

Council Meeting Tuesday 23 February 2016

Decisions

No	Item	Decision
3.	Declarations of Members' interests	<i>Ald King, Ald S McKillop</i>
4.	Minutes of Council Meetings held 26 th January 2016 and 4 th February 2016	<i>Confirmed</i>
6.	Minutes of Planning Committee Meeting held 27 January 2016	<i>Confirmed</i>
7.	Minutes of Environmental Services Committee Meeting held 2 February 2016 7.1 Legacy Landfill Sites Closure & Aftercare 7.2 Harmonisation of Cemetery Rules & Regulations 7.4 Adoption of the Minutes	<i>Deferred</i> <i>Approve the implementation of the proposed new Rules and Regulations for the administration and operation of Council with immediate effect</i> <i>Adopted including amendments at 7.1 & 7.2</i>
8.	Minutes of Leisure and Development Committee Meeting held 9 February 2016 8.2 Adoption of the Minutes 8.3 Tourism Events Grant Programme	<i>Adopted (excluding Item 14)</i> <i>Approve recommendation, support funding for bales, review process, hold a workshop, set a 2016/17 budget.</i>
9.	Minutes of Corporate Policy & Resources Committee Meeting held 16 February 2016 9.1 Zomba Action Project (Item 4) 9.3 Adoption of the Minutes 9.4 NILGA Summary Product and Work Plan for 2016/17 and Investment Subscription	<i>Bring a paper proposing a relationship</i> <i>Adopted including amendment at 9.1</i> <i>Approve summary Product and Work Plan and Investment Subscription</i> <i>£43,178 2016/17</i>

10.	Matters for reporting to Partnership Panel	<i>Receive Terms of Reference and Minutes</i>
11.	Correspondence 11.1 Post Office, 25 January 2016 – Harpurs Hill 11.2 Post Office, 25 January 2016 – Castlerock & Articlave 11.3 Post Office, 25 January 2016 – Castlecatt & Corkey 11.4 Education Authority 11.5 NILGA ½ day conference	<i>Noted</i>
12.	Consultation Documents <ul style="list-style-type: none"> • Armagh City Banbridge & Craigavon Borough Council The Council's Policy Screening Report – January 2016; • Charity Commission For NI Charity Commission Consultation; • Department of Health, Social Services and Public Safety, Bamford Evaluation; • Education Authority EA Music Service Interim Structure; • Health & Safety Executive For NI, Proposals on the Transposition of Directive 2013/35/EU on the Minimum Health and Safety Requirements Regarding the Exposure of Workers to the Risks Arising from Physical Agents – Electromagnetic Fields (EMF) • Department of Environment Consultation on The PPC Regulations – New CEN Technical Standards For Stage II Petrol Vapour Recovery • Translink, Equality Publications 	<i>Noted</i>
13.	Seal Documents 13.1 Sale of footpath at Corkey Road, Loughguile 13.2 NEC 3 Engineering and Construction Contract Option A Two Stage (Develop & Build) Priced Contract with Activity Schedule Form of Agreement for Portstewart Environmental Improvement Scheme Project No: DSU/2014/PSEI/2 13.3 Grave Registry Certificates Ballymoney and Rasharkin Cemeteries (No's 1481 & 1482) 13.4 Grave Registry Certificates, Coleraine, Ballywillan, Agherton and Portstewart Cemeteries (Nos 4328 - 4342)	<i>Affix seal (Item 13.1-13.4 incl)</i>
14.	Glenariff Caravan Park – Further Detailed P&L Projections	<i>Report brought on detailed figures and date from Contractor/Forestry Service for completion of works</i>

15.	Land Sale at Ballyreagh Road Portstewart	<i>Approve committee recommendation; that Council request that the septic tank is removed from Council land, access in walls on both sides of the property are closed and if viable, Council reinstates its own boundary by installing a fence.</i>
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Council Meeting

Minutes of the Meeting of Causeway Coast and Glens Borough Council held in the Council Chamber, on Tuesday 23 February 2016 at 7.00pm

In the Chair: The Mayor, Councillor Knight-McQuillan

Present: Aldermen Campbell, Cole, Finlay, Hickey, Hillis, King, McKeown, McKillop S, Mullan, Robinson;
Councillors Baird, Beattie, Blair, Callan, Chivers, Clarke, Douglas, Duddy, Fielding, Fitzpatrick, Harding, Holmes, Loftus, McCandless, McCaul, McCorkell, McKillop MA, McLean, Mulholland, Nicholl, Quigley, Stevenson, Watton and Wilson

In attendance: D Jackson, Chief Executive
M Quinn, Director of Performance
A McPeake, Director of Environmental Services
P Thompson, Head of Tourism and Recreation
J Gray, Strategic Programme and Projects Manager
P Donaghy, Democratic Services Manager
S Duggan, Committee and Member Services Officer

Also in attendance: D Hunter, Council Solicitor
E Johnston, Head of Democratic and Customer Services
E Kirk, Council Solicitor
W McCullough, Head of Leisure, Well-being and Sport
P O'Brien, Funding Unit Manager
J Welsh, Head of Community and Culture
D Wright, Chief Finance Officer

D McCallan, NILGA, }
Alderman A Hatch, NILGA, } Item 5

Press 3 no.
Public 16 no.

1. The Mayor's Business

The Mayor highlighted the Children's Hero Hospice Morning, to be held on Thursday 14th April 2016 at 10.30am at Sandleford School, Coleraine.

The Mayor encouraged all Elected Members to attend the planned visit to Altahullion Wind Farm on Friday 18 March 2016 at 2.30pm.

2. Apologies

Apologies were recorded from Councillors Hunter, C McShane, McGlinchey and McGuigan.

3. Declarations of Members' interests

Declarations of Interest were recorded from Alderman King in relation the Tourism Events Grant Programme, NI Ploughing Association International Championship and

Supercup applications for funding and Alderman S McKillop in relation to the Environmental Services Committee Minutes, Entertainment Licences.

4. Minutes of Council Meetings held 26th January 2016 and 4th February 2016

A correction was noted - Alderman S McKillop stated an amendment was proposed, it had not been detailed and she had disagreed with the Ruling not to consider the amendment (26 January 2016, Page 4, 9.2).

Confirmation of minutes

It was proposed by Alderman King seconded by Councillor Fitzpatrick and **AGREED: that the Minutes of the Council Meetings held 26th January 2016 and 4th February 2016 are confirmed as a correct record.**

5. Presentation, NILGA

The Chair invited D McCallan, Chief Executive, NILGA and Alderman Hatch, NILGA Vice-President to present. The representatives provided information surrounding NILGA's Value and Investment Impact in Council; The Council led Work Plan for 2016/17; what was to come in the world of NI Councils in the mandate.

D McCallan also provided information on The value and investment from Council towards NILGA that would include Regional lobbying – Local Government Act, Business Rates, Coastal Management, EU, B.I.D.s, Assembly Reform and Partnership Panel; Capacity Building for Members - NILGA Charter Award, Code of Conduct, governance, General Power of Competence; Ways to finance and sustain Local Government; Officer & Elected Member driven improvement work; Policy and performance planning with Councils & the new NI Executive, all providing a guaranteed investment return.

D McCallan responded to Elected Member queries surrounding the Investment Subscription 2016/17 request.

- * **Councillor Duddy arrived at the meeting at 7.09pm during consideration of the Item.**
- * **Councillor Stevenson arrived at the meeting at 7.10pm during consideration of the Item.**
- * **Alderman Robinson arrived at the meeting at 7.35pm during consideration of the Item.**
- * **D McCallan and Alderman Hatch left the meeting at 7.40pm.**

6. Minutes of Planning Committee Meeting held 27th January 2016

Confirmation of minutes

IT WAS AGREED that the Minutes of Planning Committee Meeting held 27th January 2016 are confirmed as a correct record.

7. Minutes of Environmental Services Committee Meeting held 2nd February 2016

Councillor Fielding presented the Minutes.

Matters Arising

7.1 Legacy Landfill Sites Closure and Aftercare (Item 4) and Presentation by RPS Consultants – Revised Closure Plans for Drumaduff & Crosstagherty Landfill Sites (Item 5).

A correction was noted - Councillor Douglas wished that his comments were recorded; Councillor Douglas had commented that members were informed during the RPS presentation that additional lands were not needed, the lands were unsuitable, in his opinion.

An amendment was proposed by Councillor Douglas, seconded by Councillor Fielding and **AGREED: that the Item is deferred to a future committee meeting.**

7.2 Harmonisation of Cemetery Rules & Regulations (Item 15)

An amendment (1) was proposed by Councillor McLean, seconded by Alderman Cole: **that Council defer the Item with a view to inviting affected groups to an interactive Workshop with Elected Members and Officers.**

A lengthy debate ensued regarding the sensitivity of the matter and the trauma and stress it was causing grieving families, along with the complexity of legacy Cemetery practices in the Borough.

During debate, the Chief Executive advised he was obtaining a legal opinion on Council's Powers as an Executive Body across a number of issues.

* **Councillor Harding arrived at the meeting at 7.50pm during consideration of the above Item.**

A further amendment (2) was proposed by Councillor Harding, seconded by Councillor Mulholland: **that Council approve the implementation of the proposed new Cemetery Rules and Regulations for the administration and operation of Council with immediate effect and that all graves in the current care of the Council are left as they are up.**

The Mayor put the amendment (2) to the Council to vote, 16 members voted for, 7 members vote against, 9 members abstained, The Mayor declared the amendment (2) carried.

7.3 Correspondence, Options to Develop the Better Management and Control of Bonfires (Item 20)

In response to concerns raised by members regarding the Options within the Department of the Environment Discussion Document circulated, the Director of Environmental Services advised he would bring an update to a future committee meeting.

7.4 Lough Foyle Ferry Service – Update (Item 14)

Councillor Duddy sought the cost to Council in relation to going out to the Market for the tender. The Director stated the cost would be approximately £1,000 towards advertising.

7.5 Adoption of the Minutes

It was proposed by Councillor Fielding, seconded by Councillor Watton and **AGREED: that the Minutes of the Environmental Services Committee Meeting held 2nd**

February 2016 be adopted and the recommendations therein approved, including the amendment at 7.1 and 7.2.

The Mayor declared a comfort break from 9.04pm-9.19pm.

8. Minutes of Leisure and Development Committee Meeting held 9th February 2016

Councillor MA McKillop presented the minutes and proposed their adoption.

Matters Arising

8.1 Notice of Motion submitted by Councillor Callan, Councillor Douglas and Councillor Wilson referred from Council Meeting 26th January 2016 (Item 14)

The Mayor advised of the withdrawal of the Notice of Motion.

Councillor Duddy raised a Point of Order in relation to Standing Order 18.3 (Withdrawal of Motion). The Chief Executive concurred there was ambiguity with the Standing Order adopted, however, the spirit of the Order was to allow a mechanism for withdrawal and referred to Standing Order 15.2 (Without Notice).

The Mayor ruled that she was content with the Withdrawal of the Notice of Motion under Standing Order 15.2.g.

Alderman Mullan briefly commented, at which point Councillor Callan called a Point of Order, The Mayor concurred, ruling that no Member may now speak on the motion after its withdrawal.

8.2 Adoption of the Minutes

It was proposed by Councillor MA McKillop, seconded by Alderman Mullan and **AGREED: that the Minutes of the Leisure and Development Committee Meeting held 9th February 2016 be adopted and the recommendations therein approved (excluding Item 14).**

8.3 Tourism Events Grant Programme

Following the decision of the Leisure and Development Committee to defer a decision on Tourism Events Grant Programme to the Council meeting to allow Council officers the opportunity to identify any potential room within the budget, The Head of Tourism and Recreation presented the further Paper to consider Council's grant funding position and recommendation:

It is recommended that:

- 1. Council approval is sought for the proposed approach whereby award of funding is provided as detailed in Annex A of the original report.**
- 2. Council approval is sought to allocate £30,000 from the Tourism and Marketing Budget to finance the Circuit of Ireland Rally in April 2016.**
- 3. Based upon the need for our external event providers to achieve future financial sustainability, it is further recommended that those major events, which were scored in the higher bracket (80% or higher), are provided with the stipulated annual award for a 3 year term. The 3 year term is subject to:**

- a. **Annual post event evaluation and continued criteria eligibility.**
- b. **Any 'across the board' budgetary cuts applied b Council.**

Relevant events are:

- **NW200.**
- **Armoy Rod Race.**
- **Super Cup.**
- **Riverfest.**
- **The Royal Scottish Pipe Band Association of NI.**

Councillor Clarke stated that events were critical to the tourism economy, the tourism industry was identified as one of Council's 6 strategic themes to deliver economic benefit in the Borough. The Paper advised that the 2016/17 budgets had yet to be approved by Council, however, the original Leisure and Development Papers stated Council Officers had made an assumption that the budget allocation for events funding for the next 12 months would not exceed the 2014/15 figure. If the budget had not been approved, Councillor Clarke presumed that an alteration to the Officer recommendation was therefore in order, if Council wanted to grow the Tourism Economy.

It was proposed by Councillor Clarke, seconded by Alderman Finlay: **that Council set the budget for those applicants for both large and small events where the application scoring was 65% or more for the full amount requested.**

The Head of Tourism and Recreation advised an implication of the proposal; an additional £130,000 would be needed to meet the requirement and with a stringent budget in place he would find it difficult to deliver.

Councillor Clarke sought clarification of the Circuit of Ireland recommendation to allocate £30,000 from the Tourism and Marketing Budget in April 2016.

Alderman Finlay stated he was disappointed the funding shortfall was not highlighted before the rates meeting, allowing Council to make an informed decision. The Chief Executive replied, stating the rates estimates was a process, Officers had brought planning assumptions, whilst Strategy was a prior matter for Elected Members.

An amendment was proposed by Alderman Hickey, seconded by Councillor Holmes: **that Council accept the recommendation and support the additional funding for safety bales, review the current process and hold a workshop, and set a 2016/17 budget (NW200).**

* **Councillor Mulholland left the meeting at 9.40pm during consideration of the matter.**

The Head of Tourism and Recreation outlined the sequence of events from the grant funding scoring process and clarification of issues with prospective applicants to the Rates meeting date.

Following concerns raised, the Chief Executive sought a legal opinion from Council's Solicitor, on the recommendation of a separate allocation of £30,000 from the Tourism and Marketing Budget to finance the Circuit of Ireland Rally in April 2016.

The Mayor declared a recess from 10.30pm-10.45pm.

Following advice, the Chief Executive confirmed the Circuit of Ireland Rally Application had been scored and applied via the same Grant Funding Policy process. It had been recommended to proceed to commit as the spend had to be generated in-year, additional funding had been found from the Leisure and Development budget for the one-off event.

Councillor Duddy reiterated an historical request to obtain Councils' as-is financial position.

The Mayor put the amendment to the Council to vote, Councillor Duddy requested a recorded vote.

FOR (17)

Alderman Hickey, Hillis, S McKillop; Councillors Baird, Beattie, Callan, Chivers, Douglas, Harding, Homes, Loftus, McCandless, McKeown, MA McKillop, Nicholl, Quigley and Wilson

AGAINST (11)

Alderman Campbell, Cole, Finlay, Robinson; Councillors Clarke, Duddy, Fielding, McCorkell, McLean, Stevenson and Watton.

ABSTAIN (2)

The Mayor, Councillor Knight-McQuillan and Alderman King.

The Mayor declared the amendment carried, 17 members voted for, 11 members voted against, 2 members abstained.

The Mayor advised of a change of the Order of Business, the Glenariff Caravan Park Item was recommended for confidential consideration and would be considered at the end of the meeting.

9. Minutes of Corporate Policy & Resources Committee Meeting held 16th February 2016

Alderman Hillis presented the Minutes and proposed their adoption.

Matters Arising

9.1 Zomba Action Project (Item 4)

It was proposed by Councillor Harding, seconded by Alderman S McKillop and **AGREED: that Council bring forward a Paper proposing a relationship with Zomba Action Project and Zomba, Malawi.**

9.2 Adoption of the Minutes

It was proposed by Alderman Hillis, seconded by Alderman Hickey and **AGREED: that the Minutes of the Corporate Policy & Resources Committee Meeting held 16th February 2016 be adopted and the recommendations therein approved, including the motion at 9.1.**

9.4 NILGA Summary Product and Work Plan for 2016/17 and Investment Subscription

The NILGA Summary Product and Work Plan 2016/17, Investment Subscription Item was deferred from the Corporate Policy and Resources Committee meeting held on

19th January and the Council meeting held on 26th January, pending additional information and a presentation from the Chief Executive of NILGA. The additional information requested was circulated and a presentation from NILGA, had now been received at the commencement of the meeting.

It is recommended that Council considers the request to approve the Summary Product and Work Plan and the Investment Subscription of £43,178 for 2016/17.

It was proposed by Councillor Stevenson, seconded by Alderman King and **AGREED: that Council approve the NILGA Summary Product and Work Plan and the Investment Subscription of £43,178 for 2016/17.**

The Mayor put the proposal to the Council to vote, 24 members voted for, 1 member voted against, the Mayor declared the proposal carried.

