

COUNCIL MEETING TUESDAY 27 MARCH 2018

Table of Adoptions

No	Item	Summary of key Adoptions
4	Minutes of Council Meeting held Tuesday 27 February and Reconvened Council Meeting held Tuesday 13 March 2018	Confirmed
	4.1 Corrections to the Minute	Noted
5	Minutes of Planning Committee Meeting held Wednesday 28 February and Reconvened Planning Meeting held Monday 12 March 2018	Noted
6	Minutes of Environmental Services Committee Meeting held Tuesday 6 March 2018	
	6.1 Affordable Warmth Scheme Update (minute Item 5)	Information
	6.2 Commercial Waste Charges 2018-19 (minute Item 7)	Amendment fallen
	6.3 Capital Projects Delivery Update (minute Item 12)	Information
	6.4 Carbon Monoxide Does Not have to be the Hidden Killer (minute Item 10)	Information
	6.5 Harbour and Marina Charging Appraisal 2018/19 (minute Item 8)	Amendment fallen
	6.6 Adoption of the Minutes	Adopted
7	Minutes of Leisure & Development Committee Meeting held Tuesday 13 March 2018	Adopted
	7.1 Notice of Motion proposed by Councillor Stevenson seconded by Alderman Campbell (Edward Street Social Centre) (minute Item 12)	Adjourned to a Council meeting, detailed report addressing all of the issues, namely acquisition, health and safety, liability be prepared for detailed

		consideration by Council and in addition extend the tenure of the Evergreen Social Club for a further 3 months, and address the Health and Safety issues as priority; and provide alternative accommodation for the Club if required
	7.2 Community Festival Fund (minute Item 4)	Information
	7.3 Notice of Motion proposed by Councillor Holmes seconded by Alderman McKeown (Council Owned Company) (minute Item 13)	Information
	7.4 Correction to the Minute	Noted
	7.5 Adoption of the Minutes	Adopted including amendment at minute Item 7.1 above
8	Minutes of Audit Committee Meeting held Wednesday 14 March 2018	Adopted
9	Minutes of Corporate Policy and Resources Committee Meeting held Tuesday 20 March 2018	Adopted
10	Consultation Schedule	Noted
11	Seal Documents	
	11.1 Grave Registry Certificates, Coleraine, Ballywillan, Agherton and Portstewart Cemeteries (No's 4624-4633 inclusive)	Seal Affixed
	11.2 Grave Registry Certificates, Ballymoney Cemetery (No's 2924 - 2926)	
	11.3 Grave Registry Certificates, Enagh Cemetery, Limavady (No's 475 -476)	
	11.4 Deed of Consent and Variation between Causeway Coast and Glens Borough Council and Causeway Hotel, Giants	

	Causeway, Country Antrim (Ref L&PSC 180207 / CM 180227)	
	11.5 Article of Agreement between Causeway Coast and Glens Borough Council and Contractor for provision for the receipt and processing of NWRWVG Local Authority collected kerbside commingled recyclables (Ref ES 180206 / CM 180227)	
	11.6 Works Licence at Garvagh Forest between DEARA and Causeway Coast and Glens Borough Council (Ref L&D 171212 / CM 171219)	
12	Legal Opinion in respect of Call In Received 5 March 2018 regarding Car Parking Charges (attached)	<i>Previous decision overturned.</i>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE COUNCIL
HELD IN CIVIC HEADQUARTERS, COLERAINE ON
TUESDAY 27 MARCH 2018 AT 7:05 PM**

- In the Chair** : The Mayor, Councillor Baird
- Members Present** : Alderman Campbell, Cole, Finlay, Hillis, King, McKeown,
S McKillop and Robinson
- Councillors Beattie, Blair, Callan, Chivers, Clarke,
Douglas, Duddy, Fielding, Fitzpatrick, Harding, Holmes,
Hunter, Knight-McQuillan, Loftus, McCandless, McCorkell,
McGlinchey, McLean, McLaughlin, MA McKillop, C
McShane, P McShane, A Mulholland, K Mulholland,
Nicholl, Quigley, Stevenson, Watton and Wilson
- Officers Present** : D Jackson, Chief Executive
M Quinn, Director of Corporate Services
R Baker, Director of Leisure & Development
A McPeake, Director of Environmental Services
D Wright, Chief Finance Officer
J Welsh, Head of Community and Culture
D J Hunter, Council Solicitor
N Harkness, SIB Project Manager
J Morton, Harbour Master
T Vauls, Car Parks Manager
P Donaghy, Democratic and Central Services Manager
S Duggan, Committee & Member Services Officer
- In Attendance** : A Lennox, Acting Operations Manager
P McColgan, Head of ICT
- Press (1 No)
Public (40 No)

CONDOLENCES

The Mayor offered condolences to the Chief Executive, on the passing of his father, George Jackson and invited Council to observe one-minute's silence.

Councillor Stevenson offered his condolences to the family of former Ballymoney Borough Councillor, Mr Joe Gaston, who had sadly passed away.

1. THE MAYOR'S BUSINESS

The Mayor opened the meeting by welcoming Elected Members, Officers, the public and press to the meeting.

She addressed the meeting as follows:

'Good evening everyone and welcome to our monthly full Council meeting. Last week I travelled to London where I represented Council at a major networking event aimed at reinforcing strong economic links between the city and our area, while encouraging further investment.

As one of Europe's most switched-on and connected knowledge economies, the Causeway Coast and Glens has huge potential. We are also home to the Atlantic Link Enterprise Campus - the first of its kind in Northern Ireland. As a council we have worked tirelessly for the last three years to see the Campus come to fruition and I was delighted to play a part in this event.

Earlier in the month, Council held its first ever Enterprise Week which proved to be a resounding success. It provided opportunities for our established businesses and those seeking to take the next step towards further progression. I attended the Women in Business "Be Bold For Progress" conference and I have no doubt the week will have made a lasting impact on all participants. My congratulations go to everyone involved in this very worthwhile initiative.

Staying on this theme, our Enterprise Fund will open for its second round of applicants next month. Aimed at businesses who have been trading for less than two years, the fund is designed to maximise innovative opportunities for start-ups and promote future growth. I met our first successful applicants earlier in the year and I'm delighted to see Council is committed to encouraging growth in this very practical and worthwhile way.

I would like to give a mention to the pupils and staff at Hezlett Primary School who were recently named our first Plastic-Smart school. This means they are working hard to reduce their use of disposable plastic items and choose more sustainable options instead. I was delighted to visit the school to hear for myself from the pupils and teachers about what they are doing. It was fantastic to see our young people so engaged and it really was one of the most inspirational projects I have witnessed in my time as Mayor. My sincere congratulations go to everyone involved and I hope their actions inspire others to take similar steps.

Finally, just a reminder that our Tourism Team's Out and About campaign continues until Friday with a packed programme of exciting activities and

attractions. I would encourage everyone to see what is on offer and perhaps take the opportunity to try something new.

Before we begin this evening's business I would like to wish all of you a very happy Easter'.

The Mayor stated she was in receipt of correspondence of thanks on behalf of a service user and congratulated the Council staff at Loughanhill Industrial Estate Recycling Centre on their assistance, who had helped him in every way they could.

- * **Councillor Douglas arrived at the meeting at 7.10PM during consideration of the above matter.**

2. APOLOGIES

Apologies were recorded for Councillors Deighan and McCaul.

3. DECLARATIONS OF MEMBERS' INTERESTS

Declarations of Interest were recorded for:

- Alderman Campbell in Environmental Services Minutes;
- Councillor Beattie in Leisure & Development Committee Minutes as Chair of Glack Community Association;
- Councillor Hunter in Leisure and Development Committee minutes, Notice of Motion regarding Public Right of Way;
- Councillor MA McKillop in Leisure & Development Minutes, Community Festival Fund Grants as Chair of Cairns Residents Group.

4. MINUTES OF COUNCIL MEETING HELD TUESDAY 27 FEBRUARY, RECONVENED COUNCIL MEETING HELD TUESDAY 13 MARCH 2018

Matters Arising

4.1 Corrections to the Minute

Councillor Hunter advised of a correction to the Minute, stating she had left the meeting after minute Item 18 (rather than at minute Item 21).

Councillor P McShane advised of a correction to the Minute, (Review of Leisure Management Options Reconvened Council meeting minute Item 3.1) that *Councillor McShane withdrew his wish to speak until he received legal opinion. He asked that the item be placed on the agenda for the full council meeting in March*, however Councillor P McShane advised that as that date

had expired he was content for it to be placed on the Council Agenda for April.

Councillor P McShane advised of a correction to the Minute, (Land and property sub committee minutes and legal issues, Reconvened Council Minute Item 4.1) that Councillor P McShane referred to historic concerns he felt had not been addressed and having discussed the matter with the Chief Executive, *wanted to seek legal advice and have the item carried over to the full council meeting at the end of March*, however as that date had expired Councillor P McShane stated he was content for it to be placed on the Council Agenda for April.

Councillor Watton advised he was in attendance at the reconvened council meeting.

Proposed by Alderman King
Seconded by Councillor Wilson and

AGREED – that the Minutes of the Council Meeting held Tuesday 27 February and reconvened Council meeting held Tuesday 13 March 2018 as circulated, be confirmed as a correct record.

5. MINUTES OF PLANNING COMMITTEE MEETING HELD WEDNESDAY 28 FEBRUARY, RECONVENED PLANNING MEETING HELD MONDAY 12 MARCH 2018

RESOLVED – that the Minutes of the Planning Committee held Wednesday 28 February and Reconvened Planning Meeting Held Monday 12 March 2018 were received and noted.

6. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 6 MARCH 2018

Councillor McLean presented the Minutes and proposed their adoption, pending matters arising.

Matters Arising

6.1 Affordable Warmth Scheme Update (minute Item 5)

In response to concerns raised by Alderman Finlay the Director of Environmental Services clarified that provision can be made for areas that are identified outside of the targeted areas.

6.2 Commercial Waste Charges 2018-19 (minute Item 7)

Councillor K Mulholland stated concerns that to raise commercial waste charges would affect sports clubs and community groups.

Amendment

Proposed by Councillor K Mulholland

Seconded by Councillor Loftus

- that Council approves an increase of 0% (no change) to commercial waste charging in 2018-2019.

Councillor K Mulholland requested a recorded vote.

The Mayor put the amendment to the Council to vote. 14 Members voted For, 24 Members voted Against.

For: Councillors Beattie, Chivers, Fitzpatrick, Loftus, McGlinchey,
(14) McLaughlin, MA McKillop, C McShane, P McShane, A Mulholland, K Mulholland, Nicholl, Quigley, Watton

Against: Alderman Campbell, Cole, Finlay, Hillis, King, McKeown, S Mckillop,
(24) Robinson
Councillors Baird, Blair, Callan, Clarke, Douglas, Duddy, Fielding, Harding, Holmes, Hunter, Knight-McQuillan, McCandless, McCorkell, McLean, Stevenson, Wilson

The Mayor declared the amendment fallen.

6.3 Capital Projects Delivery Update (minute Item 12)

In response to a request for further information, the Director of Environmental Services advised the 2018/19 priority projects were currently being developed, to commence delivery during the 2019/2020 period.

6.4 Carbon Monoxide Does Not have to be the Hidden Killer (Minute Item 10)

The Director of Environmental Services confirmed leaflet distribution had taken place at Caravan Sites and that anyone with concerns should contact Council.

6.5 Harbour and Marina Charging Appraisal 2018/19 (minute Item 8)

Amendment

Proposed by Councillor C McShane

Seconded by Councillor K Mulholland

- that Council defer any changes in Harbour and Marina charges until a full Harbour Strategy is devised and brought back to Council.

Councillor K Mulholland requested a recorded vote.

The Mayor put the amendment to the Council to vote, 10 Members voted For, 27 Members voted against, 1 Member abstained.

