



**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE COUNCIL HELD
AT MOSSLEY MILL ON MONDAY 25 SEPTEMBER 2023 AT 6.30 PM**

- In the Chair** : Mayor (Councillor M Cooper)
- Members Present (In Person)** : Aldermen – L Boyle, T Campbell, L Clarke, M Cosgrove, M Magill, J McGrath, S Ross and J Smyth
- Councillors – J Archibald-Brown, A Bennington, M Brady, J Burbank, S Cosgrove (7.38pm – 8.14pm), H Cushinan, P Dunlop, J Gilmour, M Goodman, N Kelly, R Kinnear, A Logue, H Magill, B Mallon, A McAuley, T McGrann, E McLaughlin, V McWilliam, M Ní Chonghaile, L O'Hagan, S Ward, and S Wilson
- Members Present (Remote)** Aldermen – P Bradley
- Councillors – S Cosgrove (6.58pm – 7.27pm), S Flanagan, R Lynch, L Smyth and M Stewart
- Officers Present** : Chief Executive - J Dixon
Director of Economic Development and Planning - M McAlister
Director of Finance and Governance – S Cole
Director of Community Planning - U Fay
Director of Sustainability – M Lavery
Director of Parks and Leisure Operations – M McDowell
Director of Organisation Development – J Close
Director of Corporate Strategy – H Hall
Borough Lawyer and Head of Legal Services – P Casey
Head of Corporate Affairs – J McIntyre
Media Officer – C Johnston
ICT Systems Support Officer – C Bell
ICT Helpdesk Officer – J Wilson
Member Services Manager – A Duffy
Member Services Officer – S Boyd

1 BIBLE READING, PRAYER AND WELCOME

The Mayor welcomed all present to the meeting, and advised Members of the audio recording procedures.

The meeting opened with a Bible reading and prayer by Pastor George McKim.

Alderman Boyle and Councillors Burbank, Cushinan, Goodman, Logue, Kelly, Kinnear, McLaughlin, McGrann, Ní Chonghaile and O'Hagan joined the meeting.

2 APOLOGIES

Alderman - P Michael
Councillor's - R Foster, A O'Lone and B Webb

3 DECLARATIONS OF INTEREST

Item 12.7 – Chief Executive, J Dixon

The Mayor commended the Parks and Leisure Team on their winning of Best Service Team for Sports, Leisure and Cultural Service at the APSE Awards.

4 MINUTES OF THE ANTRIM AND NEWTOWNABBEY BOROUGH COUNCIL MEETING

Moved by Alderman Cosgrove
Seconded by Councillor McAuley and

RESOLVED: that the Minutes of the proceedings of the Antrim and Newtownabbey Borough Council Meeting of Tuesday 29 August 2023 be taken as read and signed as correct.

5 MINUTES OF THE OPERATIONS COMMITTEE MEETING

Moved by Councillor Burbank
Seconded by Councillor McWilliam and

RESOLVED: that the Minutes of the proceedings of the Operations Committee Meeting of Monday 4 September 2023 be approved and adopted.

6 MINUTES OF THE POLICY AND GOVERNANCE COMMITTEE MEETING

Moved by Alderman Clarke
Seconded by Councillor Stewart and

RESOLVED: that the Minutes of the proceedings of the Policy and Governance Committee Meeting of Tuesday 5 September 2023 be approved and adopted.

7 MINUTES OF THE COMMUNITY PLANNING MEETING

Moved by Councillor McGrann
Seconded by Councillor Lynch and

RESOLVED: that the Minutes of the proceedings of the Community Planning Committee Meeting of Monday 11 September 2023 be approved and adopted.

8(a) MINUTES OF THE PLANNING COMMITTEE MEETING, PART 1

Moved by Councillor Cushinan
Seconded Alderman Campbell and

RESOLVED: that the Minutes of the proceedings of the Planning Committee Meeting of Monday 18 September 2023 Part 1 be taken as read and signed as correct.

8(b) MINUTES OF THE PLANNING COMMITTEE MEETING, PART 2

Moved by Councillor Cushinan
Seconded by Alderman Campbell and

RESOLVED: that the Minutes of the proceedings of the Planning Committee Meeting of Monday 18 September 2023 Part 2 be approved and adopted.

9 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING

Moved by Councillor Goodman
Seconded by Councillor Mallon and

RESOLVED: that the Minutes of the proceedings of the Audit and Risk Committee of Tuesday 19 September 2023 be approved and adopted.

10 ITEMS FOR DECISION

10.1 EL/186 APPLICATION FOR PROVISIONAL GRANT OF AN ENTERTAINMENTS LICENCE - CROOKED GLEN 2.0 AT 67 MAIN STREET, CRUMLIN, BT29 4UR

An application had been received for the provisional grant of an Entertainments Licence for the following area.

Licensee	Location of Premises	Where entertainment will be held	Type(s)and hours of entertainment
James Deery	67 Main Street, Crumlin, BT29 4UR	Indoor	Singing, Music, dancing or entertainment of a like kind; Machines for Entertainment or Amusement

			Annual Licence Monday to Thursday 12 noon to 11pm Friday to Saturday 12 noon to 1am Sunday 12noon to 12 midnight
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In line with the Council Protocol for the hearing of Entertainments Licence applications, approved in December 2016, the application must be considered at a full meeting of the Council.

The Council could decide the following:

- i. Grant the licence
- ii. Grant the licence with specific additional terms, conditions and restrictions
- iii. Refuse the licence
- iv. Defer an application for further consideration or to obtain further information.

