

**BALLYMONEY BOROUGH COUNCIL  
LEISURE & AMENITIES COMMITTEE MEETING NO 375 – 29<sup>TH</sup> JUNE 2010**

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**BALLYMONEY BOROUGH COUNCIL**

Minutes of Leisure & Amenities Committee Meeting No 375 held in the McKinley Room, Riada House on Tuesday 29<sup>th</sup> June 2010 at 5.00 pm.

**CHAIR:** Alderman J Simpson (item 1)  
Alderman F Campbell (item 1 et seq)

**PRESENT:** **Alderman**  
H Connolly

**Councillors**  
A Cavlan  
R Halliday  
M McCamphill  
T McKeown  
A Patterson  
E Robinson  
I Stevenson

**APOLOGIES:** **Alderman**  
C Cousley, MBE, Deputy Mayor

**Councillors**  
J Finlay  
B Kennedy, Mayor

**IN ATTENDANCE:** Chief Executive  
Director of Borough Services  
Head of Corporate & Development Services  
Mr S Carey, Solicitor for Council

**375.1 ELECTION OF CHAIR**

It was proposed by Alderman Connolly, seconded by Councillor Cavlan and  
**AGREED:**

***that Alderman Simpson be elected temporary Chair to conduct the election of Chair for the ensuing year.***

Alderman Simpson invited nominations for the office of Chair.

It was proposed by Councillor Robinson, seconded by Councillor Halliday and **AGREED:**

***that Alderman Campbell be elected Chair of Committee for the ensuing year.***

There being no other nominations, Alderman Campbell was declared elected. Alderman Campbell assumed the Chair and thanked members for his election.

### **375.2 ELECTION OF VICE CHAIR**

The Chair invited nominations for the office of Vice Chair.

It was proposed by Councillor McCamphill, seconded by Alderman Connolly and **AGREED:**

***that Councillor Cavlan be elected to the office of Vice Chair of the Committee for the ensuing year.***

There being no other nominations, Councillor Cavlan was declared elected. Councillor Cavlan thanked members for her election.

### **375.3 BLOCKAGE OF ROUTE AVENUE**

The Director of Borough Services introduced the business which relates to the blockage by means of a substantial wooden fence, strengthened on a number of occasions of a public right of way connecting Semicock Avenue and Knock Road, Ballymoney. He referred to representations received, including a recent petition, and to the investigation and other work undertaken to date, making reference to a map in order to identify the land and ownerships concerned.

Committee then received advice from its Solicitor as to the mandatory duties of Council pertaining to both the assertion and protection of public rights of way and made recommendations as to how Council progress the matter and prevent a reoccurrence. Committee was advised that it was possible to acquire certain land for a nominal consideration.

Discussion ensued with responses by the Solicitor and Director to issues raised by members.

The Solicitor retired from the meeting.

\* **Councillor McGuigan arrived and Councillor McKeown left at 6.00pm during discussion on the matter.**

After further discussion, taking account of the advice from the Solicitor, it was proposed by Councillor Cavlan, seconded by Councillor Stevenson and **AGREED:**

**To recommend that :**

1. ***the persons who erected the obstruction be given the opportunity to remove the fence and reinstate the bed and soil and that if this does not happen within the defined period, then Council would act in accordance with the landowners consent;***
2. ***Council acquire the lands offered in respect of the public right of way; and***
3. ***Council in exercise of its statutory duty assert the public right of way and ask the Court, if necessary, to vindicate it.***

On being put to the meeting the motion was passed, 7 members voting for and 1 member voting against. Alderman Simpson asked to be recorded as voting against and Councillor Robinson asked that she be recorded as abstaining from voting.

Members recorded their thanks to staff for the detailed work done in investigating this matter.

**The meeting concluded at 6.40pm.**