillor Mullan and AGREED:

- (i) to recommend that Council adopt the Sport and Leisure Facility Strategy document presented as the Council Strategy and;
- (ii) that 1.4.4 within the Strategy; '*should not be reflective of 100% of the population*'. (Strategy Attached as Appendix A)

## 10. Sport and Leisure Facilities in Dungiven

The Director of Leisure and Development welcomed J O Neill to the meeting from Venturei before he presented the report previously circulated and summarised as undernoted;

It was further advised the commencement of the project was totally dependent upon securing DCAL funding;

***A substantive piece of work has been carried out to identify areas of undersupply and oversupply of sport and leisure facilities across the Council area. This was presented to Shadow Council at a workshop held on Thursday 30th October 2014 in Garvagh. By adopting an evidence / needs based approach to future investment, Council can use its investment criteria to ensure optimum value for money is achieved.***

***The work done indicates that the present level of facility provision in Dungiven more or less meets the needs of the local population. If, however, the present facilities cannot be retained and have to close due to their poor and deteriorating condition, then the picture will change substantially and reflect a poor level of provision against the identified evidence of need. This would have to be addressed at a future time and at considerable cost.***

### ***Current Situation***

***An opportunity for Council to benefit from up to £2.5m of funding from DCAL towards the costs of the project (to include both indoor and outdoor facilities) is available. This is viewed by DCAL as part of the North West legacy improvements.***

***Accordingly, in November 2014, Shadow Council approved the appointment of a Design Team to progress with the Options Appraisal, Economic Appraisal and Outline Business Case for the development in Dungiven.***

***The completed Outline Business Case incorporating the Options Appraisal and Economic Appraisal is now attached for Members information (Annex A) and a presentation of the key findings will be made to Members at the Committee Meeting.***

The Strategic Advisor presented members with a short presentation from Venturei detailing the project. Following which he answered Members questions.

In relation to a Members query regarding confirmation of DCAL funding, the Head of Leisure and Development confirmed that Council should expect to have a response by the end of August.

Following a Members question in relation to lack of consultation in the greater Dungiven area, the Head of Leisure, Well-being and Sport advised that the new Sports and Leisure Facilities Strategy would lend itself to providing an overview of all facilities and identifying any issues going forward.

It was proposed by Councillor McGuigan, seconded by Alderman Mullan and AGREED: **To recommend that Council note the update that has been provided and recommended that Members approve;**

- **The Outline Business Case for the Dungiven Facilities**
- **The Dungiven Sport and Leisure Facilities project progress to “Stage 2” in the Council Capital Project Management System, that being;**
- **Detailed designs to be completed,**
- **The construction work be tendered and;**
- **A further report to be brought before Council prior to the appointment of a contractor to carry out the works and subject to a Letter of Offer being received from DCAL.**

On being put the vote the Chair declared the proposal carried with 7 votes for, 0 against and 4 abstentions.

## **11. Audit of Community Centre and Halls Update**

The Head of Community and Culture presented the report previously circulated and as undernoted;

***Council approved the Community Development Strategy in March 2015. One of the key strategic priorities within the strategy included ‘Supporting Communities to achieve their maximum level of sustainability’. This element of the strategy includes facilitating the strategic development of Community Centre policy for the Council in terms of investment in Council centre provision, as well as support for community owned provision.***

***An Audit of Community centres and halls was carried out in spring 2015 to inform the implementation of this aspect of the strategy. Further to the completion of this scoping study/audit, a workshop was held on the 18<sup>th</sup> June to facilitate further discussion among Elected Members on the key conclusions and observations of the Audit Report, in order to help inform and shape future vision and strategy in relation to Community Centre provision.***

*Following consideration of the recommendations of the Audit Report and the discussions in the Workshop for Elected Members the following course of action is proposed:*

**1. Short Term Actions:**

**1.1 Set up a 'Task and Finish' working group to bring together officers across departments with responsibility for all areas of Community Centres ie. estate management, operational management and developmental support. The working group will agree clearly defined roles in relation to Community Centres and work towards preparing options for a Community Centre Policy Framework and Action Plan for the consideration of Council.**

**1.2 Prepare draft options for a Community Centre Policy Framework on the various options for Community Centres provision, including a framework for decision making with regard to capital investment in Community Centres and addressing gaps in provision.**

**1.3 A bespoke mentoring support programme is developed for the community groups that are managing Council owned Community Centres, in line with the Community Development Action Plan.**

**1.4 An Audit of Need in relation to community facility provision in Ballymoney town and an Options Appraisal is carried out in order to inform the proposals for investment in the centre of Ballymoney.**

**2. Medium Term Actions:**

**2.1 Development of a Community Centres Action Plan to articulate Council's proposed approach on the implementation of the Policy for Community Centre provision.**

**2.2 A programme of support is provided to Community groups to audit local community facility and activity provision with a view to encouraging better use of and greater community ownership of Community Centres.**

The Head of Community and Culture provided clarity on issues raised.