If the Council make a decision against an Officer's recommendation, then members must state their reasons for doing so. In such circumstances a recorded vote would be taken.

Moved by Alderman Campbell
Seconded by Councillor McAuley and

RESOLVED: that an Entertainments Licence be granted to the applicant, James Deery, Crooked Glen 2.0 at 67 Main Street, Crumlin, BT29 4UR with the following conditions;

- That all relevant licensing requirements are met
- That statutory consultees have no objections to approval

OPERATING HOURS

**Monday to Thursday
12 noon to 11pm**

**Friday to Saturday
12 noon to 1am**

**Sunday
12noon to 12 midnight**

ACTION BY: Colin Kelly, Head of Environmental Health and Wellbeing

10.2 PBS/BC/003 VOL 2 STREET NAMING - BALLYCORR ROAD, BALLYCLARE

A development naming application was received from Anthony Hamilton on behalf of APD Architects regarding the naming of a residential development off Ballycorr Road, Ballyclare. The development consisted of 99No dwellings, these being a mixture of detached and semi – detached. The development names and developer's rationale had been submitted as outlined below, with the developer's application, location map and site plan circulated.

1 – Primrose Hill –The ecology had identified protected primroses in the site

2 – Elder Vale – Elder is a type of tree that is on the site

3 – Holly Mews – Holly is a type of tree that is on this site

Should the Council not wish to select one of the above names; the matter would be referred back to the developer via the Building Control section for further consideration.

Moved by Councillor Archibald-Brown
Seconded by Alderman Boyle and

RESOLVED: that the name of Elder Vale be approved for the above development.

ACTION BY: Liam McFadden, Principal Building Control Surveyor.

10.3 PBS/BC/003 VOL 2 STREET NAMING - BALLYEASTON ROAD, BALLYCLARE

A development naming application was received from Anthony Hamilton on behalf of APD Architects regarding the naming of a residential development off Ballyeaston Road, Ballyclare. The development consisted of 133No dwellings, these being a mixture of detached and semi – detached. The development names and developer's rationale had been submitted as outlined below, with the developer's application, location map and site plan circulated.

1. Paper Mill –There would be a view to the Old Mill in Ballyclare from this part of the site.

2 – The Grange – Alternative name

3 – Elm Dene – Alternative name

Should the Council not wish to select one of the above names; the matter would be referred back to the developer via the Building Control section for further consideration.

Moved by Councillor Archibald-Brown

Seconded by Councillor McWilliam and

RESOLVED: that the matter be referred back to the developer for further consideration.

ACTION BY: Liam McFadden, Principal Building Control Surveyor

10.4 PBS/BC/003 VOL 2 STREET NAMING - FOUNTAIN HILL, ANTRIM

A development naming application was received from Mairead Burns on behalf of Choice Housing Ireland Ltd. regarding the naming of a residential development off Fountain Hill, Antrim. The development consisted of 34No units these being a mixture of detached, semi – detached and apartments. The development names and developer's rationale had been submitted as outlined below, with the developer's application, location map and site plan circulated.

1 – Fountain Hill Gardens – Incorporating the name of the surrounding area and current site name, familiar to local residents and the community. Lots of green space on the development therefore Gardens would fit well for first choice. Fountain Hill is a commonly used place name in the local area which helps service providers identify the area.

2 – Fountain Hill Drive - Incorporating the name of the surrounding area and current site name, familiar to local residents and the community. Fountain Hill is a commonly used place name in the local area which helps service providers identify the area.

3 – Fountain Hill Way - Incorporating the name of the surrounding area and current site name, familiar to local residents and the community. Fountain Hill is a commonly used place name in the local area which helps service providers identify the area.

Should the Council not wish to select one of the above names; the matter would be referred back to the developer via the Building Control section for further consideration.

Moved by Alderman Smyth
Seconded by Councillor Smyth and

RESOLVED: that the matter be deferred back to the developer for further consideration.

ACTION BY: Liam McFadden, Principal Building Control Surveyor

Councillor Ní Chonghaile left the Chamber at Item 10.5

10.5 PBS/BC/002 VOL 2 CONSULTATION RESPONSE - FIRE SAFETY CHANGES TO BUILDING CONTROL REGULATIONS

The Grenfell Tower fire occurred on 14 June 2017 and led to the greatest loss of life due to a residential fire in the UK, since the World War II. A full Public

Inquiry had been established to examine the events that led to the tragedy.

Phase 1 of the Inquiry had now concluded, and a report had been published with recommendations on how to improve fire safety in residential buildings. These recommendations had already been introduced in Great Britain and the Building Standards branch of the Department of Finance was now consulting on their intentions to introduce similar measures in Northern Ireland.

