

THE COUNCIL MEETING HELD TUESDAY 7 MAY 2024

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| No. | Item | Decision |
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| 1. | Apologies | <i>Alderman McAuley</i> |
| 2. | The Mayors' Business | <i>Received</i> |
| 3. | Declaration of Members' Interests | <i>Alderman Boyle, Hunter, Stewart, Scott Councillors Anderson, C Archibald, McGurk, Peacock, Storey, Wallace, Watton</i> |
| 4. | Zomba Action Project (ZAP) Deputation – Alderman Boyle and Alderman Callan in attendance | <i>Received</i> |
| 5. | Minutes of Council Meeting held Tuesday 26 March 2024 | <i>Confirmed as a correct record</i> |
| 6. | Minutes of Planning Committee Meeting held 27 March 2024 | <i>Received and Noted</i> |
| | Matters Arising | |
| 6.1 | Legal Issues – East Road Drumsurn (Item 9.1) | <i>Information</i> |
| 7. | Minutes of Finance Committee meeting held Thursday 11 April 2024 | <i>Adopted and recommendations therein approved</i> |
| 8. | Minutes of Leisure and Development Committee meeting held Tuesday 16 April 2024 | <i>Adopted and recommendations therein approved</i> |
| 9. | Minutes of Environmental Services Committee Meeting held Wednesday 17 April 2024 | |
| | Matters Arising | |
| 9.1 | Point of Accuracy | <i>Noted</i> |

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| 9.2 | Adoption of the Minutes | <i>That the Minutes of the Environmental Services Committee Meeting held Tuesday 17 April 2024, as amended, were adopted and recommendations therein approved</i> |
| 10. | Minutes of Corporate Policy and Resources Committee meeting held Tuesday 23 April | |
| | Matters Arising | |
| 10.1 | Point of Accuracy | <i>Noted</i> |
| 10.2 | Adoption of Minutes | <i>That the Minutes of the Corporate Policy and Resources Committee Meeting held Tuesday 23 April 2024, as amended, were adopted and recommendations therein approved</i> |
| 11. | Matters for reporting to the Partnership Panel | <i>None</i> |
| 12. | Conferences | <i>None</i> |
| 13. | Correspondence | |
| (i) | The Mayor, Derry City and Strabane District Council, 16 April 2024 - Motion of Council: Palestinian Visa Scheme – Follow Up | <i>Noted (Items 13.1-13.3)</i> |
| (ii) | Chief Executive, Northern Health and Social Care Trust, 26 April 2024 | |
| (iii) | Margaret Keey, NI Public Ombudsmans Service, 26 April 2024 | |
| 14. | Consultation Schedule | <i>Noted</i> |
| 15. | Seal Documents | |
| (i) | Grave Registry Certificates, No's 5769 to 5786 | <i>Seal Affixed (Items i-x)</i> |
| (ii) | Renewal of Commercial Lease – Causeway Coast & Glens Borough Council and Arcadia Beach Café Limited (Ref LPSC 070224 /CP&R 270227 /CM 050326)(Retrospective) | |
| (iii) | Keyholder Agreement, Green Lane Museum, Roe Valley Country Park – Causeway Coast & Glens Borough Council and Roe Valley Ancestral Researchers | |

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| | Limited (Ref L&P SC 240207/ CP&R 240227/ CM 240305) | |
| (iv) | Conveyance of Possessory Interest, Transfer of Off-Street Car Parks, The Diamond Car Park, Portstewart – Department for Infrastructure and Causeway Coast and Glens Borough Council | |
| (v) | Deed of Variation of Lease relating to the foreshore and bed of the sea at Bellisk, County Antrim - The Crown Estate Commissioners and Causeway Coast and Glens Borough Council (Ref L&PSC 240306 /CP&R 240321/ CM 240326) | |
| (vi) | Amendment to Lease, Foreshore Rathlin Island – Frances Gage to Causeway Coast and Glens Borough Council (Ref L&PSC 240207 /CP&R 240227 /CM 240305) | |
| (vii) | Licence to Enter Upon Lands for the Purposes of Undertaking Archaeological Excavations, Lands to the Rear of 68 Clare Road, Ballycastle – Marion and James McCouaig and Causeway Coast and Glens Borough Council (Ref L&D 230620 /CM 230629) | |
| (viii) | Causeway Coast and Glens Borough Council - Employee Car Loan Agreement (Employee No 113-3087) | |
| (ix) | Conveyance of Possessory Interest - Transfer of Off-Street Car Parks, Lever Road Car Park, Portstewart – Department for Infrastructure to Causeway Coast and Glens Borough Council | |
| (x) | Licence Agreement, Slipway at Magilligan Point, Limavady – Causeway Coast and Glens Borough Council and Frazer Foyle Holdings Limited | |
| | | |
| 16. | Notice of Motion proposed by Councillor Watton, seconded by Councillor Wilson (abbrev NI Housing Executive) | Referred to Corporate Policy and Resources Committee |
| | | |
| 17. | Legal Opinion in the matter of Causeway Coast and Glens Recission Motion as to 8 February 2024 Rates | Noted |
| | | |
| 18. | Rescission of a Preceding Resolution deferred from Council Meeting held Tuesday 26 March 2024 (Car Parking Charges Ballycastle) | That Council Rescind the Decision to introduce car parking charges in Ballycastle |

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| | | as agreed on 8th February 2024 |
| 19. | Car Parking | |
| (i) | Car Parking Permit Options report deferred from Council Meeting held 26 March 2024 | <i>This Item was considered in conjunction with Item 19 (ii).</i> |
| (ii) | Legal Opinion in the matter of car parking permits | <i>That Council consult with stakeholders including Rathlin Island community, in order to determine the findings of those impacted and bring an options paper for consideration to enable an informed decision</i> |
| 20. | Rescission of a Preceding Resolution (abbrev Auction of Concessionary Trading Sites) | <i>That Council Rescind the decision made at the meeting of the Council which states to recommend that Council auction all sites on 20 May 2024, three of those will be subject to Planning and if, for any reason, the Planning Process has not been completed, that the current vendors occupying any of those three sites (only one of the 3 sites is occupied) gets the offer of a two-month extension. That will mean no loss of income to Council.</i> |

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE
COUNCIL HELD IN THE COUNCIL CHAMBER ON TUESDAY 7 MAY 2024
AT 7.00PM**

In the Chair : The Mayor, Councillor Callaghan

Present : Alderman Boyle, Callan, Coyle, Fielding, Hunter,
Knight-McQuillan, S McKillop, Scott, Stewart

Councillors Anderson, C Archibald, N Archibald, Bateson,
Chivers, Holmes, Huggins, Kane, Kennedy, Kyle, Mairs,
Jonathan Mc, Auley, McCully, McGlinchey, McGurk, MA
McKillop, McMullan, McQuillan, McShane, Nicholl, Peacock,
Schenning, Stirling, Storey, Wallace, Watson, Watton, Wilson,
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Officers Present : D Jackson, Chief Executive
M Quinn, Director of Corporate Services
P Mulvenna, Director of Leisure and Development
A McPeake, Director of Environmental Services
D Wright, Chief Finance Officer
J Richardson, Head of Capital Works, Energy and Infrastructure (R)
T Vauls, Car Parks Manager (R)
S Gamble, Public Relations and Communications Manager (R)
J Keen, Committee and Member Services Officer (R)
I Owens, Committee and Member Services Officer

In attendance : K Morgan, Bar Library (R)
C Hannon, Solicitor (R)

A Lennox, Mobile Operations Officer
C Thompson, Mobile Operations Officer

Press, 2 no. (R)
Public Gallery 3 no. and 1 no. (R)

Key – (R) = Attended Remotely

1. THE MAYOR'S BUSINESS

“On behalf of the Council, I would like to pass on our condolences to the family of Lorraine Hasson who died suddenly on Sunday in Atnegelvin Hospital. Lorraine was a member of the Council's Prosperity and Place team, working out of the Limavady Offices. Thoughts and prayers are with her husband Michael and daughter Gemma and extended family circle. Her funeral mass will be held in Christ the King Chapel at Limavady at 11 am tomorrow.

Since the last Council meeting I have been engaged in 45 events.

This has been a busy period involving several high-profile events and it has been a privilege and an honour to represent the Borough as Mayor.

This included:-

The launch of two Redbay Stormforce passenger Ribs with the Deputy First Manager in Rathlin/Ballycastle. The Ribs will connect Ballycastle with Campbelltown and Islay in Scotland and should be a boost to tourism in the Borough.

Two of the major events which I will always be proud to have taken part in will be presenting the members of the NHS staff with the Freedom of the Borough on behalf of the Council. This was a fantastic event; it was clear to see it meant a lot to those members of the NHS who were present at this ceremony.

It was a privilege to be a signatory on the Growth Deal Document. It was an Honour to welcome Lord xx and the First and Deputy First Ministers and the Finance Minister to the Borough. I hope the investment of £100 million into the Borough will result in a positive way resulting in increased employment, tourism and improve the Borough's standard of life for our inhabitants.

I represented the Borough at the Western Trusts annual staff recognition awards event in the Killyhelvin Hotel in Fermanagh. This was a moving event, those presented for recognition were nominated by the people they work with. It was an eye-opening event where it was hammered home to me, the pressure's the dedication and commitment the people who staff our NHS face every day.

I attended two events with the DfI Minister John O'Dowd. The first anniversary of the opening of the Dungiven to Drumahoe by-pass in Dungiven. The second where DfI visited the Newmills Council Depot to see the fantastic impact our staff has on the biodiversity of No Mow May and the work they have done to roundabouts and cost cutting initiatives.

I attended an event in Portrush where the Health Minister Robin Swann launched a mental health app. This app is a one stop shop, for all resources for help and advice for people dealing with mental health issues.

I hosted a Service of Thanksgiving for the service the RNLI have provided over the past 200 years in Portrush Town hall. I would like to thank everyone who attended this service, the four clergy who conducted the service, choir and musicians involved. When the service concluded we went to the harbour for the blessing of the boats and retired to Portrush Yacht club where we were entertained by the The Shantymen. I would like to put on record my thanks to the Council's events team members who helped make this event a success.

I had the pleasure of travelling to Windsor Park Football Stadium for the launch of the draw for the Supercup NI which the Borough will host from 21st July. Once again, the organisers have arranged what looks like a fantastic line up of talent. I hope it is as good as last year.

I attended the launch of the O'Neills Foyle Cup in the Waterfoot Hotel. This event straddles into our Borough and should boost tourism and income to local businesses.

I attended Ballymoney Fair, a fantastic day with the sun shining, large crowds and a very successful parade. The organising committee and events team are to be congratulated for the work that went into making this a success for the town.

Once again I would like to thank the Deputy Mayor, Councillor Margaret-Ann McKillop for her support and assistance at events over this period.

I would like to congratulate Lauren Bond, a pupil at Dalriada School Ballymoney on being elected President of the Secondary Student's Union of Northern Ireland. Lauren has already held a number of regional and national posts including NI Youth Assembly; UK Youth Parliament North Antrim and Youth Parliament in Brussels. I plan to hold a reception for Lauren and the two Youth Champions of the Council in the Parlour on 14th May 2024".

2. APOLOGIES

Apologies were recorded for Alderman McAuley.

3. DECLARATION OF MEMBERS' INTERESTS

Alderman Boyle declared an interest in Minutes of the Environmental Services Committee meeting held 17 April 2024, Item 20 - Trading Concessions Legal Advice - as a Member of the Planning Committee. Alderman Boyle left the meeting during consideration of the Item.

Alderman Hunter declared an interest in Minutes of the Environmental Services Committee meeting held 17 April 2024, Item 20 - Trading Concessions Legal Advice - as a Member of the Planning Committee. Alderman Hunter left the meeting during consideration of the Item.

Alderman Scott declared an interest in Minutes of the Environmental Services Committee meeting held 17 April 2024, Item 20 - Trading Concessions Legal Advice - as a Member of the Planning Committee. Alderman Scott left the meeting during consideration of the Item.

Alderman Stewart declared an interest in Minutes of the Environmental Services Committee meeting held 17 April 2024, Item 20 - Trading Concessions Legal Advice - as a Member of the Planning Committee. Alderman Stewart left the meeting during consideration of the Item.

Councillor Anderson declared an interest in Minutes of the Environmental Services Committee meeting held 17 April 2024, Item 20 - Trading Concessions Legal Advice - as a Member of the Planning Committee. Councillor Anderson left the meeting during consideration of the Item.

Councillor C Archibald declared an interest in Minutes of the Environmental Services Committee meeting held 17 April 2024, Item 20 - Trading Concessions Legal Advice

- as a Member of the Planning Committee. Councillor C Archibald left the meeting during consideration of the Item.

Councillor McGurk declared an interest in Minutes of the Environmental Services Committee meeting held 17 April 2024, Item 20 - Trading Concessions Legal Advice - as a Member of the Planning Committee. Councillor McGurk left the meeting during consideration of the Item.

Councillor Peacock declared an interest in Minutes of the Environmental Services Committee meeting held 17 April 2024, Item 20 - Trading Concessions Legal Advice - as a Member of the Planning Committee. Councillor Peacock did not leave the meeting during consideration of the Item.

Councillor Storey declared an interest in Minutes of the Environmental Services Committee meeting held 17 April 2024, Item 20 - Trading Concessions Legal Advice - as a Member of the Planning Committee. Councillor Storey left the meeting during consideration of the Item.

During consideration of Item 14 – Consultations, Councillor Storey said that he was a member of Keep Recycling Local and Declared an Interest.

Councillor Wallace declared an interest in Minutes of the Environmental Services Committee meeting held 17 April 2024, Item 20 - Trading Concessions Legal Advice - as a Member of the Planning Committee. Councillor Wallace left the meeting during consideration of the Item.

Councillor Watton declared an interest in Minutes of the Environmental Services Committee meeting held 17 April 2024, Item 20 - Trading Concessions Legal Advice - as a Member of the Planning Committee. Councillor Watton left the meeting during consideration of the Item.

* **Councillor McGlinchey joined the meeting at 7.08pm.**

4. ZOMBA ACTION PROJECT (ZAP) DEPUTATION – ALDERMAN BOYLE AND ALDERMAN CALLAN

The Mayor invited Alderman Boyle and Alderman Callan to address the Council:

Alderman Callan advised there were two Council representatives nominated to the Zomba Action Project and it is timely to present to Council as some Elected Members are not aware of the project and invited Elected Members to lend monthly financial support to this cause which would help with necessities, future events, raise awareness and sponsor scholarships.

Powerpoint Slides were shown showing the location, key facts about the area and details of the Memorandum of Understanding established in 2003 which was continued by Causeway Coast and Glens Borough in 2017. Alderman Callan spoke of the uniqueness of the relationship between Council and Zomba.

Alderman Boyle spoke of what was involved in projects:-

- Work in partnership with voluntary group in Zomba;
- Scholarships students sponsorship from secondary education upwards;
- Solar lights for schools in rural areas with limited electricity;
- Financial assistance for travel to competitions;
- Commonwealth scholarships;
- Food support;
- Raised over a £1m since its inception in 2003.

Alderman Boyle thanked the Mayor and Director of Environmental Services for their contribution towards the Zomba Action Project.

Alderman Boyle read extracts from the Memorandum of Understanding.

Alderman Callan advised that donations forms left on Elected Members desks could be completed and given to the Chief Finance Officer.

The Mayor thanked Alderman Callan and Boyle for the presentation and invited questions. There were no questions from Elected Members.

The Mayor encouraged Elected Members to lend their support by making a monthly donation.

* **Alderman Boyle and Alderman Callan resumed their seats.**

5. MINUTES OF COUNCIL MEETING HELD TUESDAY 26 MARCH 2024

Copy, previously circulated.

Proposed by Alderman Stewart
Seconded by Councillor Peacock and

RESOLVED – That the Minutes of the Council Meeting held Tuesday 26 March 2024 were confirmed as a correct record.

6. MINUTES OF PLANNING COMMITTEE MEETING HELD TUESDAY 27 MARCH 2024

Copy, previously circulated.

Matters Arising

6.1 Legal Issues – East Road Drumsurn (Minute Item 9.1)

Alderman Callan referred to information circulated to Elected Members in relation Item 9.1 - East Road, Drumsurn which had not included any context and felt that the matter merited further discussion. The Chief Executive advised that the Planning Committee members had been provided with background and that if it was the wish of Elected Members the matter could be discussed further at Corporate Policy and Resources Committee or Planning Committee. Alderman Callan suggested a less formal forum for relevant discussion and the Chief Executive confirmed that any

Party interested in hearing the context could obtain this information from the Legal team.

Proposed by Councillor McMullan
Seconded by Alderman McKillop and

RESOLVED – that the Minutes of the Planning Committee Meeting held Wednesday 27 March 2024 were received and noted.

7. MINUTES OF FINANCE COMMITTEE MEETING HELD THURSDAY 11 APRIL 2024

Copy, previously circulated.

Proposed by Councillor Peacock
Seconded by Alderman Schenning and

RESOLVED – that the Minutes of the Finance Committee Meeting held Thursday 11 April 2024 were adopted and recommendations therein approved.

7.1 Review of Rates Support Grant Terms of Reference (Minute Ref 9.2)

Correspondence, previously circulated was presented as read.

8. MINUTES OF LEISURE AND DEVELOPMENT COMMITTEE MEETING HELD TUESDAY 16 APRIL 2024

Copy, previously circulated.

Proposed by Councillor Bateson
Seconded by Alderman Callan and

RESOLVED – that the Minutes of the Leisure and Development Committee Meeting held Tuesday 16 April 2024 were adopted and recommendations therein approved.

9. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 17 APRIL 2024

Copy, previously circulated.

Matters Arising

9.1 Point of Accuracy

Alderman McKillop stated she left The Chamber after Item 17 and returned during discussion for Item 21 and had not been reflected in the minute.

9.2 Adoption of the Minutes

Proposed by Alderman Fielding
Seconded by Councillor McAuley and

RESOLVED – that the Minutes of the Environmental Services Committee Meeting held Tuesday 17 April 2024, as amended, were adopted and recommendations therein approved

10. MINUTES OF CORPORATE POLICY AND RESOURCES COMMITTEE MEETING HELD TUESDAY 23 APRIL 2024

Copy, previously circulated.

Matters Arising

10.1 Point of Accuracy

Alderman Boyle advised that she had been in attendance at this meeting but had not been included on attendance list.

10.2 Adoption of the Minutes

Proposed by Councillor Nicholl
Seconded by Councillor Watton and

RESOLVED – that the Minutes of the Corporate Policy and Resources Committee Meeting held Tuesday 23 April 2024, as amended, were adopted and recommendations therein approved.

11. MATTERS FOR REPORTING TO THE PARTNERSHIP PANEL

The Chief Executive advised there were no matters for reporting to the Partnership Panel and that a meeting was scheduled for 19th June 2024 at which matters raised up to and including the June Council Meeting could be referred.

12. CONFERENCES

There were no conferences.

13. CORRESPONDENCE

Correspondence report, previously circulated, presented as read by the Chief Executive.

Purpose of Report

The purpose of the report is to present correspondence for Members' consideration.

The following correspondence has been received:

(i) The Mayor, Derry City and Strabane District Council, 16 April 2024

Motion of Council: Palestinian Visa Scheme – Follow Up

Extract

Council previously forwarded you correspondence on the above matter on 16 February 2024 (copy enclosed).

However, Council has not yet received a response. I would therefore appreciate if you could forward your response at the earliest opportunity.

At a Meeting of Derry City and Strabane District Council held on 31 January 2024, the following Motion was passed:

That this Council notes with deep concern that at least 26,900 civilians have been killed as a result of the ongoing bombardment and siege of Gaza of which at least 10,000 are children Council notes that more than 8000 Palestinians are missing. Council Further notes there is an escalating death toll in the West Bank, with 370 people killed of which 99 are children.

Council is alarmed that almost 70 percent of the buildings in Gaza, including hospitals and schools, have been destroyed or severely damaged. The civilian population is facing a dire humanitarian crisis, with critical shortages of food, water, and medical supplies.

Council is particularly concerned that civilians are being confined to increasingly smaller areas without access to shelter or aid. This dire situation is leading to an escalation in civilian deaths due to bombing, shootings, starvation, disease, and lack of medical treatment.

Council resolves to:

- 1. Write to the British Prime Minister and Home Secretary, urging them to immediately implement a Palestinian Visa Scheme similar to the Ukraine Visa Scheme,*
- 2. Write to an Taoiseach asking that a request is put to the EU commission proposing a temporary protection directive, for those Palestinians seeking sanctuary, as was enacted in March 2022 in response to the Ukraine war.*
- 3. Council will also write to the leaders of all political parties across Ireland urging them to support this call.*
- 4. Council will seek collaboration from ALL NI councils and relevant Northern Ireland government departments, support this call pledging to facilitate and support the resettlement of Palestinian families in Ireland*

With this in mind, we as a council affirm our support to UN General Assembly resolution 194, article 11, which enshrines the Palestinian Peoples' Right of Return.

I would appreciate your consideration in this important matter and would be grateful for a response at your earliest opportunity.

(ii) Chief Executive, Northern Health and Social Care Trust, 26 April 2024

Extract

Dear Mayor,

On behalf of all my colleagues in the Northern Health and Social Care Trust, I would like to thank you most sincerely for the wonderful ceremony and reception in Coleraine Town Hall last week.

We all deeply appreciate the significant honour given to all Health and Care workers by the conferment of the Freedom of the Borough by Causeway Coast and Glens Council. All of us present on the day very much enjoyed the ceremony and reception, and staff were delighted in being recognised in this way.

Thank you also for your gift, which we will ensure is put to good use. Please accept my very best wishes to you, Elected Members, the Clerk and Chief Executive and his team, and thank you once again for this special recognition.

Alderman Fielding spoke of how appropriate the ceremony was for the Freedom of Borough for the Trust and praised those involved.

(iii) Margaret Keey, NI Public Ombudsmans Service, 26 April 2024

Extract

I am writing to let you know that we have made changes to the way we describe the three stages of our investigation process.

Previously we used the following terms:

- Stage One - Initial Assessment*
- Stage Two - Assessment*
- Stage Three – Investigation*

These have now been changed to:

- Stage One - Assessment*
- Stage Two - Investigation*
- Stage Three - Further Investigation*

The main reason for deciding to rename the stages is because the new terms more accurately describe the work undertaken at each stage. This is particularly the case at Stage Two, which has changed from ‘Assessment’ to ‘Investigation’. At this stage our Investigating Officers obtain a detailed understanding of the issues of complaint and apply their professional judgment to decide on the most appropriate course of action. They can, for example, decide whether to facilitate a settlement between the public body and the complainant, whether to close a complaint without taking any further action, or whether the complexity of the case means it needs further or more detailed investigation.

As they obtain and analyse evidence from a variety of sources to help them make this decision, we believe ‘Investigation’, not ‘Assessment’, is the more suitable term to use at this stage.

Although our terminology has changed, all our other processes remain the same. The questions we ask and the type of information we request at each stage will not change. However, the change in terminology will be reflected when we report on the numbers of cases investigated or further investigated at the end of each business year.

Previously only those cases which progressed to Stage Three were referred to as being 'Investigated'. From now on (2024-25) we will also include all those cases which have progressed to Stage Two.

I have attached our 'About our Service' leaflet which explains our investigation process in more detail. This leaflet is also sent out to complainants when they contact our Office.

If you have any questions about the changes, or indeed any aspect of our service, please contact us on nipso@nipso.org.uk.

Recommendation

It is recommended that Council consider the correspondence.

Council NOTED the Correspondence Items 13 (i)-13 (iii).

14. CONSULTATION SCHEDULE

Consultation schedule, previously circulated, presented as read by the Chief Executive.

Open Consultations

- Department for Work and Pensions Consultation on Options for Defined Benefit Schemes, submission by 19th April 2024
- Department for the Economy Consultation on Design Considerations for a Smart Systems and Flexibility Plan, submission by 19th April 2024
- Department of Justice Consultation on Vehicle recovery storage and disposal statutory charges review, submission by 13th June 2024
- Armagh City, Banbridge and Craigavon Borough Council Proposed Performance Improvement Objectives 2024 – 2025, submission by 21st May 2024
- Antrim and Newtownabbey Borough Council Consultation on Draft Corporate Plan 2024-2030, submission by 26th May 2024
- DAERA Consultation to amend legacy EU schemes Fruit and Vegetable Aid ('FVAS') and Agri-food Information and Promotion ('promotions schemes') in Northern Ireland, submission by 27th May 2024
- Newry, Mourne and Down District Council Consultation on Draft Corporate Plan 2024-2027, submission by 31st May 2024
- Newry, Mourne & Down District Council Consultation on draft Performance Improvement Objectives 2024-25, submission by 31st May 2024
- Ulster University Consultation on Equality screening of new and revised policies, submission by 5th July 2024

Available to View -

- Department for Communities -Policies equality screened and published by the Department for Communities from 01 January – 31 March 2024
 - Department for the Economy - Section 75 Screening Report - 01 January 2024 – 31 March 2024
 - Department of Finance - Policy screening template for The Public Service Pensions (Exercise of Powers, Compensation and Information) (Amendment) Directions (Northern Ireland) 2024
 - Department of Finance - Neurodiversity: NICS Toolkit for Line Manager
 - Department of Finance - Northern Ireland Civil Service (NICS) 2023 Pay Awards Equality Impact Assessment
 - Armagh, Banbridge and Craigavon Borough Council -Policy Screening Report
 - Under Section 75 of the Northern Ireland Act, 1998
 - Northern Health and Social care Trust - Northern HSC Trust Causeway Visio
-
- Department of Agriculture, Environment and Rural Affairs Consultation on Rethinking Our Resources: Measures for Climate Action and a Circular Economy in NI, submission by 13th June 2024

At the request of Councillor Storey the Director of Environmental Services advised that a corporate response would be provided.

- * Councillor Storey said that he was a member of Keep Recycling Local, Declared an Interest and did not leave The Chamber.

RESOLVED – that Council note the Consultation Schedule.

15. 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.

- (i) Grave Registry Certificates, No's 5769 - 5786 inclusive;
- (ii) Renewal of Commercial Lease – Causeway Coast & Glens Borough Council and Arcadia Beach Café Limited (Ref LPSC 070224 /CP&R 270227 /CM 050326) (Retrospective)
- (iii) Keyholder Agreement, Green Lane Museum, Roe Valley Country Park – Causeway Coast & Glens Borough Council and Roe Valley Ancestral Researchers Limited (Ref L&P SC 240207/ CP&R 240227/ CM 240305)
- (iv) Conveyance of Possessory Interest, Transfer of Off-Street Car Parks, The Diamond Car Park, Portstewart – Department for Infrastructure and Causeway Coast and Glens Borough Council
- (v) Deed of Variation of Lease relating to the foreshore and bed of the sea at Bellisk, County Antrim - The Crown Estate Commissioners and Causeway Coast and Glens Borough Council (Ref L&PSC 240306 /CP&R 240321/ CM 240326)

- (vi) Amendment to Lease, Foreshore Rathlin Island – Frances Gage to Causeway Coast and Glens Borough Council (Ref L&PSC 240207 /CP&R 240227 /CM 240305)
- (vii) Licence to Enter Upon Lands for the Purposes of Undertaking Archaeological Excavations, Lands to the Rear of 68 Clare Road, Ballycastle – Marion and James McCouaig and Causeway Coast and Glens Borough Council (Ref L&D 230620 /CM 230629)
- (viii) Causeway Coast and Glens Borough Council - Employee Car Loan Agreement (Employee No 113-3087)
- (ix) Conveyance of Possessory Interest - Transfer of Off-Street Car Parks, Lever Road Car Park, Portstewart – Department for Infrastructure to Causeway Coast and Glens Borough Council
- (x) Licence Agreement, Slipway at Magilligan Point, Limavady – Causeway Coast and Glens Borough Council and Frazer Foyle Holdings Limited

Proposed by Councillor Kane
 Seconded by Councillor MA McKillop and

RESOLVED – that the Sealing of documents, as listed, be approved (Items i-ix).

* **Alderman Knight-McQuillan left the Meeting at 7.30 pm.**

16. Notice of Motion proposed by Councillor Watton, seconded by Councillor Wilson

That this Council lobbies the N.I Housing Executive to increase the temporary accommodation available in this Borough. Frequently over the last six months there has not been a single bed available for local people.

The Mayor advised that the Notice of Motion would be referred to the Corporate Policy and Resources Committee.

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Councillor Wilson
 Seconded by Alderman Scott and

RESOLVED – that Council move ‘*In Committee*’.

* **Members of the public left the Chamber at 7.35pm.**

* **Members of the press left the meeting remotely at 7.35pm.**

The information contained in the following items is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

The Mayor cited the Audio Recordings protocol.

**17. LEGAL OPINION IN THE MATTER OF CAUSEWAY COAST AND GLENS
 RECISSION MOTION AS TO 8 FEBRUARY 2024 RATES**

Legal advice, previously circulated, was presented by the Chief Executive who stated that the legal advisor was in attendance remotely to answer questions from Elected Members in relation to the Rescinding Motion.

The Chief Executive clarified that legal advice had been sought in relation to Standing Order 23 and it had been confirmed that part of a Motion could be rescinded. The Chief Executive advised that when Standing Orders are under review the words '*part thereof*' would be included in relation to rescinding a Motion.

Councillor Storey welcomed the legal advice and referred to paragraph 18 legal advice from which he read the script and agreed that amending the wording of Standing order 23 would be helpful.

Council NOTED the report.

18. RESCISSION OF A PRECEDING RESOLUTION DEFERRED FROM COUNCIL MEETING HELD TUESDAY 26 MARCH 2024

Under Standing Order 23, we the undersigned propose, that this Council rescinds the decision to introduce car parking charges in Ballycastle as agreed on 8th February 2024. These were due to come into force on April 1st however, despite previous assurances, adequate provisions have not been put in place for the Residents of the seafront, businesses, boat owners and Rathlin Island visitors and residents. That car parking charges do not take effect on Ballycastle seafront until council officers bring proposals that adequately address these issues and can be and agreed by this council.

Signed: Councillor Cara McShane, Councillor Maighr ad Watson, Councillor Oliver McMullan, Councillor Ciar an McQuillan, Councillor Kathleen McGurk, Councillor Dermot Nicholl, Councillor Sean McGlinchey, Councillor Sean Bateson, Councillor Niamh Archibald, Councillor Ciaran Archibald, Councillor Brenda Chivers, Councillor Leanne Peacock

Councillor Peacock said that there were issues identified and have been discussed at length in various meetings and forums pertaining to the Rathlin Island community and boat owners and it was clear that the decision requires rescinding to alter the proposal. Councillor Peacock said that information was available now which was not provided during the Rates setting process and referred to exceptionality in relation to Rathlin Island residents.

Proposed by Councillor Peacock
Seconded by Councillor McShane

-That Council rescind the decision to introduce car parking charges in Ballycastle as agreed on 8th February 2024. These were due to come into force on April 1st however, despite previous assurances, adequate provisions have not been put in

place for the Residents of the seafront, businesses, boat owners and Rathlin Island visitors and residents. That car parking charges do not take effect on Ballycastle seafront until council officers bring proposals that adequately address these issues and can be and agreed by this council.

Councillor McShane requested a Recorded Vote.

The Mayor put the Rescinding Motion to the Council to vote.
21 Members voted For; 16 Members voted Against; 0 Members Abstained.
The Mayor declared the Rescinding Motion carried.

RESOLVED – That Council Rescind the Motion to introduce car parking charges in Ballycastle as agreed on 8th February 2024.

Recorded Vote Table

| | |
|---------------------|--|
| For (21) | Alderman Boyle, Coyle, Stewart |
| | Councillor N Archibald, C Archibald, Bateson, Chivers, Kane, Kennedy, Mairs, McCully, McGlinchey, McGurk, MA McKillop, McMullan, McQuillan, McShane, Nicholl, Peacock, Schenning, Watson |
| Against (16) | Alderman Callan, Fielding, Hunter, S McKillop, Scott |
| | Councillor Anderson, Callaghan, Huggins, Kyle, McAuley, Stirling, Storey, Wallace, Watton, Wilson, Wisener |

19. CAR PARKING

(i) Car Parking Permit Options report deferred from Council Meeting held 26 March 2024

Confidential report, previously circulated was presented by the Chief Executive.

