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

**ON MONDAY 29TH JULY 2013**

**In the Chair**: Councillor C McShane

**Members Present**: Councillors J Baird, S Blaney, D F Cunningham, W Graham, S Hunter, C McCambridge, R D McDonnell, R A McIlroy, M A McKillop, 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 Duffy, Planning Service

Mr David Montagu-Smith, Rathlin Energy

Mr Dermot Nesbitt, Rathlin Energy

Mr Tom Selkirk, Rathlin Energy

Mr Diarmuid O’Loan, RPS for Rathlin Energy

Mr Jonathan Foster, Moorhouse Drilling for Rathlin Energy

Ms L Mooney, Member Services/Clerical Officer

**13/17:01 APOLOGIES AND CHAIRMAN’S BUSINESS**

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

Chairman’s Business

Condolences

Sincere sympathy was expressed on behalf of the Council to Councillor McIlroy, his wife Wendy and family on the passing of his daughter. Condolences were also offered on the passing of Patsy McGolderick

Meeting with Roads Service and NIHE

It was agreed that a meeting with Roads Service and NIHE in attendance to discuss the residential areas in Ballycastle would be held on Thursday 1st August at approximately 3 – 3:30pm and that specific arrangements would be circulated.

Congratulations

Congratulations were offered to Lir Irish Dancing School on their record breaking River Dance line.

Letter to Minister of Environment

It was agreed that Council would write to the new Minister of the Environment to invite him to come to Council at his earliest convenience for a meeting regarding National Parks.

Flooding at Bushmills

It was agreed that a letter would be sent to Roads Service and Northern Ireland Water requesting a meeting with regard to the recent flooding in Bushmills.

**13/17:02 MINUTES OF THE COUNCIL MEETING HELD ON 24TH JUNE 2013**

The minutes of the Council Meeting held on 24th June 2013 having been circulated, were taken as read.

After discussion,

Councillor Blaney proposed,

Seconded by Councillor M A McKillop and resolved,

“That the Minutes of the Council Meeting held on 24th June 2013 be adopted.”

**13/17:03 MATTERS ARISING FROM THE MINUTES OF THE COUNCIL MEETING HELD ON 24th JUNE 2013**

Camper Vans at Ballintoy

After discussion, it was agreed that the problem of parking of Camper Vans at Ballintoy Harbour would be investigated.

Barriers at Dunseverick Picnic area

It was agreed there would be an investigation into the reason why the barriers at Dunseverick picnic area had been left open.

**13/17:04** **APPLICATIONS FOR PLANNING PERMISSION**

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

E/2012/0219/F Mr J Mulholland, C/O W M McNeill, 30 Knowehead Road, Broughshane, Ballymena. Location, in between no 176 and 176d Garron Road, Glenariffe, Co Antrim. Proposed site for new dwelling and garage on the farm between no 176 and 176d Garron Road, Glenariffe. (Recommended for refusal)

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

E/2012/0225/F Mr Brian Jamieson, C/O Strategic Planning, 4 Pavillions Office Park, Kinnegar Drive, Holywood. Location, 170m SW of 9a Ballinlea Road, Ballycastle. Proposed erection of 225kw wind turbine (26m hub height, 32 blades) (Recommended for approval)

E/2013/0037/F Liam Hamilton, 150 Torr Road, Cushendun, Ballymena. Location, turbine house 250m north east of 150 Torr Road, Cushendun, Ballymena. Proposed, microhydroelectric, renewable energy system (20kw) on the Tornamoney Burn. (Recommended for approval)

E/2013/0057/F PS Engineering, C/O G M Design Associates Ltd, 22 Lodge Road, Coleraine. Location, 120b Ballinlea Road, Carrowreagh, Ballymoney. Proposed, retention of 40 ft container for the storage of steel and 1 no existing floodlight fixed to existing workshop building. (Recommended for approval)

The above three applications were approved.

E/2013/0062/F Mr A Fraser, C/O Povall Worthington, 5 Pilots View, Heron Road, Belfast, BT3 9LE. Location, 40 Carrickmore Road, Ballycastle. Proposed, retention of land for use as domestic curtilage and ancillary works to include concrete kerbing, gate and satellite dish. (Recommended for refusal)

It was requested that this application be deferred for an Office Meeting for further information but after discussion it was also requested that Council accept the recommendation of the planning service. On a vote being taken, there were 8 votes in favour of accepting the refusal and 4 against.

The above application was refused.

Deferred Applications

Mr J McKinley, C/O G M Design Associates, 22 Lodge Road, Coleraine, BT52 1NB. Location, 135m N.N.E of the Kelp Store, Ouig Demense, Church Bay, Rathlin Island. Proposed erection of Replacement Dwelling.

E/2011/0238/O Mr Alan Laverty, C/O 2020 Architects, 9a Linenhall Street, Ballymoney, BT53 6DP. Location, site 50m SE of 7 Causeway Road, Bushmills, BT57 8SU. Proposed dwelling and detached garage under ‘Dwelling on a farm.’ Planning policy CTY10

The above two applications were approved.

E/2012/0197/A Joanne McGarrity, C/O Norman Perry, Diamond Design Studio, 5 Straid Road, Ballycastle, BT54 6HQ. Location, Whitepark Road on lands to the South of 14a Harbour Road, Ballintoy, Co Antim, BT54 6NA. Proposed free standing, pole mounted directional sign.

It was agreed that the issue of refusal would be held for 2 weeks.

It was agreed that the Planning Office Meetings would be held on Thursday 8th August.

**13/17:05 PRESENTATION FROM RATHLIN ENERGY**

A comprehensive presentation was delivered by on the planning application for Ballinlea 2, followed by questions and answers.

Following the presentation in which issues raised included, the current and proposed Northern Ireland Work Programme, the current planning application, key well site selection factors, environmental and social considerations, ongoing engagements, site construction, well design and drilling, testing, restoration and aftercare, tax breaks and donations, dumping of waste water and sludge, residents issues, fracking, use of chemicals, potential for water pollution and number of wells needed, questions and answers were taken from Councillors and members of the public.

After discussion, it was agreed that a meeting would be organised with DETI the Licensing Body and Planning Service in attendance to discuss the planning application for drilling for Oil and Gas at Ballinlea.

Councillor McCambridge left the meeting.

**13/17:06 ENVIRONMENTAL SERVICES REPORT**

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

The meeting continued in committee.

Legal and Confidential Matters – Underage sale of cigarettes case

After discussion,

Councillor McIlroy proposed,

Seconded by Councillor Hunter,

“That Council institute legal proceedings against Person C (or company as a legal entity) for the failings of the manageress and staff to implement reasonable precautions and exercise diligence to prevent the sale of cigarettes to a young person under the age of 18 years and contrary to Article 3 of the Health and Personal Social Services (NI) Order 1978 as amended by the Children and Young Persons (sale of tobacco etc) Regulations (NI) 2008 and that Written warnings were to be issued to Persons A and B.”

After discussion,

Councillor Blaney proposed an amendment,

Seconded by Councillor McDonnell,

“That a written warning only be issued to Persons A,B and C.”

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

Legal and Confidential Matters – Sheep worrying case

After discussion,

Councillor Baird proposed,

Seconded by Councillor Cunningham,

“That Council instigate legal proceedings against Person B, the person who was in charge of the Hounds at the time of the incident, for offences under Article 25 and 29 of the Dogs (NI) Order 1983.”

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

After discussion,

Councillor McDonnell proposed,

Seconded by Councillor Blaney and resolved,

“That no written warning be issued in this case.”

The meeting continued out of committee.

Temporary Street Trading Licence Application

It was agreed that the following Temporary Street Trading Licence Applications would be approved;

Mr Mark Wilmont for Hot Food, Carrowreagh Road/Main Street junction, Armoy, 7am – 6pm on 26th – 26th July 2013.

Mr Richard McLernon for novelty items, seafront during the Halloween Fireworks Display.

Addendum to Environmental Services Report

After discussion, it was agreed that the seminar on Emergency Preparedness in relation to Severe Weather would be held on either Monday 4th November pm, or Wednesday 6th November pm and that Councillors would be informed of the details.

Councillor P McShane left the meeting.

Applications for Occasional Entertainments Licences

It was agreed that the following Occasional Licences would be approved subject to satisfactory PSNI and NIFRS consultations;

Mr D McCafferty, retrospective licence for Armoy Road Races, 26th and 27th July 2013.

Mr D McFaul, Jigs and Rigs Music Festival, Rathlin Island, 2nd – 4th August 2013.

Ms B Anderson, marquee in grounds of Cushendall Sailing and Boating Club, 3rd, 4th, 8th, 10th and 11th August 2013.

Ms E Gaston, Marquee at Seafront, 25th August 2013.

Waste Workshop Approvals

Councillor P McShane returned to the meeting.

It was agreed to approve the Waste Workshop Approvals as listed in the report:

Introduction of food waste collection service starting April 2013 with additional brown bins distributed to the whole district - £110k Capital Grant Aid from Rethink Waste.

Route Optimisation computer package £11.5k.

All black bin waste material to be sent for treatment through the Short Term Residual Contract.

A 3 week collection trial to be introduced in 2 areas in Ballycastle from September for a 3 month period.

Tidy NI Civic Pride Campaign

After discussion,

Councillor McIlroy proposed,

Seconded by Councillor Baird,

“That Councillor support the Civic Pride campaign with a contribution of £3000.”

On a vote being taken there were two votes in favour of and eight against the proposal which was lost.

After discussion,

Councillor Hunter proposed,

Seconded by Councillor Graham and resolved,

“That the Environmental Services Report and Addendum be adopted.”

**13/17:07 NOMINATIONS TO THE CAUSEWAY COAST AND GLENS STATUTORY TRANSITION COMMITTEE (DEFERRED FROM SPECIAL MEETING OF 8TH JULY**

After discussion, a vote was taken as to whether d’Hondt or Saint-Lague would be used. There were seven in favour of d’Hondt and two in favour of Saint-Lague with two abstentions.

After discussion,

Counillor M A McKillop proposed Councillor Thompson (Sinn Fein)

Seconded by Councillor C McShane

Councillor Thompson proposed Councillor C McShane (Sinn Fein)

Seconded by Councillor M A McKillop

Councillor Graham proposed Councillor Baird (UUP)

Seconded by Councillor Hunter

Councillor Baird proposed Councillor McIlroy (DUP)

Seconded by Councillor Graham

Councillor Hunter proposed Councillor Cunningham (SDLP)

Seconded by Councillor Baird

**13/17:08 THAT THIS COUNCIL SUPPORTS THE ARMOY COMMUNITIES CALL FOR A FOOT BRIDGE TO CONNECT THE VILLAGE WITH THE GRACEHILL ROAD TO PROVIDE SAFE ACCESS TO AND FROM ARMOY PRIMARY SCHOOL. NOTES THE DANGERS ASSOCIATED WITH THE CURRENT ACCESS ALONG THE ROAD BRIDGE AND ARRANGES A MEETING WITH ROAD SERVICE, RIVERS AGENCY AND ANY OTHER RELEVANT AGENCIES TO DISCUSS THE PROJECT**

(Requested by Councillor Thompson)

After discussion,

Councillor Thompson proposed,

Seconded by Councillor M a McKillop and resolved,

“That Council would support the Armoy community’s call for a foot bridge to connect the village with the Gracehill Road to provide safe access to and from Armoy Primary School and that a meeting be arranged with Roads Service, Rivers Agency and any other relevant agencies to discuss the project.”

Councillor Hunter left the meeting at this point.