It was proposed by Alderman Hickey, seconded by Councillor Douglas and AGREED: To recommend that Council adopt the short and medium term actions highlighted in the above report are initiated namely, Set up a 'Task and Finish' working group across departments in relation to Community Centres, Develop a Community Centre Policy Framework, followed by a Community Centre Action Plan, Implement a bespoke mentoring support programme for community run Council owned Centres, Carry out an Audit of Need and Options Appraisal in relation to community facilities in Ballymoney Town and Put in place a programme of support to audit local use and promote greater use of Community Centres.

**12. Exploring Enterprise Programme**

Members noted content of the report previously circulated and summarised as undernoted;

***The Exploring Enterprise Programme is a pre-start programme which supports activities to extend the employment opportunities of unemployed, long-term unemployed and inactive people by helping them to enter, remain and make progress in sustained employment.***

***This programme is aimed at those who are most likely to have fallen through the employment and education 'net'. As such it can be high risk. It cannot be expected that such a programme will yield success beyond the targets set out above, however, the targets set locally exceed those which have been allocated from the national bid.***

***The programme fits within:***

- ***Council's corporate theme of Prosperity – creating sustainable development.***
- ***Prosperity and Place strategic objective of stimulating and supporting business start ups***
- ***The internal target of "creating an enterprise culture."***

### **13. PCSP Update**

Members noted content of the report previously circulated and summarised as undernoted;

***On 9<sup>th</sup> June, Councils were notified that, due to financial pressures in Stormont, all Department of Justice Discretionary Spend has been stopped and the outcome of June monitoring will dictate where, within the Department's budget, cuts will fall. The Department is currently considering what re-assurance can be given in relation to spend but this does not include anything that isn't inescapable.***

***There is still a legislative commitment to fund PCSPs but the extent of the funding is as yet unknown.***

***This is a difficult context and there is no timeline for the outcome of June monitoring.***

***The indicative PCSP budget notified to Causeway Coast and Glens in January 2015 equates to £346, 359. On 3<sup>rd</sup> July, further correspondence was received informing of a decision to offer up to 50% of the original budget offer, equating to up to £173, 179.50 to fund contractual or inescapable commitments only, as discretionary spend is still suspended. Staff costs and running costs are considered contractual obligations.***

***In addition to this 50% budget, a further budget has also been allocated for members' expense payments, also equating to 50% of the full allocation i.e. 10 meetings per member and 15 meetings per Chair and Vice-Chair.***

***Work will continue around the key themes of engagement and community consultation, across the council area, as well as the statutory function of monitoring police performance and agreement of priorities for consideration in the development of the Local Policing Plan.***



#### 14. Cregagh Wood, Cushendall

Members noted content of the report previously circulated and summarised as undernoted;

***Legacy Council, Moyle District Council, on the 26<sup>th</sup> January 2015 ratified a decision which “recommended that the Council designate Cregagh Wood, Cushendall, as a Local Nature Reserve” under article 22 (1) of The Nature Conservation & Amenity Lands (NI) Order 1885.***

***On 26<sup>th</sup> June 2015 the Council for Nature Conservation and the Countryside endorsed the declaration of Cregagh Wood as a Local Nature Reserve.***

#### 15. Major Events Update

The Director of Leisure and Development presented information on main events within the Borough over the next few months, namely the Auld Lammas Fair on 24<sup>th</sup> and 25<sup>th</sup> of August 2015 and Airwaves on 5<sup>th</sup> and 6<sup>th</sup> of September 2015.

