

**Ballymoney Borough Council  
Council Meeting No 903 – 1<sup>ST</sup> June 2009**

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## Ballymoney Borough Council

Minutes of Council Meeting No 903 held in the Council Chamber, Riada House, Ballymoney on Monday 1<sup>st</sup> June 2009 at 7.00 pm.

**IN THE CHAIR:** Councillor J Finlay, Mayor

**PRESENT:**

**Aldermen**  
F Campbell  
C Cousley, MBE, Deputy Mayor  
H Connolly  
J Simpson

**Councillors**  
A Cavlan  
B Kennedy  
M McCamphill  
T McKeown  
A Patterson  
E Robinson  
I Stevenson  
M Storey, MLA

**APOLOGIES:** R Wilson

**IN ATTENDANCE:** Chief Executive  
Director of Borough Services  
Director of Central & Leisure Services  
Head of Corporate & Development Services  
Committee Clerk

**Press**

### 903.1 CONDOLENCES

The Mayor extended condolences to the family of Mr Mark Young from Cookstown who lost his life following an accident at the NW200 race meeting on Saturday 16th May.

The Mayor also expressed condolences to the family of Mr Robert Samuel Watson from Dunloy who was tragically killed in a road traffic accident on the Frosses Road on Saturday 23<sup>rd</sup> May.

**903.2 MINUTES - MEETING NO 902– 5<sup>TH</sup> MAY 2009**

It was proposed by Alderman Connolly, seconded by Councillor Stevenson and **AGREED:**

*that the minutes of meeting No 902 on 5<sup>th</sup> May 2009, as circulated, be confirmed as a correct record.*

**903.3 SEAL DOCUMENTS**

It was proposed by Councillor Stevenson, seconded by Councillor Patterson and **AGREED:**

*that the Seal of the Council be affixed to Grave Registration Certificate numbers 1155, 1156, 1157 & 1158.*

**903.4 COMMITTEE MEETINGS – JULY & AUGUST 2009**

It was proposed by Alderman Connolly, seconded by Councillor Cavlan and **AGREED:**

*that no meetings of standing committees be held during July and only in August where the Officer, in consultation with the Chair, agree that there is essential business.*

While the consultation committee will not meet in July, the July planning schedule will be circulated to members and treated in the same way as streamlined applications, ie, members who want any application removed should notify the Office of the Chief Executive and it will be deferred; the committee will meet in August in order to ensure that deferred applications are not unduly delayed.

\* **Alderman Cousley joined the meeting at 7.05 pm.**

**903.5 CONSULTATION COMMITTEE NO 38 – 18<sup>TH</sup> MAY 2009**

Councillor Kennedy presented the report.

*the minutes of meeting No 38 on 18<sup>th</sup> May 2009, as circulated, were received.*

**903.6 DEVELOPMENT COMMITTEE NO 204 – 18<sup>TH</sup> MAY 2009**

Councillor Stevenson presented the report.

## 6.1 Streetscape Scheme

The Head of Corporate & Development Services provided an update on the timescale for implementation of the Streetscape Scheme and recommended that to progress the scheme in a timely manor, approval be granted to sign the letter of offer. At the request of Alderman Simpson, the Head of Corporate and Development Services advised that the project has been delayed due to issues raised by Planning Service and the funders, which should be resolved shortly enabling the scheme to be approved and to commence in the near future.

It was proposed by Councillor Robinson, seconded by Councillor Kennedy.

***that the Mayor and Chief Executive be authorized to sign the contract between the Department of Social Development and Council for funding of Ballymoney Town Centre EI Scheme.***

## 6.2 Adoption of Minutes

It was proposed by Councillor Stevenson, seconded by Alderman Campbell and  
**AGREED:**

***that the minutes of Development Committee Meeting No 204 on 18<sup>th</sup> May 2009, as circulated, be adopted and the recommendations therein approved.***

At the request of the Mayor, the Chief Executive agreed to time of future Development Committee meetings, held monthly following the Consultation Committee meeting to avoid any time lag between the two. Members were in agreement with this.

## 903.7 LEISURE & AMENITIES COMMITTEE NO 361 – 19<sup>TH</sup> MAY 2009

Alderman Campbell presented the report.

### Matters Arising:

#### 7.1 12th Demonstration – Request for Assistance (361.9.1)

It was proposed by Councillor Finlay, seconded by Councillor Stevenson and  
**AGREED:**

***to refer this item back to the next meeting of Committee for further consideration.***

#### 7.2 12<sup>th</sup> Demonstration – Request for Assistance (361.9.2)

It was proposed by Councillor Finlay, seconded by Councillor Stevenson and  
**AGREED:**

***to refer this item back to the next meeting of Committee for further consideration.***

### **7.3 Sport NI – Places for Sports Surfaces (361.5)**

Responding to a question from Councillor Kennedy relating to opportunities for a grant towards another facility at Riada Stadium and the existence of a business case, the Director of Borough Services advised that the figures indicated in the minute are estimates from last year and were projected costs endorsed by Council. The scheme is in place and approved as far as planning and a select list has been identified but other elements would still need to be put in place. This matter was dealt with at the time of the rates setting process and Council has not identified a budget for any scheme in the current financial year. The Director indicated that the formulation of a business case by Council's consultant is estimated at £5,000/£6,000.

### **7.4 Rasharkin Community Centre Management Committee – Constitution (361.13)**

Councillor Stevenson, advising that further information had been received, requested that this item be referred back to Committee for further consideration. The Director of Central & Leisure Services advised members that this request would impact on timescales agreed by the Management Committee who has met to look at the constitution and who has agreed to hold a special meeting to approve the revised constitution. Having considered the request and the Chief Executive's clarification to Councillor McCamphill on the delegation of Council powers to enable a decision to be made within the set timescales, members agreed to consider Councillor Stevenson's information. He indicated his understanding of a case in a neighbouring Council that it is not lawful to not allow religious meetings to take place in Council owned buildings and suggested that any religious groups should be able to hold religious meetings in the centre. The Director of Central and Leisure Services advised that she was not aware of this case and would need time to seek advice and consult with the Management Committee who has approved the revised document and the matter would best be served by tabling for discussion at the next meeting of the Leisure & Amenities Committee when the issue of charges covered within the constitution could also be dealt with.

It was proposed by Councillor Stevenson, seconded by Councillor McCamphill and **AGREED:**

***that the matter be referred to next meeting of Committee and that Committee be delegated Council powers to deal with the item.***

\* **Councillor McKeown and Councillor Storey arrived during the discussion at 7.25 pm and 7.30 pm respectively**

### 7.5 Declaration of Slievanorra & Croaghan ASSI (361.6)

At the request of Alderman Connolly, the Director of Borough Services confirmed Committee's recommendation to note the work that may have to be commissioned following the declaration by the Department but that timescales permit representation of Alderman Connolly's views (as set out in Health & Environmental Services minute ref HES 349.24)

### 7.6 Community Festivals Fund (359.10)

The date for a special meeting to consider applications was **AGREED:**

***meeting to take place on Wednesday 1<sup>st</sup> July 2009 at 10.30, venue to be agreed.***

Alderman Simpson expressed his concern that further monies had been taken from reserves to cover the Council cost and expressed the view that Council should adhere to the budgets set at the rates meeting.

### 7.7 Adoption of Minutes

It was proposed by Alderman Campbell, seconded by Councillor Stevenson and **AGREED:**

***that the minutes of Leisure & Amenities Committee Meeting No 361 on 19<sup>th</sup> May 2009, as circulated, be adopted and the recommendations therein approved with the exception of items 7.1, 7.2 and 7.4 as set out above.***

## 903.8 HEALTH & ENVIRONMENTAL SERVICES COMMITTEE NO 350 – 26<sup>TH</sup> MAY 2009

Councillor Robinson presented the report congratulating the Borough on municipal waste returns and highlighting the decrease in waste to landfill and the increase of 5% in blue bin recycling.

Councillor Robinson drew members' attention to the minutes of the NILAS Working Group meeting held on Thursday 21<sup>st</sup> May, as circulated, and the agreed recommendations contained therein, attached as Appendix A.

It was proposed by Councillor Robinson, seconded by Councillor Stevenson and **AGREED:**

***that the minutes of Health & Environmental Services Meeting No 350 on 26<sup>th</sup> May 2009, as circulated, be adopted and the recommendations therein approved, including the minutes of the NILAS Working Group held on 21<sup>st</sup> May 2009.***

**903.9 CORPORATE & CENTRAL SERVICES COMMITTEE NO 376 – 27<sup>TH</sup> MAY 2009**

Alderman Simpson presented the report. The Director of Central & Leisure Services presented an addendum as set out at 9.1.

**9.1 Addendum – