

**MINUTES OF THE PROCEEDINGS OF THE COUNCIL MEETING HELD
ON MONDAY 26TH JANUARY 2015**

In the Chair: Councillor D Cunningham

Members Present: Councillors J Baird, S Blaney, W Graham,
RD McDonnell, D McAllister, R McIlroy, MA McKillop
P McShane

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

Mrs M Quinn, Director of Corporate Services

Mrs E Mulholland, Director of Development Services

Mr A McPeake, Director of Environmental Services

Mr P Caldwell, Head of Technical Services Unit

Ms R Bain, Biodiversity Officer

Ms J Lundy, Planning Service

Ms D Bader, Member Services Clerical Officer

15/02:01

APOLOGIES AND CHAIRMAN'S BUSINESS

Apologies

Apologies were received on behalf of Councillors Hunter, McCambridge,
S McKillop and C McShane.

Chairman's Business

Electoral Registration

The Chair reported that Ballymena Area Electoral Office would be visiting Moyle Council Offices to hold a Registration and ID event on Wednesday 4th February 2015 from 6pm-8pm, in the Mayor's Parlour.

Christian Unity Week

The Chair made reference to Christian Unity Week.

After discussion,

Councillor Cunningham proposed,
Seconded by Councillor Baird and resolved,
“That Council would hold a reception for the many Church based organisations throughout the area.”

15/02:02

DECLARATIONS OF INTEREST

There were no Declarations of Interest.

15/02:03

MINUTES OF THE COUNCIL MEETING HELD ON 15TH DECEMBER 2014

The minutes of the Council Meeting held on 15th December 2014, were taken as read.

Councillor Blaney requested that he wished to make an amendment to Page 8 under Item 14/22:09 and that Councillor McIlroy's name was omitted from Councillors wishing attend the to attend the NILGA Regional Elected Member Development Series – “Guidance on the Code of Conduct “to be held on 16th December 2014 at Lough Neagh Discovery Centre, 13th January 2015 at Newtownabbey (Mossley Mill) and 28th January 2015 at Omagh (Silver Birch Hotel, TBC – as part of a special NILGA Full Members Meeting).

After discussion,

Councillor Baird proposed,
Seconded by Councillor MA McKillop and resolved,
“That Councillor McIlroy be nominated to attend the above conference on 28th January 2015.”

After discussion,

Councillor MA McKillop proposed,
Seconded by Councillor Baird and resolved,
“That the minutes of the Council Meeting held on 15th December 2014 be adopted, subject to the above amendment.”

15/02:04

MATTERS ARISING FROM THE MINUTES OF THE COUNCIL MEETING HELD ON 15TH DECEMBER 2014

There were no matters arising.

APPLICATIONS FOR PLANNING PERMISSION

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

E/2014/0117/F Mr Liam Davidson, c/o Hunter Associates, 8 Charlotte Street, Ballymoney, BT53 6AY. Location: Adjacent to 86 Carrowreagh Road, Stranocum. Proposed new dwelling and detached garage. (Recommended for approval)

The above application was approved.

E/2014/0119/F NI Water, c/o Doran Consulting, 96-102 Great Victoria Street, Belfast, BT2 7BE. Location: Ballynagard, Rathlin Island, Ballycastle, Moyle, BT54 6SB. Proposed construction of an additional kiosk to house equipment for the treatment of a supplementary public water supply to the Island residents. (Recommended for approval)

The above application was approved.

E/2014/0210/O Brown Brothers, c/o 2020 Architects, 37 Main Street, Ballymoney, BT53 6AN. Location: 135m West of 18 Lagavara Road, Ballycastle, BT54 6NF. Proposed outline application for a replacement dwelling under PPS21 CTY03. (Recommended for refusal)

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

E/2014/0211/O Brown Brothers, c/o 2020 Architects, 37 Main Street, Ballymoney, BT53 6AN. Location: 140m West of 18 Lagavara Road, Ballycastle, BT54 6NF. Proposed offsite replacement dwelling under PPS21 CTY03. (Recommended for refusal)

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

E/2014/0217/F Mr Richard Henderson, c/o W J Watters, 39 Glenstall Road, Ballymoney, BT53 7QN. Location: 9/10 Elmwood Park, Bushmills, BT57 8QT. Proposed side extension to provide additional storage and sales area. (Recommended for approval)

The above application was approved.

E/2014/0221/O McHenry Brothers, c/o MKA Planning Ltd, 32 Clooney Terrace, Londonderry, BT48 8NE. Location: Lands adjacent to No 31 Dunamallaght Road, Ballycastle. Proposed site for 2 no infill dwellings in line with Policy CTY8 of PPS21. (Recommended for refusal)

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

E/2014/0224/F Mr Mark Thallon, 6 Aird Clachan, Bushmills, BT57 8AS. Location: 6 Aird Clachan, Bushmills. Proposed extension to front and rear of existing dwelling. (Recommended for refusal)

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

Deferred Items

E/2014/0001/O Mr and Mrs Quinn, c/o Bailey Architecture, 9 Glenview Road, Glenshesk, Ballycastle, BT54 6QE. Location: 27 Chapel Road, Cushendall, BT44 0RS. Proposed new dwelling. (Recommended for approval)

The above application was approved.

E/2013/0038/Mr Sean McAlonan, c/o Joseph E McKernan and Son, 25 Market Road, Ballymena, BT43 6EL. Location: 450m SE of 140 Glenshesk Road, Armoy, Ballymoney, Co Antrim, BT53 8SA. Proposed Hydro-Electric Scheme, including construction of a wash-over screen and water intake, penstock pipe and water outfall structure (maximum output 14Kw). (Recommended for refusal)

The above application was refused.

E/2014/0071/O Mr L Haliday, c/o 2020 Architects, 37 Main Street, Ballymoney, BT53 6AN. Location: 106.5m East of 206 Straid Road, Bushmills, Co Antrim, BT57 8XJ. Proposed dwelling and garage. (Recommended for Refusal)

The above application was to be held for 2 weeks to allow for an Office Meeting with Minister Storey (Councillor McIlroy to liaise).

E/2014/0094/F G V Contracts , c/o O N Wheeler, F A Wheeler, 201 Garron Road, Glenariffe, Ballymena, BT44 0RA. Location: 5-5a Shore Road, Cushendall, Co Antrim, BT44. Proposed erection of 4 no. apartments in 2 no two storey blocks and one single storey unit, new access, car parking and ancillary works. (Recommended for refusal)

The above application was withdrawn.

E/2014/0097/O Mr J O'Kane, c/o Simpson Design, 42 Semicock Road, Ballymoney, BT53 6PY. Location: 152m SW of 37 Cairns Road, Cushendall. Proposed site of dwelling and garage on a farm. (Recommended for refusal)

The above application was deferred for an Office Meeting with MLA (Councillor MA McKillop to liaise).

E/2014/0152/F Jonathan Hamill, c/o Bailey Architecture, 9 Glenview Road, Glenshesk, Ballycastle, BT54 6QE. Location: 14 Strandview Road, Ballycastle, Co Antrim BT54 6BU. Proposed alterations to bay window on front elevation previously approved under E/2011/0061/F and new window on side elevation. (Recommended for refusal)

The above application was to be held for 2 weeks to allow for an Office Meeting with Minister Storey (Councillor McIlroy to liaise).

E/2014/0166/F Mr and Mrs O McDonnell, c/o Lavery Architecture, 63a Churchfield Road, Ballycastle, BT54 6PX. Location: 57m North West of 61 Drumavoley Road, Ballycastle, Co Antrim, BT54 6PQ. Proposed new farm dwelling and garage. (Recommended for refusal)

The above application was withdrawn.

It was agreed that the Office Meetings would be held on Thursday 5th February 2015.

Councillor Baird made reference to E/2012/0164/O and the right of appeal and wished it to be recorded that she was disappointed that there appeared to have been no proper due process for hearing this appeal.

15/02:08

**REPRESENTATION FROM COUNCIL ON PLANNING ISSUE
REGARDING MORELLI'S SIGNAGE AT THE SEAFRONT,
BALLYCASTLE**

(Requested by Councillor C McShane)

It was agreed that Item 8 on the Agenda would be brought forward.

Reference was made to the planning issue on the signage erected at Morelli's on the seafront.

Members felt that the erected sign was not out of place but was in line with other shops and colour schemes on the seafront, however Planning deemed it to be outside the guidelines on design. This decision clearly shows the need for pre-application discussions with the Planning Office.

It was concluded that this was a matter for the Planning Appeals Commission and not Moyle District Council.

15/02:06

**ENVIRONMENTAL SERVICES REPORT & ADDENDUM TO
ENVIRONMENTAL SERVICES REPORT**

The Environmental Services Report and Addendum to Environmental Services Report, having been circulated were taken as read.

Biodiversity Update

Copies of the Local Biodiversity Action Plan 2013-2018 were distributed on the night.

A comprehensive report was delivered by the Biodiversity Officer for Ballymoney, Coleraine, Limavady and Moyle Councils, which included a summary of projects already undertaken and future projects planned, followed by questions and answers.

Members thanked the Biodiversity Officer for her enthusiasm and her hard work in conjunction with educating schools.

Discussions included, changing of the pond in Ballymoney, nesting boxes for swifts and the possibility of plastic boxes to be available for the public to buy to build their own to encourage birds to nest, the disturbance to wildlife whilst the Pitch and Putt is being constructed in Ballycastle, the introduction of styles to improve access across The Commons, Waterfoot and the Don't Mow Let it Grow project which encourages late cutting of verges to help maintain wildlife, insects and the flowers.

Councillor P McShane left the meeting.

Creagh/Craigagh Wood Local Nature Reserve (LNR)

Through the Heart of the Glens Landscape Partnership Scheme (LPS) Creagh Wood was highlighted as a potential LNR within the Moyle District Council area. Working with the landowner, Heart of the Glens LPS, the Councils Countryside & Coast Officer and Biodiversity Officer, it is proposed that Council designate Creagh Wood as a Local Nature Reserve.

After discussion, which included financial implications, it was agreed that Council would designate the area of land, known as Creagh Wood as a Local Nature Reserve and Council would give approval for the Countryside & Coast Officer to progress the lease negotiations with the landowner. Details are to be brought back to Council before the lease is formally approved.

Biodiversity Project at the Commons, Waterfoot

Reference was made to the biodiversity project at The Commons in Waterfoot, which would allow for light winter grazing to increase the biodiversity of the site, whilst improving access around the Commons through the use of styles.

After discussion, it was agreed that Council would approve the project to introduce conservation grazing to The Commons in Waterfoot, along with some access improvement works.

Biodiversity Project – Agnew's Field, Cushendall

With reference to the Agnew's Field, Cushendall biodiversity project, after discussion, it was agreed that Council would arrange to change the cutting and bailing of the site with no fertiliser to after the end of August, to manage it as a hay meadow therefore allowing a variety of grasses and flowers to return to the site over time, and to cut a pathway through the meadow so as to encourage people to wander through.

Welfare of Animals Act (Northern Ireland) 2011 – Authorisation of Officers

With reference to the Welfare of Animals Act Northern Ireland 2011 and in exercise of its powers under 47(A) of the Local Government Act 1972 as amended by Article 26 of the Local Government (Miscellaneous Provisions) (NI) Order 1985, it was agreed that Moyle District Council would appoint the under mentioned as Animal Welfare Officers:

Mr Connor McCready, Ms Sandra Morton and Ms Danielle Courtney

Approval of Premises Under EC Regulation 853/2004

After discussion, it was agreed that Council would give full approval to North Coast Smokehouse at Unit 3 Moyle Enterprise Centre, 61 Leyland Road, Ballycastle, BT54 6EZ, for the production of hot smoked fishery products following the approval of their Premises Under EC Regulation 853/2004.

