**MINUTES OF THE PROCEEDINGS OF THE COUNCIL MEETING HELD**

**ON MONDAY 22ND APRIL 2013**

**In the Chair**: Councillor S Hunter

**Members Present**: Councillors J Baird, S Blaney, D F Cunningham, W Graham, D M McAllister, N McAllister, C McCambridge, R D McDonnell, R A McIlroy, M A McKillop, S McKillop, C McShane, P McShane, C C Thompson.

**Also Present**: Mr R G Lewis, Clerk and Chief Executive

Mrs M Quinn, Director of Corporate Services

Mr A McPeake, Director of Environmental Services

Mr Paul Duffy, Planning Service

Ms L Mooney, Member Services/Clerical Officer

**13/10:01 APOLOGIES AND CHAIRMAN’S BUSINESS**

Apologies were received on behalf of Councillor S McKillop, D McAllister and N McAllister.

Chairman’s Business

Condolences

Condolences were offered to the family and friends of the two men who had been tragically killed in Ballycastle over the weekend and it was noted with sympathy that a Council employee was father to one.

Emergency Planning Workshop

It was agreed that the Emergency Planning Workshop would be held on 22nd May at 10:00am.

Request from Marconi Radio Group

It was agreed to give permission to the Marconi Group for use of the Seafront on Sunday 5th May for a fundraising event, subject to the necessary insurance.

**13/10:02 MINUTES OF THE COUNCIL MEETING HELD ON 22ND APRIL 2013**

The minutes of the Council Meeting held on 22nd April 2013 having been circulated, were taken as read.

After discussion,

Councillor McIlroy proposed,

Seconded by Councillor Baird and resolved,

“That the Minutes of the Council Meeting held on 22nd April 2013 be adopted.”

**13/10:03 MATTERS ARISING FROM THE MINUTES OF THE COUNCIL MEETING HELD ON 22ND APRIL 2013**

There were no Matters Arising for discussion.

**13/10:04** **APPLICATIONS FOR PLANNING PERMISSION**

The Planning Schedule which had been circulated was taken as read.

E/2012/0215/F Mr John Huey, c/o Ross Planning, 9a Clare Lane, Cookstown. Location, 1770m East North East of 24 Coolkeeran Road, Armoy. Proposed Wind Turbine – 250kw, 30m Hub Height, 15m blade length.(Recommended for Refusal)

The above application was withdrawn.

E/2013/0005/O Ms H Black, C/O F A Wheeler, 201 Garron Road, Glenariff, BT44 0RA. Location, approximately 80m SE of 57 Churchfield Road, Ballycastle, Co Antrim. Proposed site for dwelling on a farm. (Recommended for Refusal)

The above application was deferred for an Office Meeting for further information.

E/2013/0006/F Mr J Huey, C/O Ross Planning, 9a Clare Lane, Cookstown. Location, 1270m East of 24 Coolkeeran Road, Armoy, Ballymoney. Proposed Wind Turbine – 250kw 30 Hub Height, 15m blade length. (Originally Recommended for Refusal, but changed to Recommended for Approval)

E/2012/0028/F Mr & Mrs D Gomez, C/O Bailey Architecture, 9 Glenview Road, Glenshesk, Ballycastle, BT54 6QE. Location, 6 Leyland Meadows, Ballycastle. Proposed single storey rear and side extension. (Recommeded for Approval)

The above two applications were approved.

Deferred Items

E/2011/0238/O Mr A Laverty, C/O 2020 Architects, 9a Linenhall Street, Ballymoney. Location, site 50m SE of 7 Causeway Road, Bushmills. Proposed dwelling and detached garage under dwelling on a farm planning policy CTY10. (Recommended for Refusal)

This application was removed pending a meeting with the Minister.