The changes proposed in this consultation gave the detail of the Department's intention to amend Part E (Fire safety) of the Building Regulations and the accompanying guidance set out in Technical Booklet E (Fire safety) (TBE). The proposals included:

- A new functional regulation in Part E to require the person carrying out the work to provide adequate fire safety information to the person who had fire safety duties in any 'relevant premises' as defined under 'The Fire and Rescue Services (Northern Ireland) Order 2006'. The requirement would also apply to buildings containing flats with a storey more than 11m above ground level.
- A new prescriptive regulation in Part E to require the provision of suitable automatic fire suppression systems (e.g. sprinklers) in certain types of buildings. These buildings would include buildings containing flats and specific purpose-built student accommodation, both with a storey more than 11m above ground level. All residential care premises, including residential care homes, nursing homes, children's homes and family resident centres, irrespective of storey height would also be included.
- A number of changes to Technical Booklet E (TBE) (Fire safety) to -
 1. give guidance to the new requirement for provision of fire safety information;
 2. give guidance on sprinklers to the new requirement to install suitable automatic fire suppression systems;
 3. amend the guidance for means of escape to increase the smoke alarm coverage to all habitable rooms in all new dwellings. Also clarified guidance on coverage of alarm expected after an extension and/or alteration work to an existing dwelling;
 4. amend the guidance for means of escape to clarify the measures needed to ensure adequate smoke ventilation from the common escape routes of buildings containing flats;
 5. amend the guidance for 'Facilities and Access for the Fire and Rescue Service' to assist firefighters in their operations of search and rescue and firefighting. These amendments include enhanced firefighting shaft, vehicle access and fire mains provisions. Also new requirements for emergency evacuation alert systems, wayfinding signage and secure information box provisions in buildings containing flats with a storey over a certain height.

In general, the proposed changes were welcome and should reduce the consequences of fire through saving lives and reducing injury. The proposals should also assist the Northern Ireland Fire and Rescue Service in the delivery

of their services.

A consultation response on behalf of the Council was circulated. Due to the closing date of 25th September, the response had been submitted subject to ratification by the Council. Comments contained in the consultation response provided a Building Control service view on the proposals.

Moved by Alderman Smyth
Seconded by Councillor Lynch and

RESOLVED: that the recommended consultation response be approved.

ACTION BY: Stephen Hipkins, Head of Building Control

10.6 CE/GEN/017 DISPOSAL OF LAND AT NEW LODGE ROAD, ANTRIM

Members were advised that a D1 form, a copy of which was circulated and had been received from Land and Property Services regarding a portion of land at New Lodge Road, Antrim (map circulated) being declared surplus by the Department for Communities.

Officers had reviewed the information provided and have not identified a need for this asset.

In response to a Members request, Officers agreed to review the need for land for biodiversity purposes at New Lodge Road, Antrim and that a report would be brought back for Members consideration.

Moved by Councillor Dunlop
Seconded by Councillor Smyth and

RESOLVED: that the Council express an interest in this land and provide a report on potential uses.

ACTION BY: Matt McDowell Director of Parks and Leisure

10.7 G/MSMO/008 VOL 3 CONSULTATION REPORT – SECTION 8 AND 10 REGULATIONS, PRIVATE TENANCIES ACT (NORTHERN IRELAND) 2022

Correspondence (circulated) had been received from the Department for Communities advising that the consultation on Sections 8 and 10 regulations, of the Private Tenancies Act (Northern Ireland) 2022 had been launched. The consultation opened on the 13 September 2023 and would close on 6 December 2023 at 5pm and could be accessed via the links below:

<https://consultations.nidirect.gov.uk/dfc/the-fire-smoke-and-carbon-monoxide-alarms-northern>

<https://consultations.nidirect.gov.uk/dfc/electrical-safety-standards-northern-ireland-202x>

Any queries in relation to the consultation should be directed by email to prs@communities-ni.gov.uk.

Members' instructions were requested.

Moved by Councillor Bennington
Seconded by Alderman Clarke and

RESOLVED: that Council responds to the consultation on a Corporate basis.

ACTION BY: Michael Laverty, Director of Sustainability

**10.8 G/MSMO/017 VOL 3 DEPARTMENT FOR INFRASTRUCTURE REQUEST TO PRESENT
ROADS PROGRAMME ANNUAL CONSULTATION**

Members were advised that a request (circulated) had been received from the Department for Infrastructure requesting the opportunity to make a presentation at a future Council Meeting to provide an update on Roads Programme – Annual Consultation.

Moved by Councillor Smyth
Seconded by Councillor Brady and

RESOLVED: that the Department for Infrastructure be invited to present to a future Council meeting on the Roads Programme – Annual Consultation.

ACTION BY: Member Services

11 ITEMS FOR NOTING

11.1 PT/CI/038 2022-23 ANNUAL SELF-ASSESSMENT ON PERFORMANCE

Members were advised that Part 12 of the Local Government Act (Northern Ireland) 2014; Section 92 (2)(b)(i)&(ii) required the Council to publish an assessment of its performance in the previous financial year, and include a comparison of performance against other councils where possible.

The 2022-23 Annual Self-Assessment on Performance was circulated and provided an assessment of the Council's performance in relation to its statutory performance and self-imposed indicators.

Moved by Councillor Wilson
Seconded by Councillor Dunlop and

RESOLVED: that the report be noted.

NO ACTION

11.2 CE/EL/004 LOCAL GOVERNMENT ELECTIONS 2023

Members were advised that in accordance with Section 23 of the Electoral Law Act (Northern Ireland) Act 1962, the returning officer shall submit to the local authority a detailed account of the expenses incurred in the conduct of an election. An account of the expenditure (circulated) incurred in the Local

Government Election in May 2023.

Prior to the election, correspondence was received from the Northern Ireland Office advising that the maximum spend for administration and staffing to be incurred on this election was £407,267.

Assurance was provided that the May 2023 Election cost was within the limit set by the Northern Ireland Office.

Moved by Councillor Wilson
Seconded by Councillor Dunlop and

RESOLVED: that the report be noted.

NO ACTION

11.3 FI/FIN/4 BUDGET REPORT – QUARTER 1 APRIL TO JUNE 2023

As agreed at the August Council meeting, quarterly budget reports would be presented to the relevant Committee or Working Group. All financial reports would be available to all Members.