For: Councillor Chivers, Fitzpatrick, Harding, McCandless, McGlinchey,
(10) McLaughlin, C McShane, P McShane, K Mulholland, Nicholl

Against: Alderman Campbell, Cole, Finlay, Hillis, King, McKeown, S
(27) McKillop, Robinson;
Councillors Baird, Beattie, Blair, Callan, Clarke, Duddy, Fielding,
Fitzpatrick, Holmes, Hunter, Knight-McQuillan, Loftus, McCorkell,
MA McKillop, McLean, A Mulholland, Stevenson, Watton, Wilson

Abstain: Councillor Quigley
(1)

The Mayor declared the amendment fallen.

6.6 Adoption of the Minutes

Proposed by Councillor McLean

Seconded by Alderman Finlay and

AGREED – that the Minutes of the Environmental Services Committee meeting held Tuesday 6 March 2018 as circulated, be adopted and the recommendations therein approved.

7. MINUTES OF LEISURE & DEVELOPMENT COMMITTEE MEETING HELD TUESDAY 13 MARCH 2018

Councillor Duddy presented the minutes and proposed their adoption, pending matters arising.

Matters Arising

7.1 Notice of Motion proposed by Councillor Stevenson, seconded by Alderman Campbell (Edward Street Social Centre) (Minute Item 12)

Motion

Proposed by Councillor Wilson

Seconded by Alderman McKeown

- that Causeway Coast and Glens Borough Council takes ownership of Edward Street Social Centre in Ballymoney and refurbish the building to create a modern Community Centre at the heart of the town for all to enjoy. Existing restrictive covenants must be removed before Council take ownership of the Hall. Whilst this process is ongoing users may continue to use the Centre as normal.

Alderman McKeown requested a recorded vote.

Amendment

Proposed by Councillor P McShane

Seconded by Councillor McGlinchey

- that Council writes to NICVA and Trustees and explain the opportunities provided by the Structural Fund.

Councillor P McShane requested a recorded vote.

Following a proposal by Councillor Wilson, seconded by Councillor Stevenson it was **AGREED** that a recess be called.

- * **The Mayor declared a recess at 8.20PM for 10 minutes. The Meeting resumed at 8.38PM.**

When the meeting resumed it was:

Proposed by Councillor Duddy

Seconded by Councillor Callan and

AGREED – that Council receive legal advice on the matter 'In Committee'.

- * **Members of the press and public in attendance left the meeting.**

Council's Solicitor reminded Members of the legal opinion previously presented and responded to queries from Members.

Following discussion it was:

Proposed by Councillor Nicholl
Seconded by Councillor McGlinchey

- That the Question Now Be Put.

The Mayor put The Question Now Be Put to the Council to vote, 11 Members voted For, 26 Members voted against, the Mayor declared the motion fallen and that the debate may continue.

Alderman Hillis requested the opportunity to discuss the Legal Opinion given, in Party Groups.

- * **The Mayor declared a recess from 9.35PM.
The meeting resumed at 9.50PM.**

MOTION TO PROCEED 'IN PUBLIC'

Proposed by Councillor Hunter
Seconded by Councillor Loftus and

AGREED – that Council conduct the remainder of the business 'In Public'.

- * **Members of the press and public re-joined the meeting.**

The Mayor put the amendment from Councillor P McShane, seconded by Councillor McGlinchey to the meeting to vote. 10 Members voted For, 23 Members voted against, 5 members abstained.

For: Councillors Beattie, Chivers, Loftus, McGlinchey, McLaughlin,
(10) MA McKillop, C McShane, P McShane, K Mulholland, Nicholl

Against: Alderman Campbell, Cole, Finlay, Hillis, King, McKeown, S
(23) McKillop, Robinson
Councillors Baird, Blair, Callan, Clarke, Douglas, Fielding,
Holmes, Knight-McQuillan, McCandless, McCorkell, McLean,
A Mulholland, Stevenson, Watton, Wilson

Abstain: Councillors Duddy, Fitzpatrick, Harding, Hunter, Quigley
(5)

The Mayor declared the amendment lost.