Application for Bye-Law Registration

After discussion, it was agreed that Council would approve an application for Bye-Law Registration of a business for Semi-permanent Skin-Colouring received from Joan Burns, Vanity Beauty Salon, 7 The Diamond, Ballycastle.

Councillor D McAllister left the meeting.

Presentation – Update on Technical Services Unit – Capital Works & Waste – Paul Caldwell

A Technical Services Update was delivered by the Head of Technical Services, which included how the Technical Services Department operates and what it achieves, projects completed to date and those still in progress, and a breakdown of costs incurred in operating the Technical Services Department, followed by questions and answers.

Members thanked the Head of Technical Services for his detailed report. Issues discussed included Camping Cabins, rubbish thrown from cars and ferries, current work on the Tennis Pavilion, ivy growing at the Ballycastle Museum, monies spent on refuse collection and disposal, and the removal of large stones deposited by the huge storms at Ballycastle Harbour and Ballintoy Harbour.

Tender for Refurbishment Works to Cushendall Promenade Handrail

After discussion, it was agreed that Council would appoint McLean Sandblasting Co to undertake the refurbishment works to Cushendall Promenade Handrail for the sum of £18,229.

Tender for Vehicular Access Barriers to Caravan Parks

After discussion, which included this being operated as part of a booking system and providing access for the duration of the stay, it was agreed that Council would appoint Dallat Group to undertake the works for vehicular access barriers to Cushendun and Cushendall Caravan Parks for the sum of £18,296.

Tender for Ballycastle Forest Entrance Improvements

After discussion, it was agreed that Council would appoint MP Coleman to undertake the works for Ballycastle Forest entry improvements (Fairhill Street) for the sum of £74,386.40.

Update on Caravan Park Regulatory Issues (Wooden Sheds)

Reference was made to the regulatory issues surrounding the prohibition of wooden shed in Caravan Parks.

After discussion, which included Health and Safety, a meeting with Council Officers and the Cushendun Caravan Occupiers Association (CCOA) and legal advice taken, it was agreed that Council would prohibit the presence of wooden sheds on all caravan parks for the season commencing April 2015.

Request for Permission for NIE Wayleave at Fairhill Street, Ballycastle

It was agreed that Council would approve the request from Auburn Homes, Ballymena for permission for NIE Wayleave at Fairhill Street to allow NIE to excavate and install their electric cable through Council property.

Temporary Land Rental for Construction Compound for Ballycastle WW TW Upgrade NI Water

With reference to RPS Group requesting Council considering leasing land for a temporary construction site compound during the construction of the Ballycastle Ww TW upgrade NI Water, commencing Summer 2015, for a period of two years, it was agreed to defer this pending the outcome on discussions between NI Water and the landowner, and this then be brought back to Council.

North West Region Waste Management Group Contractual Dispute with ReGen

After discussion,

Councillor Baird proposed,
Seconded by Council Graham and resolved,
"That the Meeting continued In Committee."

Reference was made to the mediation meeting which took place on 19th December 2014 to try to resolve the MDR contractual dispute between NWRWMG and ReGen. The DES summarised the situation to date for members information.

The meeting continued out of Committee.

After discussion,

Councillor Blaney proposed,
Seconded by Councillor Baird and resolved,
"That the Environmental Services Report and Addendum to the Environmental Services Report be adopted."

INTERIM CORPORATE SERVICES REPORT

The Interim Corporate Services Report was taken as read.

Recruitment and Selection - Agency

After discussion, it was agreed that Council would extend the arrangement with Riada Recruitment Agency to provide seasonal agency staff for the 2015 season, until CC&G Council tender this service.