Purpose of Report

To provide Members with requested information in relation to the options available to introduce car parking permits in Ballycastle Harbour Area.

Background and Options were presented within the confidential report.

Recommendation

It is recommended that Members assess the options presented and decide on the way forward.

This Item was considered in conjunction with the following report on the Legal Opinion in the matter of car parking permits.

(ii) Legal Opinion in the matter of car parking permits

Legal advice, previously circulated, was presented by the Director of Environmental Services who stated that the legal advisor was in attendance remotely to answer questions from Elected Members in relation to rescinding motion.

The Director of Environmental Services drew Elected Members attention to the Item deferred from the last Council Meeting.

Councillor Peacock referred to the lack of consultation with stakeholders and the Rathlin Island community and said there was a resolution which required consultation and that it would be wrong to predetermine the outcome.

Proposed by Councillor Peacock
Seconded by Councillor McShane

-That Council consult with stakeholders including the Rathlin Island community, to determine the findings of those impacted and bring an options paper for consideration to enable an informed decision.

* **The Director of Leisure and Development and Chief Finance Officer left the meeting at 7.50 pm**

Councillor Wilson referred to the deficit of £600,000 in light of the Rescinding Motion and said it would be prudent to look at options to recover monies which had been budgeted for as part of the rates setting process in order to deal with the shortfall. The Director of Environmental Services advised the cost associated with not proceeding in relation to this matter was £257,000.

At the request of Councillor Wallace the Chief Executive confirmed that under Standing Orders it was permissible to make a fresh proposal regarding car parking within 6 months as the Rescinding Motion applied only to the Ballycastle aspect of car parking charges.

Councillor Peacock questioned the income from Ballycastle Seafront was £600,000 and referred to savings achieved by reduced insurance premiums and felt the decisions taken as part of the rates setting process were not in jeopardy.

At the request of Alderman Scott, the Director of Environmental Services advised that a suite of proposals could be brought in relation to moving from seasonal to 12 months in a bid to recoup some of the monies lost.

Councillor Storey said he concurred with Alderman Scott in respect of widening the scope from seasonal to 12 months.

Councillor Kane said he fully understood the desire for consultation and for the matter to be addressed and referred to lobbying which had taken place but felt that he would not like to see it going beyond the next Council Meeting. Councillor Wilson concurred with Councillor Kane regarding the timeline and the Chief Executive confirmed that the options would be available by the June Council Meeting.

Councillor Storey referred to tortuous procedures in recent times.

Councillor Storey said a democratic decision had been reached in the Chamber and questioned whether it was prudent to have a consultation and asked the Officer if this type of consultation had been undertaken previously as precedence may be an issue. He made reference to previous legal advice received in relation to introducing permits for car parking in Townhead Street, Ballymoney and Portrush which stated that such a scheme would be “ *unfair and subject to challenge.*”

Councillor Storey said his comments were not to disrespect the people of Ballycastle and their genuine concerns.

* **Councillor Holmes joined the meeting at 8.00pm**

The Chief Executive advised that a public consultation had taken place in relation to East Strand, Portrush in 2020 and in 2019 a public consultation on the Car Parking Strategy. The Chief Executive further advised that recent advice regarding whitelisting avoids need for permit issuing.

Councillor Peacock said that consultation should form part of the decision process and referred to the exceptionality of the Rathlin Island community who are affected and said that consultation should be undertaken more routinely than it currently is.

Councillor Kane asked if the timeline for bringing back to the June Council Meeting could be included in the proposal.

Councillor Peacock said that current options had not all been made available to the Rathlin Island community and raised concerns that a 4 week consultation was not in keeping with previous EQIA consultations undertaken.

Councillor McShane concurred with Councillor Peacock that the exercise was simply a tick box exercise and would not be meaningful and advised that new options required proper EQIA screening.

The Director of Environmental Services advised there had already been an element of screening and the purpose of this consultation was to gauge views of those impacted and could be turned around and tabled for the June Council Meeting.

At the request of Councillor McShane, the Director of Environmental Services agreed to provide clarity on the £257,000 figure referred to earlier in the meeting in relation to Ballycastle Seafront.

The Chief Executive felt that at this stage there was insufficient agreement on a timeline in relation to the motion and requested a 5-minute recess be taken to consult on policy.

* **The meeting recessed at 8.10 pm**

* **The meeting reconvened at 8.20 pm**

The Chief Executive suggested that in order to navigate a pathway to suit the Chamber an EQIA could run concurrently with the consultation the outworkings of which Council would be bound by.

Councillor Peacock said that there was no standard 4 week consultation process and that previously full EQIA were carried out and that as a statutory authority Council are expected to treat everyone the same.

The Chief Executive said that the grounds for a full EQIA would be if Rathlin Island community were to be adversely affected and advised that whitelisting option removes potential for an equality challenge. The Chief Executive advised that there would be a fair and honest screening against those options and that Council would not deviate from procedure; the will of the Chamber is to move at reasonable pace and offer compromise and openness to views.

At the request of Councillor Peacock the Chief Executive agreed to include an option discussed at a Party Leads meeting in relation to charging at some areas and not at others - not charge in Marina car park, charge others and whitelist Rathlin Island residents.

Councillor McShane reminded Elected Members of the EQIA signed up to by Council and the need for the adequacy of a 12 week consultation process and erred caution of being in breach unless there were overriding reasons for not doing so.

The Chief Executive advised that the overriding reasons was addressing a budgetary shortfall and confirmed that Council would be compliant with the relevant schemes.

Councillor Peacock requested a Recorded Vote.

The Mayor put the Proposal to the Council to vote.

22 Members voted For; 16 Members voted Against; 0 Members Abstained.

The Mayor declared the Motion carried.

RESOLVED -That Council consult with stakeholders including the Rathlin Island community, to determine the findings of those impacted and bring an options paper for consideration to enable an informed decision.

Recorded Vote Table

| | |
|----------|--|
| For (22) | Alderman Boyle, Coyle, Hunter, Stewart |
| | Councillor N Archibald, C Archibald, Bateson, Chivers, Kane, Kennedy, Mairs, McCully, McGlinchey, McGurk, MA McKillop, McMullan, McQuillan, McShane, Nicholl, Peacock, Schenning, Watson |

| | |
|--------------|--|
| | |
| Against (16) | Alderman Callan, Fielding, S McKillop, Scott |
| | Councillor Anderson, Callaghan, Holmes, Huggins, Kyle, McAuley, Stirling, Storey, Wallace, Watton, Wilson, Wisener |

- * **Alderman Coyle, McKillop; Councillors Kennedy, McMullan and Nicholl, left the Chamber at 8.30 pm.**
- * **Having declared an interest, Alderman Boyle, Hunter, Stewart, Scott; Councillors Anderson, C Archibald, McGurk, Storey, Wallace, Watton, left the Chamber at 8.30 pm**

20. RESCISSION OF A PRECEDING RESOLUTION

We, the undersigned, under standing order 23 propose to rescind the decision made at the meeting of the Council which states

That Council auction all sites on 20 May 2024, three of those will be subject to Planning and if, for any reason, the Planning Process has not been completed, that the current vendors occupying any of those three sites (only one of the 3 sites is occupied) gets the offer of a two-month extension. That will mean no loss of income to Council.

Based on the legal advice taken to members on 17th April 2024 as it has stated that if this was to take place there is a risk of challenge.

*Councillor Ciaran McQuillan
Councillor Brenda Chivers
Councillor Sean Bateson
Councillor Sean McGlinchey
Councillor Leanne Peacock
Councillor Ciaran Archibald*

Councillor Bateson raised concern at the prospect of a challenge, urged caution and said that he did not want to see Council or those occupying sites being adversely affected.

At the request of Councillor Bateson, the Director of Environmental Services advised the matter could be tabled at the May Planning Committee meeting but explained that Planning required adjustments to drawings which removed the static element of the units to enable them to be removed at the end of the working day. The Director of Environmental Services advised that Planning Officers would be recommending refusal if this adjustment was not complied with. The Director further confirmed that if the drawing is adjusted to meet the request of Planners, then the Members decision to have all 3 options available at these sites would not be achieved.

At the request of Councillor Bateson the Director of Environmental Services advised there was an existing static unit on West Bay.

The Chief Executive advised that it was in order to deal with Rescinding Motion before proceeding to discuss further options to ensure correct procedure was followed.

Proposed by Councillor Bateson
Seconded by Councillor McQuillan

- We, the undersigned, under standing order 23 propose to rescind the decision made at the meeting of the Council which states to recommend that Council auction all sites on 20 May 2024, three of those will be subject to Planning and if, for any reason, the Planning Process has not been completed, that the current vendors occupying any of those three sites (only one of the 3 sites is occupied) gets the offer of a two-month extension. That will mean no loss of income to Council.

The Chief Executive clarified the meeting remained quorate whilst those who Declared an Interest as members of the Planning Committee had left the Chamber.

The Mayor put the Proposal to the Council to vote
12 Members voted For; 0 Members voted Against; 10 Members Abstain
The Mayor declared the Motion Carried and motion rescinded.

RESOLVED – That Council Rescind the decision made at the meeting of the Council which states to recommend that Council auction all sites on 20 May 2024, three of those will be subject to Planning and if, for any reason, the Planning Process has not been completed, that the current vendors occupying any of those three sites (only one of the 3 sites is occupied) gets the offer of a two-month extension. That will mean no loss of income to Council.

At the request of Councillor Bateson, the Director of Environmental Services advised that if Planning list the applications in May, timescales would meet the auction deadline, subject to approval.

At the request of Councillor Stirling, the Director of Environmental Services advised that around May 2023 Council's Planning Department had recommended that no statics would be permitted and that a one-year planning permission was granted at that time. The Director of Environmental Services clarified that Members had granted approval against the recommendation of Officers.

The Director of Environmental Services spoke of the obligation in making adjustments to drawings as it had been requested by Planning.

Councillor Holmes said that Planning were treating Council as any other applicant and that the Planning Committee could rule not to agree with the recommendation of Planning.

Councillor Kane raised concerns the livelihood of businesses were at risk and felt that when up to 30 sites were being determined it was clear what planning was required and the application should proceed to planning.

At the request of Councillor Kyle, the Director of Environmental Services advised that there was not a similar scenario which could have potential for setting a precedent.

Councillor Peacock advised that she would Declare an Interest if this matter was tabled at the Planning Committee and said that she was in agreement that the decision taken by Environmental Services Committee should be taken forward and that Council Officers had a duty to enable Elected Members to make a decision and ultimately for those on the Planning Committee to make a decision also.

Councillor Bateson concurred with the remarks made by Councillor Peacock and obtained clarity from the Director of Environmental Services that a further proposal was not required at this time.

MOTION TO PROCEED ‘IN PUBLIC’

Proposed by Councillor Peacock
Seconded by Councillor Kane

RESOLVED – that Council move ‘*In Public*’.

This being all the business, The Mayor thanked everyone for their attendance and the meeting concluded at 8.50 pm.

Mayor