Amendment

Proposed by Councillor Baird

Seconded by Councillor Hunter

- In light of the complexity, the matter be adjourned to a Council meeting, so that a detailed report addressing all of the issues, namely acquisition, health and safety, liability be prepared for detailed consideration by Council and in addition extend the tenure of the Evergreen Social Club for a further 3 months, and address the Health and Safety issues as priority; and provide alternative accommodation for the Club if required.

The Mayor put the amendment to the Council to vote, 26 Members vote For, 5 Members voted against, 3 Members abstained.

The Mayor declared the amendment carried:

AGREED - In light of the complexity, the matter be adjourned to a Council meeting, so that a detailed report addressing all of the issues, namely acquisition, health and safety, liability be prepared for detailed consideration by Council and in addition extend the tenure of the Evergreen Social Club for a further 3 months, and address the Health and Safety issues as priority; and provide alternative accommodation for the Club if required.

- * **Public left the meeting at 10.20PM.**
- * **Chief Executive left the meeting at 10.20PM.**

7.2 Community Festival Fund (minute Item 4)

In response to a concern raised, the Director of Leisure and Development advised of an Appeal Mechanism and requested that Alderman Robinson put the Applicant in touch with him.

7.3 Notice of Motion Proposed by Councillor Holmes, seconded by Alderman McKeown (Council Owned Company) (minute Item 13)

The Director of Leisure and Development agreed to circulate communication to the caravan park occupants to alleviate concerns raised regarding the Notice of Motion. The Director also agreed to address the issue of changing the £1 slot machines for washers/driers.

7.4 Correction to the Minute

Councillor MA McKillop advised of a correction to the Minute (Declarations of Interest) she had Declared an Interest as *Chair of Cairns Residents' Group* (and not as Glenariff Improvement Group).

Councillor P McShane advised of a correction to the Minute (Notice of Motion Proposed by Councillor P McShane, seconded by Councillor C McShane) that he had also referred specifically to the following area:

- *from Dunseverick Harbour and the Pathway from the Visitors Centre.*

7.5 Adoption of the Minutes

Proposed by Councillor Duddy

Seconded by Alderman Finlay and

AGREED – that the Minutes of the Leisure & Development committee meeting held Tuesday 13 March 2018 as circulated, be adopted and the recommendations therein approved; including the amendment at Item 7.1 above.

8. MINUTES OF AUDIT COMMITTEE MEETING HELD WEDNESDAY 14 MARCH 2018

Councillor Beattie presented the Minutes and proposed their adoption.

Proposed by Councillor Beattie

Seconded by Councillor Watton and

AGREED – that the Minutes of the Audit Committee meeting held Wednesday 14 March 2018, as circulated, are adopted and recommendations therein approved.

9. MINUTES OF CORPORATE POLICY AND RESOURCES COMMITTEE MEETING HELD TUESDAY 20 MARCH 2018

Councillor McCandless presented the Minutes and proposed their adoption.

Proposed by Councillor McCandless

Seconded by Councillor Knight-McQuillan and

AGREED – that the Minutes of the Corporate Policy and resources Committee meeting held Tuesday 20 March 2018, as circulated, are adopted and recommendations therein approved.

10. CONSULTATION SCHEDULE

The Director of Corporate Services advised of the following consultation documents, previously circulated;

- Department of Finance Section 75 Action Plan and Disability Action Plan Friday 15 June 2018;
- Department of Agriculture, Environment and Rural Affairs Proposals to amend the Transmissible Spongiform Encephalopathies Regulations (Northern Ireland) 2019 Sunday 22 April 2018.

RESOLVED – that Council note the Consultation Schedule.

11. SEAL DOCUMENTS

Members were advised of the undernoted items for signing and sealing by Council, approval having been previously granted and all necessary legislative requirements being met:

Grave Registry Certificates

11.1 Grave Registry Certificates, Coleraine, Ballywillan, Agherton and Portstewart Cemeteries (No's 4624-4633 inclusive)

11.2 Grave Registry Certificates, Ballymoney Cemetery (No's 2924 - 2926)

11.3 Grave Registry Certificates, Enagh Cemetery, Limavady (No's 475 -476)

Proposed by Councillor Hunter
Seconded by Alderman Campbell and

RESOLVED - that the sealing of documents as listed (minute Items 11.1–11.3 inclusive) be approved.