It was proposed by Councillor McGuigan and seconded by Councillor McLean and AGREED: **to discuss the following Items ‘In Committee’**

*\*Members of the press and public left the meeting.*

#### 16. Smart Grid

The Director of Leisure and Development presented the report previously circulated and as undernoted;

***Smart-Grid is a system that can supply business, industry and householders in a local area with electricity and potentially heat at a lower unit cost and with lower connection costs than the conventional power grid. This can help maintain and encourage development of business and industry thus maintaining and increasing employment. It can also help combat domestic fuel poverty for connected households.***

##### ***Current Situation***

- ***Feb 2012***  
***The initial Smart Grid application for funds from the European Sustainable Competitiveness Programme 2007-2013 via Invest NI LED Programme was made. This was successful and resulted in a Letter of Offer for £74,616 (funding 75% of the costs).***
- ***October 2013***  
***Letter of offer accepted by Council.***
- ***December 2013***  
***Council sought tenders for the Feasibility Study.***
- ***February 2014***  
***The tender was awarded to B9 Energy Solutions Ltd - to deliver the baseline study to comprehensively review the current position in relation to Electricity***

*and the potential for Renewable Energy in the area. Smart Energy became the programme branding.*

*Following on from this, B9 Energy Solutions Ltd also won the contract to provide a Strategic Direction Plan – more fully exploring the viability of tackling known energy issues facing economic growth and inward investment for the Borough and seeking to establish the viability of having a 10-12 MW localised carbon neutral Mini-Grid utilising Renewable Energy for the Borough as an economic development driver.*

- **June 2014**  
*The Strategic Position Paper which was launched by the Minister Arlene Foster.*
- **Nov 2014**  
*Council was presented the Strategic Direction Plan and approved a Socialising the Plan - Proof of Concept proposal to be delivered by B9 Energy Solutions Ltd by April 2015.*
- **June 2015**  
*Socialising the Plan - Proof of Concept presented.*

#### **Next Steps**

*The attached presentation outlines the need for Smart-Grid and the benefits it can provide. The next steps are for Members to approve Smart-Grid becoming a Stage 1 project and that work commences on the Outline Business Case, Economic Appraisal and Implementation Plan.*

Members noted content of the report.

The Strategic Advisor provided Members with a short presentation on Smart-Grid and its initiation. Following a member's question the Director of Leisure and Development advised that there would be no risk to the Enterprise Zone during Phase 1 of the project.

It was proposed by Councillor Clarke, seconded by Councillor Douglas and AGREED: To recommend that Council approve the following actions going forward;

- **By September 2015;**
  - **Initiate "Smart-Grid" as a Stage 1 Project based on the SOC.**
  - **Provide an update to the DETI Minister to brief Committee and NI Executive.**
  - **Proceed with the project Stage 1 actions; Economic Appraisal, Outline Business Case and Implementation Action Plan – funding of £100k already budgeted for this work through the CC&G Economic Development Policy and Action Plan.**
- **By December 2015;**
  - **Scope and cost the Coleraine Pilot Smart-Grid Demonstrator.**
  - **Scope and initiate the Coleraine Local Energy Action Partnership (LEAP) – Public Private Partnership.**
- **By March 2016;**
  - **Complete the Economic Appraisal, Outline Business Case and Implementation Action Plan and present to Council.**

- Scope funding and delivery options – FTC, SBRI, other and conventional funding routes.
- Provide an update and presentation of the OBC to the DETI Minister to brief Committee and NI Executive.

*\*Alderman Mullan left the meeting at 10pm during discussion of this Item.*

## **17. Environmental Improvement Works, East Strand, Portrush**

The Director of Leisure and Development presented the report previously circulated and as undernoted;

***The Environmental Improvement works at East Strand, Portrush have been beset with problems, the latest of which was the collapse of the steps known as steps C/D in January 2015.***

### ***Current Situation***

***Temporary repairs to the Steps C/D have been completed at a cost of £35,000. This work involved construction of new concrete foundations followed by replacement of the existing precast steps together with their railings, once the new foundations were in place. The foundation depths achieved with this work are adequate and safe for the short term and serve the purpose of regaining the amenity of the area over the remainder of the summer season and Air Show. However, based on the reports received, a long term, durable and safe permanent solution will require significant upgrade of all of the foundation throughout the length of the scheme.***

***Professional reports have indicated that the reason for the three failures on the completed works to date has been inadequate foundation design. The lead consultant on the scheme was W. H. Stephens and accordingly, acting on legal advice, they have been issued with an invoice in the sum of £1.7m + VAT. This sum represents an estimate of the loss and damage suffered by Council to date as a result of the failures of the works together with an estimate of the costs necessary to upgrade the foundation throughout the length of the scheme to provide a long term, durable and safe permanent solution.***

***W. H. Stephens did not pay the invoice within the requisite time and again, acting on legal advice, proceedings have been initiated to recover the loss by way of service of a Notice of Arbitration in accordance with the Contract.***

### ***Next Steps – Legal***

***There are three potential stages to the legal process; these being Mediation, Arbitration and the High Court. Mediation is a non-binding process and is either concluded by agreement between the parties or referral to Arbitration. Arbitration is a judicial process and is binding but the results can be referred to High Court by either party on appeal.***

***The timetable for the first stage Mediation hearings is planned to commence in early October 2015 and if agreement is not reached within four to six weeks, the process will move forward into formal Arbitration.***

***While officers and advisors believe that the case for recovery of the loss and damage is clear and strong, no guarantee can be given to Council in relation to the amount that will eventually be recovered through the legal process.***

#### ***Next Steps – Practical***

***In the absence of permanent works to upgrade the foundation throughout the length of the scheme, there is significant risk of further collapses either this winter or shortly thereafter depending on the severity of the winter storms and sea conditions that occur throughout the winters.***

***Doran Consulting were appointed to investigate and supervise repairs on the initial collapse and again with the subsequent collapses as the extent of the foundation inadequacy became clear. Under the latest commission they also designed the temporary repair work at steps C/D and completed the outline design and costings for the permanent repair works. This was for the purposes of Council being able to demonstrate the total extent of the loss to incorporate into the invoice to W. H. Stephens (£1.7m + VAT) and following on from that, being able to initiate the necessary legal process.***

***Although the entire scheme is at “Stage 4” in the Council Capital Project Management System, if the permanent repair works are considered separately, they are currently at “Stage 1”. The next necessary step is now to move to “Stage 2”; to appoint the designer for the permanent repair works so that the detailed designs can be completed, the construction work tendered and a report brought before Council to appoint a contractor and commence the works before the end of 2015.***

***It is considered advantageous to extend the Doran Consulting appointment to design and manage the permanent repair work for a number of reasons;***

- The price quoted by Doran Consulting has been benchmarked with other tenders and is competitive for the complexity of work involved in relation to both the engineering and legal aspects of the job.***
- Due to timing issues relating to the Statute of Limitations, it was necessary to proceed with the issue of the invoice and Service of the Notice of Arbitration to W. H. Stephens based on the Doran Consulting design concept and costings for the permanent repair work. Taking that design concept forward with a different Engineering Consultant would increase cost and complication and also prejudice the ability of Council to avail of the Consultants Professional Insurance in relation to the performance of the permanent repair work.***
- Appointment of Doran Consulting provides value for money due to the depth of knowledge and experience of the issues they have already developed through their work to date and that would take a new Engineering Consultant considerable time to get up to speed with.***

- ***Doran Consulting have provided a quotation of £98,000 for carrying out the work and this cost is included in the invoice that has been issued to W. H. Stephens and is currently subject to litigation.***
- ***There is a degree of urgency so as to be able to carry out the permanent repair work before any further collapses or damage occurs.***

***Extension of the Doran Consulting commission in this manner constitutes a single tender action and this is considered appropriate in the circumstances. Further to this, detailed legal advice was sought on the extension and that advice concluded that;***

- ***The extension of the appointment of Doran Consulting is in the best interests of Council***
- ***It is likely the commission is below threshold and therefore the Procurement Regulations do not apply***
- ***Even if the Procurement Regulations do apply, the appointment could be made under Regulation 72(1)(e) and / or Regulation 32***
- ***The chance of any challenge is very small***

It was proposed by Alderman Hillis, seconded by Councillor Knight-McQuillan and AGREED: To recommend that Council approve the extension of the appointment of Doran Consulting as a single tender action, the permanent repair works at East Strand progress to “Stage 2” in the Council Capital Project Management System, that being; Detailed designs to be completed, the construction work tendered and a further report to be brought before Council prior to the appointment of a contractor to carry out the works.