Councillors Payments (Allowances plus expenses)

After discussion, it was agreed that Council would pay the allowance for March 2015 at the end of March 2015 (instead of the beginning of April) and expenses up to Friday 20th March 2015 to be submitted to Finance on Monday 23rd/Tuesday 24th March 2015.

After discussion,

Councillor McIroy proposed,
Seconded by Councillor Graham and resolved,
“That the Interim Corporate Services Report be adopted.”

Councillor MA McKillop left the meeting.

It was agreed that the Interim Development Services Report would be taken after the Interim Corporate Services Report.

INTERIM DEVELOPMENT SERVICES REPORT

The Interim Development Services Report was taken as read.

Change of Circumstances to Causeway Enterprise Agency's Tourism Infrastructure Fund Grant Application

After discussion, it was agreed that Council would approved the extension to the Tourism Infrastructure Fund Letter of Offer to Causeway Enterprise Agency until 13th March 2015, due to the project moving to a smaller premises and being rebranded.

After discussion,

Councillor McIroy proposed,
Seconded by Councillor Blaney and resolved,
“That the Interim Development Services Report be adopted.”

Councillor M A McKillop returned to the Meeting.

15/02:09

CONFERENCES AND COURSES

NILGA and Enterprise Northern Ireland – Small Business Summit: What next for SME support? To be held on Thursday 12th February 2015 at Island Hall, Lagan Valley Island, Lisburn at 9.15am-1.30pm

After discussion,

Councillor McIlroy proposed,
Seconded by Councillor Blaney and resolved,
“That Councillor S McKillop be nominated to attend.”

On the Hill in Association with Turley Informal Local Development Plans, powered by Chambre Public Affairs – Delivering certainty for communities and investors – Half –day Conference on Wednesday 18th March 2015 at Riddell Hall, Queens University Belfast, Stranmillis

After discussion,

Councillor McIlroy proposed,
Seconded by Councillor Blaney and resolved,
“That Councillor S McKillop be nominated to attend.”

15/02:10

NOTICES OF APPLICATIONS UNDER THE LICENSING (NI) ORDER 1996 AND BETTING, GAMING, LOTTERIES AND AMUSEMENTS (NI) ORDER 1985

There were no objections to the application for an Occasional Licence from Connor Connolly of Dunvale Arms, Unit 2 Dunclug Shopping Centre, Ballymena for a club fundraiser disco for Ruairi Og GAC Cushendall, at Cushendall Parish Centre, Chapel Road, Cushendall between the hours of 9pm on Saturday 7th February 2015 and 1am on Sunday 8th February 2015.

15/02:11

SEALING OF DOCUMENTS

There were no documents for signing and sealing.

15/02:12

CORRESPONDENCE

- (a) Spring/Summer Schedule Timetable 1st April 2015 – 13th September 2015 between Rathlin and Ballycastle.

The above correspondence was marked as read.

- (b) Letter dated 19th January 2015 from the Post Office with reference to the relocation and modernisation of Ballycastle Post Office, 27 Anne Street to the Spar, 36 Castle Street as from Tuesday 24th March 2015.

Councillor Baird expressed concern that the elderly would find it difficult to walk up the steep hill to the new Post Office in Castle Street.

AOB

Invitation to Councillors

After discussion, it was agreed that the invitation for Councillors to attend the launch of the Glens Landscape Scheme Website and Traditional Music Leaflet on Wed 28th January 2015 in the Glens Hotel Cushendall would be an approved duty.

After discussion,

Councillor McIlroy proposed,
Seconded by Councillor Graham and resolved,
"That Councillor Baird be nominated to attend."

Overflowing Septic Tank

Councillor Baird made reference to a septic tank which had been emptied over the last 12 months but was now in need of being emptied again. The householder was informed that they would have to travel to Belfast to pay the required fee and were not permitted to pay by Direct Debit or Credit Card over the phone.

The meeting concluded at 21:12

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CHAIRMAN

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CLERK & CHIEF EXECUTIVE