The overall financial position of the Council would be presented to the Policy & Governance Committee. Budget reports for the Chief Executive's department for Quarter 1 – April to June 2023 were circulated for Members' information.

Moved by Councillor Wilson
Seconded by Councillor Dunlop and

RESOLVED: that the report be noted.

NO ACTION

11.4 G/MSMO/008 VOL 3 CONSULTATION REPORT – THE DRAFT NORTHERN IRELAND ROAD SAFETY STRATEGY TO 2030 KEY PERFORMANCE INDICATOR (KPI)

Correspondence had been received from the Department for Infrastructure advising that the draft Northern Ireland Road Safety Strategy to 2030, was published on 24 October 2022. The Strategy outlined 4 targets to 2030, as well as a number of Key Performance Indicators (KPIs). In April 2023 the Department launched a consultation on the proposed KPIs.

The consultation report for the draft Northern Ireland Road Safety Strategy to 2030 Key Performance Indicator (KPI), had been published on 5 September 2023 and could be accessed via the link below:

[Draft Northern Ireland Road Safety Strategy to 2030 Key Performance Indicator \(KPI\) consultation | Department for Infrastructure \(infrastructure-ni.gov.uk\)](https://www.infrastat.gov.uk/consultation/road-safety-strategy-to-2030-key-performance-indicator-kpi-consultation)

Contact details in relation to the consultation are Jonathan Irwin, Department for Infrastructure, Analysis, Statistics and Research Branch (ASRB), Room 5.25, Clarence Court, 10-18 Adelaide Street, Belfast, BT2 8GB, E-mail Jonathan.Irwin@infrastructure-ni.gov.uk (028) 9034 6270 | Ext: 86270.

Moved by Councillor Wilson
Seconded by Councillor Dunlop and

RESOLVED: that the Consultation Report for the Draft Northern Ireland Road Safety Strategy to 2030 Key Performance Indicator (KPI) be noted.

NO ACTION

Councillor Ní Chonghaile returned to the Chamber at Motion 13.

13 NOTICE OF MOTION

Proposed by Councillor Logue
Seconded by Councillor Cushinan

“That Antrim and Newtownabbey Borough Council calls on the local Government Association (NILGA) to immediately establish a working group made up of DAERA and its respective agencies including NIEA, Inland Fisheries and others, along with representatives from the four Councils that border Lough Neagh, and other relevant agencies including NI water and the Public Health agency and Food Standards Agency in order to hold the department(s) and agencies accountable for the development of a time bound targeted strategy to address the poor water quality and in particular the impact of toxic Blue Green algae affecting Lough Neagh, and its impact on the environment, the loughs residents, businesses and recreational users. NILGA will convene (and act as the independent oversight for) the working group and strategy to address the issue”.

On the proposal being put to the meeting, and a recorded vote having been requested by Councillor Logue, Members voted as follows:

In favour of the Motion Members viz 17	Against the Motion Members viz 13	Abstentions Members viz 6
Aldermen – Boyle, Campbell and McGrath Councillors – Burbank, Cushinan, Gilmour, Goodman, Kelly, Kinnear, Logue, Lynch, McAuley, McGrann, McLaughlin, Ní Chonghaile, O'Hagan and Stewart.	Aldermen – Bradley, Clarke, Magill, Ross, Smyth Councillors – Archibald- Brown, Bennington, Brady, Cooper, Dunlop, Flanagan, Magill and Mallon	Alderman – Cosgrove Councillors – Cosgrove, McWilliam, Smyth, Ward and Wilson.

RESOLVED – The Motion was declared carried.

The Chief Executive advised that there would be a short recess and the meeting recommenced at 7.50 pm.

Councillor Cosgrove entered the Chamber at this point having been in attendance remotely.

14 NOTICE OF MOTION

Proposed by Councillor Burbank
Seconded by Councillor McAuley

"This Council is concerned by the recent blooms of blue-green algae in our waters; notes the detrimental impact these blooms have had on local businesses; asks the Department of Agricultural, Environment and Rural Affairs to swiftly convene a cross party meeting between affected Council areas to discuss the issue & to develop an action plan to address it; and calls for the establishment of an independent Environmental Protection Agency in line with New Decade, New Approach commitments.

This Council asks the Department of Agricultural, Environment and Rural Affairs explores bringing the lough into public ownership; and supports a new legal right of nature for Lough Neagh that guarantees a model of ownership that protects the rights of Lough Neagh to exist and evolve".

Moved by Councillor Burbank
Seconded by Councillor McAuley and

RESOLVED – that following discussion and guidance from the Chief Executive this Motion be withdrawn and that the Chief Executive would write a robust letter to DEARA and statutory Agencies requesting they present at further Council Meeting, addressing their proposals on this issue.

ACTION BY: Jacqui Dixon, Chief Executive

15 NOTICE OF MOTION

Proposed by Councillor Dunlop
Seconded by Alderman Magill

"This council expresses concern at reports and evidence of the current situation at Lough Neagh, urges that all stakeholders work collaboratively to rectify the current issues and develop a new strategy which will enhance the environmental situation and create new economic opportunities, thus allowing the Lough and surrounding area to thrive for the future.

The council further calls for a partnership approach between all elements of the Lough and the creation of a new Memorandum of Understanding between private and public owners which outlines precise responsibilities and obligations, alongside a new economic development plan between government departments and local councils which will reflect the potential which still exists".