11.4 Deed of Consent and Variation between Causeway Coast and Glens Borough Council and Causeway Hotel, Giants Causeway, Country Antrim (Ref L&PSC 180207 / CM 180227)

11.5 Article of Agreement between Causeway Coast and Glens Borough Council and Contractor for provision for the receipt and processing of NWRWVG Local Authority collected kerbside commingled recyclables (Ref ES 180206 / CM 180227)

11.6 Works Licence at Garvagh Forest between DEARA and Causeway Coast and Glens Borough Council (Ref L&D 171212 / CM 171219)

Proposed by Alderman Campbell
Seconded by Councillor MA McKillop and

RESOLVED - that the sealing of documents as listed (minute Items 11.4-11.6 inclusive) be approved.

12. LEGAL OPINION IN RESPECT OF CALL IN RECEIVED 5 MARCH 2018 REGARDING CAR PARKING CHARGES

The Mayor advised the matter would be considered 'In Public'.

Advice to Causeway Coast and Glens Borough Council in respect of a Call-In received by the Chief Executive in challenge to a decision of Council of 27th February 2018 in relation to the imposition of car parking charges at various carparks in holiday resorts within the Borough.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Councillor McKillop
Seconded by Councillor Duddy and

AGREED – that Council conduct the remainder of the business 'In Committee'.

* **Press left the meeting at 10.35pm.**

Amendment

Proposed by Alderman Hillis
Seconded by Councillor Hunter

- that Council defer consideration until the initial Equality Screening has taken place

In response to queries Legal advice was given by Council's solicitor.

MOTION TO PROCEED 'IN PUBLIC'

Proposed by Councillor Beattie
Seconded by Councillor Wilson and

AGREED – that Council conduct the remainder of the business 'In Public'.

Alderman Hillis with the consent of his seconder withdrew his amendment.

Following further discussion it was:

Amendment

Proposed by Councillor Quigley
Seconded by Councillor Beattie

- that the matter be deferred at a workshop for all Members be held where car parking in each town could be looked at individually.

Proposed by Councillor Holmes
Seconded by Councillor McCandless

- That The Question Now Be Put.

The Mayor put The Question Now Be Put to the Council to vote. 15 members voted For, 13 Members voted Against, the Mayor declared the Question Now Be Put carried.

The Mayor put the amendment by Councillor Quigley, seconded by Councillor Beattie to the Council to vote. 8 Members voted For, 22 Members voted against.

The Mayor declared the amendment fallen.

Councillor K Mulholland requested a recorded vote.

The Mayor put the reconsideration of the Decision to the Council to vote.

that Council implement the proposed seasonal car parking charges at the car parks listed;

excluding the area outlined yellow on the map (presented at Figure 1 overleaf) and review/implement free parking to facilitate regular Village Hall users and shoppers and consider how to manage this;

and implement Option 3: 40p per hour, and £2.00 for all-day parking. That seasonal car parking charges run from Easter through to the end of September and on Sundays between 1 and 6pm to allow for church services. These charges to be reviewed in October to assess the impact on residents parking.

14 Members voted For, 18 Members voted against, 1 Member abstained.

For: Alderman Campbell, Finlay, Robinson
(14) Councillors Callan, Clarke, Douglas, Duddy, Harding, Holmes, Knight-McQuillan, McCorkell, McLean, Stevenson, Watton

Against: Alderman Cole, Hillis, King, S McKillop
(18) Councillors Baird, Blair, Chivers, Fielding, Hunter, McCandless, McGlinchey, McLaughlin, McKillop, P McShane, K Mulholland, A Mulholland, Quigley, Wilson

Abstain: Councillor Beattie
(1)

The Mayor declared the previous decision overturned.

There being no further business the Mayor thanked everyone for their attendance and the meeting concluded at 11.45 PM.

The Mayor