- * **Press (3no.) left the meeting at 11pm.**
- * **Alderman Cole left the meeting at 11pm.**

10. Matters for reporting to Partnership Panel

It was proposed by Councillor Callan, seconded by Councillor Wilson and **AGREED: that all Elected Members receive the Partnership Panel Terms of Reference and Minutes.**

11. Correspondence

The Director of Performance presented the following items of correspondence, circulated, noted:

11.1 Post Office, 25 January 2016 – Harpurs Hill

The new-look Post Office is scheduled to open on Friday 11 March at 1pm and will close for refurbishment on Thursday 3rd March 2016 at 5.30pm. The aim is to create a more modern and convenient retail experience for customers that will include longer opening hours

11.2 Post Office, 25 January 2016 – Castlerock and Articlave

The Post Office would like to hear your views about proposed changes before they finalise their plans for each of the Post Offices at Castlerock and Articlave. Closing date for comments is 23 February 2016.

11.3 Post Office, 25 January 2016 – Castlecatt and Corkey

The Post Office are introducing a Home Service to the area to provide customers living in small remote community's access to certain Post office products and services. Customers who register with the Home Service can telephone the neighbouring Postmaster to order or request Post Office products and services, including stamps, mails acceptance, travel money and manual bill payments and have these delivered direct to their door during a designated delivery slot.

Commencing on 8 February 2016 the Postmaster from Armoy branch will provide this Home Service to Castlecatt and Corkey (Armoy Post Office, 15 Main Street, Armoy, Ballymoney, BT53 8RF) Telephone: 028 2075 1200.

11.4 Education Authority

Copy of WELB's Annual Report 2014-2015.

11.5 NILGA obo Chambré Public Affairs, 16 February 2016 – The New Northern Ireland Planning System: One Year On Getting It Right

Half Day Conference, 24th March 2016, 9.20am-1.10pm, Riddel Hall, Queen's University Belfast, Stranmillis (Discounted rate £115.00 +VAT)

- <http://us7.campaign-archive1.com/>

12. Consultation Schedule

The Director of Performance invited comments on the following Consultations, circulated, noted.

- Armagh City Banbridge & Craigavon Borough Council The Council's Policy Screening Report – January 2016;
- Charity Commission For NI Charity Commission Consultation;
- Department of Health, Social Services and Public Safety, Bamford Evaluation;
- Education Authority EA Music Service Interim Structure;
- Health & Safety Executive For NI, Proposals on the Transposition of Directive 2013/35/EU on the Minimum Health and Safety Requirements Regarding the Exposure of Workers to the Risks Arising from Physical Agents – Electromagnetic Fields (EMF)
- Department of Environment Consultation on The PPC Regulations – New CEN Technical Standards For Stage II Petrol Vapour Recovery
- Translink, Equality Publications

13. Seal Documents

It was proposed by Councillor McLean, seconded by Councillor Stevenson and **AGREED: that the Seal of the Council be affixed to:**

13.1 Sale of footpath at Corkey Road, Loughguile

13.2 NEC 3 Engineering and Construction Contract Option A Two Stage (Develop & Build) Priced Contract with Activity Schedule Form of Agreement for Portstewart Environmental Improvement Scheme Project No: DSU/2014/PSEI/2

13.3 Grave Registry Certificates Ballymoney and Rasharkin Cemeteries (No's 1481 & 1482)

13.4 Grave Registry Certificates, Coleraine, Ballywillan, Agherton and Portstewart Cemeteries (Nos 4328 - 4342)

14. Glenariff Caravan Park – Further Detailed P&L Projections

IT WAS AGREED: that Council continue the business in-committee.

Further to the report presented at the February 2016 Leisure and Development Committee, Members requested that detailed 5 year projections be brought back for consideration.

The Strategic Programme and Projects Manager presented the report and addressed Elected Member concerns.

It was proposed by Councillor Duddy, seconded by Councillor Clarke and **AGREED: that a report is brought back on all detailed figures to include a date from the Contractor/Forestry Service as to when the works will be complete.**

15. Corporate Policy and Resources Committee Minutes – Land Sale at Ballyreagh Road, Portstewart (Item 17)

An amendment (1) was proposed by Alderman S McKillop, seconded by Councillor Douglas: **to accept the Officer recommendation;** that Council agrees in principle to sell the portion of land in question subject to satisfactory valuation, contractual, asset disposal and legal considerations.

A further amendment (2) was proposed by Councillor Duddy, seconded by Alderman Hickey; **that Council accept the committee recommendation;** that Council request that the septic tank is removed from Council land, access in walls on both sides of the property are closed and if viable, Council reinstates its own boundary by installing a fence.

The Mayor put the amendment (2) to Council to vote, 15 members vote for, 3 members voted against, The Mayor declared the amendment (2) carried.

It was proposed by Alderman Hickey, seconded by Alderman S McKillop and **AGREED: that Council resolve itself out of in-committee.**

This being all the business the meeting closed at 11.55pm.