On the request of a Member the Chief Executive agreed that this Council writes to DEARA requesting a full map of the slurry that is spread on the land within this council area and that they provide a record of the nitrate and ammonia levels that have been tested on those grounds. Also that the Chief Executive contacts the Department for Economy to ask for a map of the 2,400 abandoned mines and landfills areas within Northern Ireland and what potential material could be leaching from these.

It was also requested that as a planning authority, careful consideration be given to applicants who apply for their planning conditions being removed as this may have a detrimental impact on our environment and citizens.

Moved by Councillor Dunlop
Seconded by Alderman Magill and

RESOLVED – that this Motion be withdrawn following guidance from the Chief Executive.

ACTION BY: Jacqui Dixon, Chief Executive

MOTION TO PROCEED 'IN COMMITTEE'

Moved by Alderman Smyth
Seconded by Councillor McGrann

RESOLVED: that the Council proceeds to conduct the following business 'In Committee'.

Members were advised that the live stream and audio recording would cease at this point.

Aldermen Campbell and McGrath left the meeting at Item 12.1.

12 ITEMS IN CONFIDENCE

12.1 IN CONFIDENCE FI/PRO/TEN/509 SUPPLY, DELIVERY, INSTALLATION OF PA SYSTEM AT ANTRIM CASTLE GARDENS

This tender opportunity was made available on eSourcingNI on 4 July 2023. One tender response was opened via the eSourcingNI Portal on 28 July 2023 and referred to the evaluation panel for assessment. The tender was evaluated on a two stage basis as follows:

STAGE 1 – SELECTION STAGE

The tender was evaluated on a pass/fail basis for tenderers' professional conduct, economic and financial standing, previous relevant experience, management systems and practices, timescales, declarations and form of tender. The tender met the requirements of Stage 1 of the evaluation process and proceeded to Stage 2.

STAGE 2 – AWARD STAGE

Sub-Stage 1 – Technical Assessment

The tender was evaluated on a pass/fail basis for compliance with the specification. The tender met the requirements of this stage and proceeded to the next stage of evaluation.

Sub-Stage 2 – Quality & Commercial Assessment

The tender was evaluated on the basis of implementation plan (30%), proposed layout (10%), aftersales support and service (20%) and cost (40%). The recommendation was as follows:

Rank	Supplier	Quality Assessment (Out of 60%)	Cost Assessment (out of 40%)	Total % Score	Total Estimated Cost (£) (Excl. VAT)
1	AJCG Limited	60%	40%	100%	£ [REDACTED]

While there was only one tenderer, the costs were in line with current market rates and officers were satisfied that the costs represented value for money.

Moved by Alderman Smyth
Seconded by Alderman Cosgrove and

RESOLVED: that having achieved a score of 100%, AJCG Limited be appointed for the supply, delivery, and installation of PA system at Antrim Castle Gardens at the tendered rates.

ACTION BY: Melissa Kenning, Principal Procurement Officer

12.2 **IN CONFIDENCE** FI/PRO/TEN/513 TENDER FOR THE PROVISION, INSTALLATION AND MAINTENANCE OF VISITOR COUNTING SYSTEMS AT VARIOUS LOCATIONS ACROSS THE BOROUGH

CONTRACT PERIOD: 1 OCTOBER 2023 TO 30 SEPTEMBER 2025 (WITH AN OPTION TO EXTEND FOR A FURTHER 36 MONTHS, SUBJECT TO REVIEW AND PERFORMANCE)

This tender opportunity was made available on eSourcingNI on 03 July 2023. Two tenders were opened via eSourcingNI on 28 July 2023 and referred to the evaluation panel for assessment. The tenders were evaluated on a two-stage basis as follows:

STAGE 1 – SELECTION STAGE

The tenders were evaluated on a pass/fail basis for tenderers' professional conduct, economic and financial standing, management systems and practices, previous relevant experience and declarations and form of tender. All tenders met the requirements of Stage 1 and proceeded to Stage 2. The tenders were evaluated as follows:

STAGE 2 – AWARD STAGE

Sub-Stage 1 – Technical Assessment

The tenders were evaluated on a pass/fail basis for compliance with the specification. Both tenders met the requirements of this stage and proceeded to the next stage of evaluation.

Sub-Stage 2 – Service Delivery & Commercial Assessment

The tenders were evaluated on the basis of implementation plan (15%), capacity to deliver and quality of service (25%), and cost (60%). One tender failed to meet the quality threshold and did not proceed further. The recommendation was as follows:

Rank	Supplier	Quality Assessment (Out of 40%)	Cost Assessment (out of 60%)	Total % Score	Total Estimated Cost (£) (Excl. VAT)
1	McAdam Consulting Services Ltd	40.00%	60.00%	100.00%	£ [REDACTED]

Moved by Alderman Cosgrove
Seconded by Councillor Wilson and

RESOLVED: that having achieved a score of 100%, McAdam Consulting Services Ltd to be appointed for the provision, installation and maintenance of visitor counting systems for the period of 1 October 2023 – 30 September 2026 (with an option to extend for a further 36 months, subject to review and performance) at the tendered rates.