E/2012/0028/F NI Water, Westland House, Old Westland Road, Belfast. Location, Ballycastle Wastewater Treatment Works off Sheskburn Avenue, Ballycastle. Proposed upgrading of Ballycastle WwTW on existing site plus additional adjoining land to provide a new wastewater treatment process to include tanks and kiosks and utilise existing building. (Recommended for Approval)

E/2012/0086/F M I McConaghy, C/O Pro-Design 43, Kilmandil Road, Cloughmills, Ballymena. Location, 18b Toberkeigh Road, Bushmills. Proposed replacement dwelling and garage. (Recommended for Approval)

E/2012/0089/F Mr G McCormick, 7 Glenmakeeran Road, Ballycastle, BT54 6PU. Location, 45m west of 7 Glenmakeeran Road, Ballyvoy, Ballycastle, Co Antrim. Proposed new dwelling and garage. (Recommended for Approval)

The above three applications were approved.

After discussion, it was agreed that the Office Meeting would be held on 2nd May.

**13/10:07** Feasibility Study for Glenariff Coastal Centre on the Causeway Coastal Route, near Garron Point

It was agreed to bring forward item 1.3 from the Interim Development Report.

A presentation was given to Council by Sharon Scott on the provision of a modern welcoming Coastal Centre near Garron Point which would include a beach café, toilet provision and visitor centre experience. It was stated that the primary aim of the project was to attract more visitors and increase visitor spend which would positively impact on the economic vitality of the village, by establishing an effective link between the village, Glenariff Forest and the wider Causeway Coast and Glens Area.

With regard to a request from Glenariff Improvement Group for the Council to take the lead;

Councillor Thompson proposed,

Seconded by Councillor McCambridge and resolved,

“That Council would take the lead in an application to the Coastal Communities Fund and any future funding applications.”

**13/10:05 PRESENTATION FROM PATIENT AND CLIENT COUNCIL**

A comprehensive presentation was delivered by Jackie McNeill on the work of the Patient and Client Council, followed by questions and answers. Discussion included, car parking at hospitals, powers held by the Patient and Client Council, Transforming Your Care and promotion of public health.

After discussion,

Councillor McCambridge proposed,

Seconded by Councillor Hunter and resolved,

“That Patient and Client Council would provide an article for the next edition of Moyle Matters.”

**13/10:06 ENVIRONMENTAL SERVICES REPORT**

The Environmental Services Report, having been circulated, was taken as read.

Consultation on Impact of Mandatory Display of Food Hygiene Ratings in Northern Ireland

After discussion, during which Councillors C McShane and McIlroy left and returned and issues discussed included, the health and safety regulations versus the rating of premises, commercial competition, testing procedures, legal requirements, paperwork and intrusion on rights,

Councillor McDonnell proposed,

Seconded by Councillor Baird,

“That the display of ratings should not be mandatory.”

On a vote being taken, there were six votes in favour of and six votes against the proposal. The Chairperson used her casting vote against the proposal which was lost.

It was therefore agreed to approve the consultation response on the impact of Mandatory Display of Food Hygiene Ratings in Northern Ireland.

Tenancy Deposit Scheme Regulations (NI) 2012 - Officer Authorisations & Setting Fixed Penalty Amount

After discussion,

Councillor P McShane proposed,

Seconded by Councillor Thompson and resolved,

“That the amount of the fixed penalty for offences under Article 5B (10) and 65A (4) would be £500 and that the power to authorise competent officers to issue fixed penalty notices under article 68a of the Private Tenancies (NI) Order 2006 be delegated to the Chief Executive, Director of Environmental Services and Head of Environmental Health.”

It was agreed that the DES would investigate if this fixed penalty would be applicable in short term lets.

It was also agreed that this information would be publicised in the Moyle Matters publication.

Community Bulk Buying Oil Scheme Toolkit

Details of the Community Bulk Buying Scheme were outlined.

After discussion, it was agreed that the Community Bulk Buying Oil Scheme would be publicised in Moyle Matters.

It was also agreed that the figures for Oil Stamps would be broken down into a comparison of this year compared to last year.

Dunseverick Harbour

After discussion, it was agreed that the DES would follow up the timescale for the replacement of bollards at Dunseverick Harbour.

Best Kept Awards – NI Amenity Council for 2013

After discussion, it was agreed that the following towns and villages would be entered into the Best Kept Awards 2013; Armoy, Ballintoy, Ballycastle, Bushmills, Cushendall, Cushendun, Mosside and Waterfoot.

Ballycastle CSSM 2013

After discussion, it was agreed that Ballycastle CSSM would be given permission to use Ballycastle Beach and the grass area at the sea front for outdoor events from 4th – 9th August.

NIE Substation – Quay Road, Ballycastle

After discussion,

Councillor McIlroy proposed,

Seconded by Councillor McDonnell and resolved,

“That Council agree to lease a portion of land at the corner of the Quay Road Sports Complex to NIE for a substation.”

Tender for the Provision and Installation of Outdoor Gym Equipment

After discussion, it was agreed that Hawthorn Heights be awarded the contract for provision of an outdoor gym for a sum of £16,415 + VAT.

Update on Blue Bin Contract

After discussion,

Councillor Graham proposed,

Seconded by Councillor Baird and resolved,

“That the meeting continue in committee.”

An update was given on the ongoing dispute regarding the Blue Bin Contract.

After discussion, it was agreed to take further advice from the North West Waste Management Group regarding testing an element of Blue Bin waste for contamination and if this could have any bearing on any possible legal proceedings.

The meeting continued out of committee.

Update on Dereliction Intervention Funding Project

Council was given an update on the dereliction funding works which were now complete.

Members welcomed the work done on this project.

Councillor McIlroy left the meeting.

Layde Path, Cushendall – Request for Fencing

Reference was made to a request for Council to install approximately 20m of ranch fencing to increase pedestrian safety and reduce potential for further flytipping.

After discussion, it was agreed not to install 20m of ranch fencing at Layde Path, Cushendall as it was felt that this would not deter fly tipping.

Councillors C & P McShane left the meeting.

The Local Government (Miscellaneous Provisions) (NI) Order 1985

Application for Occasional Entertainments Licence – Tom Duffy’s Circus.

This was approved.

Application for Renewal of Entertainment’s Licence for Hunter’s Bar.

The meeting continued in committee.

Reference was made to correspondence from the PSNI and after discussion,

Councillor McDonnell proposed,

Seconded by Councillor Hunter and resolved,

“That the application for the Renewal of Entertainment’s Licence for Hunter’s Bar be approved.”

The meeting continued out of committee.

Addendum

Visitor Moorings at Red Bay, Cushendall

Reference was made to the visitor moorings at Red Bay, Cushendall and options discussed.

After discussion,

Councillor Hunter proposed,

Seconded by Councillor McIlroy and resolved,

“That Council repair and replace the visitor moorings at Red Bay, Cushendall and then draw up a lease whereby the Cushendall Sailing and Boating Club take on responsibility for the management of the moorings including all costs for insurance, annual inspection, replacement of parts and Crown Estate costs.”

Designation of Trading Areas

Reference was made to consideration of the designated trading areas for the Lammas Fair by the Working Group.

After discussion, it was agreed in principle to change the street trading designated areas as detailed in the report.

After discussion,

Councillor Graham proposed,

Seconded by Councillor McIlroy and resolved,

“That the Environmental Services Report be adopted.”

**13/10:09 HORSE CAUTION ROAD SIGNAGE**

(Requested by Councillor C McShane)

It was agreed that this item would be brought forward.

Councillor C McShane introduced three speakers who were present in the gallery to talk about safety for Horse riders on the road and increased road signage and awareness.

Following discussion, during which the following issues were raised; potential dangers to horse riders on the roads, speeding traffic on the roads, dangerous driving charges, possible consequences, education and public awareness, signals to slow down, signage required and promotion of the area for horse riders; it was agreed to write to Roads Service to lobby for Horse Caution Road Signage and also to ascertain if there would be any costs involved.

**13/10:07 INTERIM DEVELOPMENT SERVICES REPORT**

The Interim Development Services Report, having been circulated, was taken as read.

After discussion, it was agreed that the meeting would continue in committee.