## **18. Tourism Events Grant Funding**

The Director of Leisure and Development presented the report previously circulated and summarised as undernoted;

***A report was presented to Council on 30<sup>th</sup> June 2015 with recommendations for funding events under the Tourism Events Grants Programme for 2015/2016. The report related to events from 1st July 2015 to 30th April 2016.***

***Within the Report considered on 30<sup>th</sup> June 2015, titled Tourism Events Grant Programme, the following recommendations were presented by the Head of Service for Tourism and Recreation.***

- 1. To award Tourism Events Small Grants to those that were successful in their application.***
- 2. To award Tourism Events Large Grants to those that were successful in their application.***
- 3. That a discretionary payment be paid to each unsuccessful applicant in this transitional year with no precedent being set for future years.***

***In response to Members concern for the unsuccessful events, recommendation 3 was reviewed and increased. This recommendation was brought before Council at the July 2015 Council meeting. In response to further concerns raised***

**by Members at this meeting as to whether these discretionary payments should be made, legal advice was sought.**

#### **Legal Advice**

**Following consultation with Councils legal team, the advice would caution against making the payments as suggested.**

It was proposed by Councillor McGuigan, seconded by Councillor Holmes and AGREED: To recommend to Council that based on the legal advice set out by Council's legal team no Tourism Event Grant Funding discretionary payments would be made.

#### **19. Benone Bistro Lease Amendment**

The Director of Leisure and Development presented the report previously circulated and summarised as undernoted;

**Members will recall that following a competitive tender process the tender for the provision of catering services within the new Benone Bistro was awarded to the only person who submitted a tender, Mr Paul Craig.**

**On 25<sup>th</sup> June 2015 Paul and Eleanor Craig raised the issue of corkage at the premises whereby they indicated that they wanted to be permitted to allow persons attending the premises for food to be able to bring their own alcohol onto the premises for consumption with their meal. This was not a permitted provision in the tender document for the bistro and Members are asked now for their views.**

#### **Legal Implications**

**A number of amendments will need to be made to the lease to deal with this additional use;**

- **The permitted user clause in the lease will need to be amended to refer to the use allowed as 'a bistro including unlicensed bistro'.**
- **The Licensing (Northern Ireland) Order 1996 governs the licensing of premises for the sale of intoxicating liquor.**
- **The lessee will not be permitted to sell intoxicating liquor at the Premises.**
- **Even though the Premises will be unlicensed, the lessee will be required to covenant to comply with the terms of The Licensing (Northern Ireland) Order 1996 as regards permitting the consumption of intoxicating liquor on the premises and the conduct of the premises in general.**

**The lease will include the following restrictive covenants on the part of the lessee:**

- **Not to use the Premises for the sale of intoxicating liquor as defined in the Licensing (Northern Ireland) Order 1996.**
- **Not to make any application for the grant of a licence or a provisional licence in respect of the Premises under the Licensing (Northern Ireland) Order 1996.**
- **To only permit the consumption of intoxicating liquor at the Premises ancillary to the service of a main table meal as set out in the Licensing (Northern Ireland) Order 1996 in accordance with the requirements relating to the licensing of restaurants.**

- **To observe and perform all of the conditions relating to the consumption of intoxicating liquor at the Premises and to the conduct of the Premises laid down by the Licensing (Northern Ireland) Order 1996 or any other enactment and regulation currently in force regulating the conduct of licensed premises, as if the Premises were licensed premises.**
- **This generic clause will, for example, prohibit underage persons from consuming drink on the premises and prohibit the consumption of liquor outside the hours permitted under the Licensing Order.**
- **To comply with the requirements of the Landlord, the Police Service of Northern Ireland, Northern Ireland Fire & Rescue Service Board and any other regulatory body in respect of the Premises.**
- **To conduct the Premises in an orderly manner.**

It was proposed by Alderman Hickey, seconded by Councillor Holmes and AGREED: **To recommend that Council agree to change of use for Benone Bistro and the amendments to the lease including the restrictive covenants as set out above.**

## **20. Appointment of Caravan Site General Manager**

The Director of Leisure and Development presented the report, previously circulated and as summarised below;

***Council owns and operates 6 caravan sites, with an additional site at Glenariff coming into Council control in 2016. The operation of the caravan sites is the single largest revenue generating activity that this Council undertakes resulting in an annual net profit in excess of £1m.***

### ***Purpose of the Post***

***The organisational design has unambiguously identified the need for the specialist position to apply a commercial and consistent approach to caravan site management and development.***

***The post holder will report to the Head of Service for Tourism and Recreation.***

***The key service functions of the post are:***

- 1. Legal Responsibilities / Site Licencing***
- 2. Operational Management***
- 3. Commercial Development***

***Approval is sought to prioritise and accelerate the recruitment of the post based upon the following need:***

- 1. Subject to Council approval, Council is planning to commence a £1.95m infrastructure upgrade project at Carrick Dhu Caravan Park.***
- 2. The licence agreements that exist across the caravan parks are different and require alignment.***
- 3. The fees and charges that exist across the caravan parks are different and require alignment.***
- 4. The terms and conditions of the site wardens and other staff show significant anomalies.***
- 5. A consistent approach in customer service and consultation with occupier associations is necessary.***

**6. Inconsistencies in operational management, operational efficiency, revenue generating activities and service delivery must be addressed.**

**Based upon the justification and need outlined, approval is sought from Members to proceed with the recruitment of a General Manager for Councils Caravan Site Operation.**

Following a brief discussion on the matter, the Director of Leisure and Development confirmed that the post would be recruited internally through the approved HR process in the first instance.

It was proposed by Councillor Holmes, seconded by Alderman Hillis and AGREED: to recommend that Council proceed with the recruitment of a General Manager for Councils Caravan Site Operation subject to change of wording in the Job Description under Operational Management, to read; "Maximise the profiting growth from the facilities through customer focused service delivery, improving efficiency, reducing operating costs and opportunities for profitable revenue generating activities".

*\*Councillor McGuigan left the Meeting at 10.50pm during discussion of this item.*

## **21. Bushmills Police Station**

The Director of Leisure and Development presented the report previously circulated and summarised as undernoted;

***Councillors will be aware of the previous request from Bushmills Trust for Council to acquire the Bushmills Police Station in order to lease it to the Bushmills Trust for community and commercial purposes.***

***At the June 2015 Council meeting, Council did not approve the request based upon economic reasons.***

***The Bushmills Trust has submitted a further proposal which negates Councils financial contribution to the purchase, but does require Council to facilitate the acquisition through public property clearing house arrangements.***

***From the latest material available the proposal being made is as follows;***

***a) Council Purchase the former Bushmills Police Station site through the public property clearing house arrangements.***

***b) Council immediately sell the site on to the Bushmills Trust for the same price as it paid to purchase it.***

***c) In parallel, a private individual loans the Bushmills Trust the money to buy the site from Council.***

***d) The same private individual then buys the Station Building from the Bushmills Trust for the full value of the loan thus clearing it and leaving the Trust with the remainder of the site for development.***

### **Conclusion**

***Based on the analysis provided above, Council should not participate in the arrangements that have been proposed as to do so would be contrary to the published guidance.***



***Officers have met with the Bushmills Trust to convey the guidance and consequently Council's position.***

The contents of the report were noted by members.

Following a brief discussion and in response to a Members query, the Director of Leisure and Development advised that Council would engage with The Bushmills Trust in relation to alternative uses of the carpark.

It was AGREED: **To recommend that Council should not participate in the arrangements that have been proposed, as to do so would be contrary to the published guidance.**

## **22. The Causeway Coast and Glens Tourism Partnership**

The Director of Leisure and Development briefed Committee on an ongoing legal matter relating to the Causeway Coast and Glens Tourism Partnership and the distribution of assets.

*Councillor McLean left the meeting at 11pm during discussion of this item.*

It was proposed by Alderman Hickey, seconded by Alderman Hillis and AGREED: **that the meeting would continue 'Out of Committee'.**

## **23. Matters for reporting to Partnership Panel**

None.

## **24. Correspondence**

Committee noted the following Correspondence;

**24.1** Justice (No.2) Bill: Future Amendments.

## **25. Consultation**

Committee noted the following Consultation;

**25.1** Public Consultation – Access and Use of DNA/Fingerprints Data by The Historical Investigations Unit (HIU).

## **26. Any other relevant business**

### **26.1 Portrush Regeneration Programme**

The Director of Leisure and Development would seek clarity in relation to Capital Government Funding of the Portrush Regeneration Programme.

### **26.2 Education and Library Board**

The Director of Leisure and Development would re-engage with the Education and Library Board regarding shared use of the MUGA at Harpers Hill Primary School, Coleraine.

**27.** Date of next meeting - Tuesday 8<sup>th</sup> September 2015, Civic Headquarters, 7pm