**13/17:09 THAT THIS COUNCIL SUPPORTS THE COMMUNITY CALL FOR A PLAYPARK IN WATERFOOT AND THAT COUNCIL WORKS PRO-ACTIVELY WITH LOCAL GROUPS AND RESIDENTS TO PROGRESS THE PROJECT.**

(Requested by Councillor N McAllister)

It was agreed that this item would be deferred to the next meeting.

**13/17:10 that this council writes to road service highlighting our opposition to their decision to compltely close the road between cargin and parkmore for the three weeks for road works at the height of the tourist season and highlight the implications for emergency ambulance service to the glens and also the tremendous inconvenience and financial implications for the commuters travelling to and from work along the road**

(Requested by Councillor M A McKillop)

Reference was made to the change in the situation, that there had been a convoy system in operation to prevent road closure but that the system was to be stopped and the road closed for the remaining week to apply the top coat.

After discussion, it was agreed that an email would be sent to Roads Service and cc to Ballymena Borough Council asking why Moyle District Council had not been consulted regarding road works and closures between Cargin and Parkmore and also to ask why the convoy system was being stopped and the road closed for one week.

**13/17:11 that this council recognises many households are struggling to afford their rates bill due to the current economic climate and calls on the minister for finance and personnel to consider the extension of the direct debit payment period for rates from ten to twelve months; and further calls on this council to write to the minister to request that this and all other possible mechanisms to alleviate the financial burden on households are explored and implemented**

(Requested by Councillor Cunningham)

After discussion, it was agreed that Council would write to the Minister for Finance and Personnel to consider the extension of the direct debit payment for rates from ten months to twelve months and also to request that this and all other possible mechanisms to alleviate the financial burden on households are explored and implemented

**13/17:12 that council facilitate discussions with the relevant government department to enable the former water service building (fairhill street ballycastle) to be brought into community use under the capital asset transfer scheme**

(Requested by Councillor Cunningham)

After discussion,it was agreed that Council would facilitate discussions with the relevant Government department to enable the former Water Service building at Fairhill Street, Ballycastle, to be brought into Community use under the Capital Asset Transfer Scheme.

**13/17:13 delays in surgery at altnagelvin hospital are causing undue suffering to our constituents. i propose that we write to the chief executive of the causeway trust to find out why there are delays and if those delays are due to the lack of theatre availability at alnagelvin and is this due to the recent fire in the hospital. What are the trust proposing to do to resolve the situation and how long will it take before the surgery timetable is restored?**

(Requested by Councillor Baird)

It was noted that Altnagelvin Hospital was under the Western Trust.

After discussion, it was agreed to write to the Western Trust to seek information regarding delays in surgery and if these are due to lack of theatre availability due to the recent fire at Altnagelvin Hospital and to enquire how long it would take before the surgery timetable is restored.

Emergency Motion – Rathmoyle

Councillor Baird declared an interest in this item.

After discussion,

Councillor Blaney proposed,

Seconded by Councillor Graham and resolved,

“That Council write to the Minister and the CE of the Northern Health Trust stating that Council is in agreement with Rathmoyle Action Committee that the best way forward for the care of the frail and elderly is a combination of residential care and supported living on the present Rathmoyle site. A similar scheme to St Paul’s Court in Lisburn would go a long way in meeting the need of the vulnerable people of Moyle and the surrounding area.”

**13/17:14 CONFERENCES, COURSES**

Association of Municipal Authorities of Ireland, Annual General Conference 2013. To be held on 12th – 14th September at Inchydoney Lodge and Spa, Clonakilty, Co Cork.

There were no nominations for the conference.

National Association of Councillors AGM. To be held on 4th October 2013 at Clandeboye Lodge Hotel, Bangor. (Conference costs, £40 per person plus travel)

It was agreed that further detail on the National Association of Councillors AGM and conference would be brought back.

Northern Ireland Renewables Industry Group, wind farm visit and wind energy seminar for Planners and Councillors. To be held on 12th September 2013, Crighshane, Omagh.

After discussion,

Councillor C McShane proposed,

Seconded by Councillor Thompson and resolved,

“That Councillor Cunningham be nominated to attend.”

Puck Fair

Reference was made to attendance at the Puck Fair.

After discussion,

Councillor McIlroy proposed,

Seconded by Councillor Baird and resolved,

“That Councillors Blaney and C McShane would be nominated to attend Puck Fair.”

**13/17:15 Notices of Applications under the Licensing (NI) Order 1996 and Betting, Gaming, Lotteries and Amusements (NI) Order 1985**

Renewal of Bookmaking Licence, Ciara McCusker, for premises at Main Street Bushmills.

Transfer of a Provisionally Granted Liquor Licence from Nahinch Limited to Portnaboe Limited, in respect of premises at 54 Main Street Bushmills.

Occasional Licence for Conor Connolly, Connolly’s Bar, Ballymena for an event on 29th July at Cushendall Ruairi Og Hurling Club.

Occasional Licence for Stanley and James McFarland of 51 Main Street Bushmills, for an event on 7th August at Ballintoy Masonic Hall.

Occasional Licence for Robert Gray of 22 Main Street Ballintoy, for an event on 16th August at Ballinlea Orange Hall

There were no objections to the above applications.

**13/17:16 Sealing of Documents**

There were no documents for signing and sealing.

**13/17:17 CorrespondencE**

1. Letter dated 20th June 2013 from Roy Beggs MLA regarding Cushendall Fire Station
2. Letter from the Department of the Environment regarding Publication of Planning Policy Statement 16 ‘Tourism’ – in final form
3. Letter dated 21st June 2013 from Department of Health, Social Services and Public Safety regarding Consultation on Minimum Standards for Independent Healthcare Establishments
4. Letter dated 27th June 2013 from the Department of the Environment regarding Application to discharge Article 40 Agreement associated with E/2000/0266/O for self catering cottage at Clady Road, Cushendun
5. Letter dated 3rd July 2013 from Department of Culture, Arts and Leisure regarding proposed Salmon Conservation Regulations – Consultation
6. Letter dated 4th July 2013 from J H Allister QC MLA regarding the Causeway School
7. Letter dated 5th July 2013 from Northern Health and Social Care Trust regarding Council’s support of the Base drop in facility in Ballycastle
8. Letter dated 8th July 2013 from Roads Service regarding Waiting Restrictions – Runkerry Road, Bushmills
9. Letter dated 8th July 2013 from the Department for Regional Development regarding proposed Road Races (Amendment) Bill
10. Letter dated 9th July 2013 from Department of the Environment regarding severance payments to Councillors
11. Letter dated 9th July 2013 from Councillor Paul Frew MLA regarding the Causeway School
12. Letter dated 9th July 2013 from Minister of the Environment regarding a consultation specific to the future of Northern Ireland vehicle registration snf licensing services and how they are delivered.
13. Letter dated 10th July 2013 from Jo-Anne Dobson MLA regarding the consultation stage of Private Members Bill aimed at changing local Organ Donation Laws
14. Letter dated 11th July 2013 from Northern Ireland Water regarding Interruptions to Water Supply in the Fairhill Street area of Ballycastle
15. Letter dated 11th July 2013 from the Department of Health, Social Services and Public Safety in response to Council’s letter regarding Cushendall and Ballycastle Fire stations

All correspondence (a) to (o) was marked as read.

1. Letter dated 17th July 2013 from Northern Ireland Office regarding the Secretary of State’s Garden Party 2013

It was noted that nominations were required by 31st July.

After discussion Councillor McIlroy and his wife were nominated and Kathleen Eliott and Husband from Good Morning Ballycastle.

**The meeting concluded at 22:45pm**

**……………………………………………………..**

**CHAIRMAN**

**……………………………………………………..**

**CLERK & CHIEF EXECUTIVE**