Reference was made to Marconi’s Cottage, Carrickmore Road, Ballycastle and correspondence from Council’s solicitor which required consideration.

After discussion,

Councillor McDonnell proposed,

Seconded by Councillor Baird,

“That Council give an undertaking not to object to the abandonment of the public road, from the eastern boundary of the car park to the house, at Marconi’s Cottage, Carrickmore Road, Ballycastle.”

A recorded vote was requested on the issue.

On a recorded vote being taken, Councillors Baird, Blaney, Graham, Hunter, McDonnell and McIlroy voted in favour of and Councillors Cunningham, McCambridge, M A McKillop, C McShane, P McShane and Thompson voted against the proposal. Councillor Hunter used her casting vote in favour of the proposal which was carried.

The meeting continued out of committee.

Family Business Programme

Reference was made to correspondence from Invest NI.

After discussion, it was agreed that Council accept the offer of financial assistance from Invest NI under the European Regional Development Fund to deliver an LED Family Business Programme as detailed in the report.

After discussion,

Councillor Blaney proposed,

Seconded by Councillor McIlroy and resolved,

“That the Interim Development Services report be adopted.”

**13/10:08 APPOINTMENT OF CHAIR TO MOYLE PCSP 2013/2014 (DEFERRED FROM PREVIOUS MEETING)**

After discussion,

Councillor Hunter proposed,

Seconded by Councillor Graham and resolved,

“That Councillor Baird be appointed as Chair to the Moyle PCSP for

2013-14.”

**13/10:10 CONFERENCES, COURSES**

Overview of the changes to the Social Security Benefit System and Welfare Reform. To be held on 23rd April 2013 for Foundation Level and 7th May 2013 for Advanced Level at Citizens Advice Regional Office, Belfast

After discussion,

Councillor C McShane proposed,

Seconded by Councillor Baird and resolved,

“That Councillor M A McKillop be nominated to attend the Advanced Course for Overview of the changes to the Social Security Benefit System and Welfare Reform on 7th May 2013.”

**13/10:11 Notices of Applications under the Licensing (NI) Order 1996 and Betting, Gaming, Lotteries and Amusements (NI) Order 1985**

Application for the renewal of a licence, Ciaran McIlroy, 76 Castle Street, Ballycastle.

There were no objections to the above application.

**13/10:12 Sealing of Documents**

There were no documents for signing and sealing.

**13/10:13 CorrespondencE**

1. Department of the Environment, Severance Arrangements for Councillors and draft Local Government (Severance Payments for Councillors) Regulations (Northern Ireland) 2013, Consultation Document April 2013

It was agreed that a response would be left to the NAC and that individual Councillors could respond if they wished to do so.

1. Letter dated 19th March from Councillor Paul Frew MLA regarding enclosed correspondence from the Health Minister regarding Cushendall Fire Station.
2. Letter dated 8th April 2013 from the Department of Health, Social Services and Public Safety regarding Consultation on Draft Guidance on Termination of Pregnancy.
3. Letter dated 10th April 2013 from David McIlveen MLA regarding enclosed correspondence from the Health Minister regarding Cushendall Fire Station.
4. Letter dated 12th April 2013 from the Minister of the Environment regarding the Executive’s Programme for Government 2011-2015
5. District Electoral Areas Commissioner’s briefing April 2013
6. Email dated 15th April 2013 from David Bell, Nilga regarding DEA Boundaries Commissioner Update
7. Letter dated 15th April 2013 from the Department of Health, Social Services and Public Safety regarding appointment of 1 Local Government representative member to the Patient and Client Council.

Correspondence listed (b) to (h) was noted.

Circulated on the night

Letter dated 18th April 2013 from the District Electoral Areas Commissioner regarding the Review of Local Government District Electoral Areas Publication of Provisional Recommendations

It was noted that the District Electoral Areas Commissioner planned to publish his Provisional Recommendations for the Local Government District Electoral Areas for Northern Ireland on Thursday 2nd May 2013.

**The meeting concluded at 22:30pm**

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**CHAIRMAN**

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**CLERK & CHIEF EXECUTIVE**