ACTION BY: Melissa Kenning, Principal Procurement Officer

12.3 **IN CONFIDENCE** FI/PRO/TEN/506 INTERNAL AND EXTERNAL PAINTING AND DECORATING AT COUNCIL SITES IN THE ANTRIM AND NEWTOWNABBEY BOROUGH AREA

CONTRACT PERIOD: 1 OCTOBER 2023 TO 30 SEPTEMBER 2025 (WITH AN OPTION TO EXTEND FOR UP TO A MAXIMUM OF 24 MONTHS, SUBJECT TO REVIEW AND PERFORMANCE)

This tender opportunity was made available on eSourcingNI on 6 July 2023. Two tenders for painting works at Council sites were opened via the eSourcingNI Portal on 8 August 2023 and referred to the Evaluation Panel for assessment. The tenders were evaluated on a two stage basis as follows:

STAGE 1 – SELECTION STAGE

The tenders were evaluated on a pass/fail basis for tenderers' professional conduct, economic and financial standing, management systems and practices, professional membership, previous relevant experience, and

declarations and form of tender. One tender failed to meet all the requirements of this stage and did not proceed further in the evaluation. The remaining tender met the requirements of Stage 1 of the evaluation process and proceeded to Stage 2. The tender was evaluated as follows:

STAGE 2 – AWARD STAGE

Stage 1 – Technical Assessment

The tender confirmed that they could meet the response times required and that their tender met all the requirements of the Specification of Services.

Stage 2 – Quality/Commercial Assessment

The tender was evaluated on the basis of management of the contract and customer focus (15%) technical capacity and capability (20%), quality of works (15%) and cost (50%). The recommendation was as follows

Rank	Supplier	Quality Assessment (out of 40%)	Cost Assessment (out of 60%)	Total % Score	Total Estimated Annual Cost (£) (excl. VAT)
1	Décor-Wright Paints Ltd	40%	60%	100%	£ [REDACTED]

Moved by Alderman Smyth
Seconded by Alderman Cosgrove and

RESOLVED: that having achieved a score of 100%, Décor-Wright Paints Ltd be appointed for internal and external painting and decorating for the period of 1 October 2023 – 30 September 2025 (with an option to extend for up to a maximum of 24 months, subject to review and performance) at the tendered rates.

ACTION BY: Melissa Kenning, Principal Procurement Officer

12.4 IN CONFIDENCE FI/PRO/TEN/524 ENCHANTED WINTER GARDEN FESTIVE FOOD FAYRE AND MARKET

CONTRACT PERIOD ENCHANTED WINTER GARDEN EVENT FOR 2023, WITH AN OPTION TO EXTEND FOR UP TO A FURTHER 2 YEAR FOR 2024 AND 2025

This tender opportunity was made available on eSourcingNI on 30 August 2023. Three tenders were opened via the eSourcingNI Portal on the closing date of 13 September 2023 and referred to the evaluation panel for assessment. One tender was deemed non-compliant and did not proceed further. The remaining tenders were evaluated on a two-stage basis as follows:

STAGE 1 – SELECTION STAGE

The tenders were evaluated on a pass/fail basis for tenderers' professional

conduct, economic and financial standing, management systems and practices, previous relevant experience, and declarations and form of tender. Both tenders met the requirements of Stage 1 of the evaluation process and proceeded to Stage 2.

STAGE 2 – AWARD STAGE

Sub-Stage 1 - Technical Assessment

The tenders were evaluated on a pass/fail basis for compliance with the specification. Both tenders met the requirements of this stage and proceeded to the next stage of evaluation.

Sub-Stage 2 - Quality/Commercial Assessment (70%/30%)

The tenders were evaluated on the basis of implementation plan (30%), delivery of the aims and objectives of the contract (20%), contract management and performance monitoring (20%), and cost (30%). The recommendation was as follows:

Supplier	Quality Assessment (out of 70%)	Commercial Assessment (out of 30%)	Total % Score	Total Income over 3 Years (£) (excl. VAT)
Food NI			86.00%	

Proposed by Alderman Smyth
Seconded by Councillor Brady and

RESOLVED: that having achieved the score of 86%, Food NI be appointed for the provision of a festive food fayre and market at Enchanted Winter Garden 2023, with the option to extend for the events in 2024 and 2025 at the tendered rates.

ACTION BY: Melissa Kenning, Principal Procurement Officer

12.5 IN CONFIDENCE FI/PRO/TEN/437 TENDER FOR BALLYCLARE SIXMILEWATER BRIDGE REPLACEMENT WORKS

Members were reminded that the Council in October 2022 approved to match fund any subsequent grant funding of Greenway and Active Travel Projects.

Members were advised that the Council submitted a business case to the Department of Infrastructure seeking Blue/Green grant funding for the development of the Ballyclare Town Greenway.

Subsequently in March 2023 a letter of offer was made to the Council of up to 50% capital funding towards the replacement of Sixmilewater Bridge, part of the Ballyclare Greenway.

Members were further advised that the grant funding period ends on the 31 March 2024.

PROJECT SCOPE

The works include the fabrication, supply and erection of the complete bridge structure including:

- earthworks
- structural concrete works including abutment
- structural steel works

PROCUREMENT

This tender opportunity was made available on eSourcingNI on 5 June 2023. Seven completed Pre-Qualification Questionnaires (PQQs) were received on 26 June 2023 and referred to the evaluation panel for assessment. The PQQ responses were evaluated using the criteria of general information, past performance, economic and financial standing, professional conduct, health and safety, declarations and technical ability. Six contractors PQQ responses were assessed as a 'Pass' and were selected for Invitation to Tender (ITT).

Invitation to Tender (ITT) documents were issued to six contractors on the 17 August 2023. Six fully completed tenders were received by the closing date of 8 September 2023.

TENDER ANALYSIS

The 6 returned tenders were arithmetically checked and evaluated on the basis of tender assessment total price only. Civco Ltd submitted the lowest acceptable tender assessment total price submission was as detailed below:

Contractor	Tendered Total of the Prices (excl. VAT)	Model Compensation Event Total* (excl. VAT)	Tender Assessment Total Price (excl. VAT)
Civco Ltd			

**The model compensation event was included in the evaluation exercise to assess the cost impact of change resulting from potential future compensation events (variations due to unforeseen items). It includes costs for people, materials and equipment.*

The tendered total of the prices of £ had been checked and was deemed value for money and competitive in today's market. The price was 9.5% below the pre tender estimate cost. The contractor has confirmed that they have priced the project specification as included in the Tender package.

PROGRAMME AND METHOD OF WORKING

Following the appointment of the contractor, works were anticipated to commence on site in October 2023, with planned completion in March 2024.

COST SUMMARY

Tendered Total of the Prices	
Model Compensation Event Total	
Tender Assessment Total Price	
Predicted Professional & other fees	
Demolition of existing bridge (completed July/August 2023)	
Total predicted outturn project cost	

Moved by Councillor Archibald-Brown
Seconded by Councillor McWilliam and

RESOLVED:

- i. **The tendered total of the prices of £ [REDACTED] (excl. VAT) from Civco Ltd be approved giving a tendered assessment total price of £ [REDACTED] (excl. VAT).**
- ii. **The total predicted outturn project cost (works & fees) of £ [REDACTED] be approved**
- iii. **The predicted net cost to Council of £ [REDACTED] be approved.**

ACTION BY: Neil Luney, Capital Projects Officer

All Officers except the chief Executive and the Director of Organisation Development left the Chamber at item 12.6 and did not return.

12.6 IN CONFIDENCE HR/ER/013 TERMS AND CONDITIONS ALIGNMENT PROPOSAL

Members were reminded that at the Council meeting held on 30 January 2023, a Collective Agreement on Pay Dispute Issues in relation to the Year 2021/22 was agreed.

This agreement further endorsed the collective commitment to work with Trade Unions to review terms and conditions for employees with the aim to agree Council terms and conditions, pay allowances and one single policy set for all employees regardless of legacy Council.

Members were further reminded that the Chief Executive had been progressing negotiations with Joint Trade Unions. Negotiations had been underway since March 2023, with active engagement from Trade Unions and relevant stakeholders, e.g. Directors.

The proposal document for aligning Terms and Conditions were circulated at Section 1, had been negotiated extensively, and taking account of costs proposed by Trade Unions for buy outs, the estimated cost is circa £350k.

Significant progress had also been made to agreeing core policies were circulated at Section 2 and if accepted as part of the consultation process, would bring important alignment for all employees and particularly help to support the management of attendance across Council with one set of agreed trigger points.

Additionally, the following new Antrim and Newtownabbey Borough Council (ANBC) policies were circulated at Section 3 had been agreed with Trade Unions and would apply to current ANBC employees with the proposal for all staff aligning to ANBC terms and conditions to move to these policies as part of the Council's alignment proposals:

- Career Break
- Essential Car User
- Compassionate Leave
- Marriage/Civil Partnership Leave
- Foster/Kinship Leave
- Maternity, Paternity and Adoption Leave
- Dependants Leave
- Parental and Shared Parental Leave
- Flexible Working Policy

A new Menopause Policy had also been agreed with Joint Trade Unions and was circulated at Section 4. This new policy would apply to all employees regardless of legacy arrangements. It was intended that this policy would be promoted and communicated to all employees in partnership with Trade Unions.

Subject to the Council's consideration and approval of the Proposal document and associated costs, a formal 90 days' consultation process would be initiated. This process would take place from 27 September 2023 to 3 January 2024 and would involve Trade Unions and Management engagement with all employees. During this consultation period, the proposed changes and their potential impact would be communicated to all employees through Team Briefings with relevant Directors and, on request, individual meetings.

Provisional timeline – formal consultation:

25 September 2023 - Proposal considered at Council

26 September 2023 – Proposal issued to staff and Trade Unions

27 September 2023 – Formal Consultation opens

28 September 2023 to 15 December 2023 – TU and Management Briefings with Staff

3 January 2024 – Formal Consultation closes

9 January 2024 – JTUs to provide final consultation feedback

11 January 2024 – Provisional date for meeting with JTUs to consider feedback

29 January 2024 – Update provided to Council with final proposal (in advance of workplace ballot)

February 2024 – subject to Council consideration and approval – JTUs to present final proposal to employees through workplace ballot likely, to last

three weeks.

March 2024 – Outcome of workplace ballot to be confirmed to Council, following signing of collective agreement with JTUs, the aim will be to apply new Terms and Conditions from 1 April 2024.

Moved by Councillor Kelly
Seconded by Alderman Cosgrove and

RESOLVED: that approval be given to the following, subject to final review with Trade Unions:

- a) the Proposal document for aligning Terms and Conditions and associated costs.**
- b) the Proposal document and associated core policies to be progressed to formal consultation with all employees and in partnership with Joint Trade Unions with a further report provided to Council in January 2024.**
- c) the new ANBC policies at section 3 and for these to be applied to current ANBC employees with staff aligning moved across, subject to the outcome of the ballot.**
- d) the Menopause Policy at section 4 and for this to be applied and communicated to all employees in conjunction with Joint Trade Unions.**

ACTION BY: Jennifer Close, Director of Organisation Development

Having declared and Interest in Item 12.7 the Chief Executive left the meeting at this point.

12.7 IN CONFIDENCE HR/HR/044 APPOINTMENT OF CHIEF EXECUTIVE – DRAFT INDUCTION AND APPRAISAL

Members were reminded that it was agreed by the Council that the Group Party Leaders Forum would conduct the Performance Appraisal of the Chief Executive and that any concerns or issues would be reported to Council.

Following the appointment of the new Chief Executive, Mr Richard Baker, the Local Government Staff Commission (LGSC), recommended that an external facilitator is appointed to support the Group Party Leaders Forum to undertake the performance management process during the 12-month probation period and the annual performance appraisal according to the agreed procedure in place, on behalf of Council.

The LGSC also recommended that consideration should be given to the appointment of one of the Professional Assessors who participated in the recruitment of the Chief Executive's post to undertake this role and another to provide mentoring for the new Chief Executive.

The late Wavell Moore, carried out the role of External Facilitator for many years before his passing. It was proposed that Mr John Mundell OBE, who was a previous Chief Executive of Inverclyde Council 2006-2016 and Interim Chief

Executive, Orkney Island Council and Returning Officer 2019 to January 2023, be appointed to undertake the role of External Facilitator.

The cost associated with this service, including any necessary travel expenses, would be met within current budgets and would be similar to the provision currently in place.

Meetings would be undertaken with Group Party Leaders and the new Chief Executive to support and guide on the Performance Management Process during the probation period and ongoing for the annual performance appraisal. Following the performance review meetings, Mr Mundell would provide summary reports for Group Party Leaders.

It was further proposed that Ms Helen Newman, an experienced Senior Leader with a track record for strategic and operational delivery at a national level in local government, not for profit and more recently all sectors focusing on organisational and leadership development should be appointed to undertake a mentoring support role for the new Chief Executive. The arrangements for the mentoring support could be agreed with the new Chief Executive when he commences the role.

Mr Richard Baker was expected to commence employment with Council on Monday 13 November 2023. With the current Chief Executive leaving on the 31 October 2023, Ms Majella McAlister, Deputy Chief Executive and Director of Economic Development and Planning would cover during this interim period as Acting Chief Executive.

A draft Induction Programme circulated at Appendix 1, had been developed for the new Chief Executive. To support with a detailed handover, the current Chief Executive agreed to be available after her leaving date to provide this support, for which the appropriate remuneration would be paid, subject to the new Chief Executive and Acting Deputy Chief Executive making such a request.

Members were advised that the Joint Negotiating Committee for Chief Executives of local authorities, Chief Executives' handbook 2022, sets out conditions of service and procedures for Chief Executives in England and was provided for information to Councils in Northern Ireland and Wales. There was currently no handbook for Northern Ireland, therefore it was proposed that the Council adopts this handbook with the proviso that it may require amendments to comply with NI legislation and any differentiation would be undertaken in consultation and agreement with the Association of Local Authority Chief Executives and Senior Managers (ALACE).

Members were further advised that in relation to Discipline, Capability and Redundancy, a collective agreement was formally concluded by the Joint Negotiating Committee for Clerks/Chief Executives to Local Authorities in 1996 circulated at Appendix 2. This had been minimally amended to ensure legal compliance with the Statutory Dismissal and Disciplinary Procedure in Northern Ireland, a three step process that became effective from 2005 and this may be subject to further review and consultation.

As required, in advance of dealing with any case, it was proposed that the Council would establish the following panel/committees via D'Hont with appropriate training provided when needed:

- A preliminary investigation panel (see paragraph 3)
- An Investigation and Disciplinary Committee (see paragraph 3)
- An Appeals Committee (see paragraph 16)

Moved by Alderman Magill

Seconded by Alderman Cosgrove and

RESOLVED: that the following be approved: -

- a) Group Party Leaders continue conduct the performance management process of the Chief Executive during the 12-month probationary period and the annual performance appraisal and that any concerns and issues be reported to the Council.**
- b) Mr John Mundell OBE, be appointed as the External Facilitator to support the Group Party Leaders and the new Chief Executive with the performance management process during the probation period and ongoing for the annual performance appraisal.**
- c) Ms Helen Newman be appointed to provide mentoring support for the new Chief Executive.**
- d) Deputy Chief Executive to cover as Acting Chief Executive between 31 October and 13 November 2023.**
- e) The induction programme for the new Chief Executive be approved, with the option for the current Chief Executive to be available to provide a detailed handover, for which appropriate remuneration would be paid, subject to the new Chief Executive and Acting Deputy Chief Executive making such a request.**
- f) Adopting the JNC for Chief Executives of local authorities, Chief Executives handbook 2022, with the proviso that any necessary amendments to ensure legislative compliance in NI being undertaken with ALACE as required.**
- g) Adopting the JNC for Clerks/Chief Executives to Local Authorities in 1996 at Appendix 2, which may be subject to further review and consultation.**
- h) If required, in advance of dealing with any case, the Council will establish a preliminary investigation panel, an Investigation and Disciplinary Committee and an Appeals Committee via D'Hont.**

ACTION BY: Jennifer Close, Director of Organisation Development

MOTION TO PROCEED 'OUT OF COMMITTEE'

Moved by Councillor Kinnear
Seconded by Councillor Goodman and

RESOLVED: that the Council proceeds to conduct any remaining business 'In Public'.

Members were advised that the audio recording would restart at this point.

The Mayor thanked everyone for attending and the meeting concluded at 8.14 pm.

MAYOR

Council Minutes have been redacted in accordance with the Freedom of Information Act 2000, the Data Protection Act 2018, the General Data Protection Regulation, and legal advice.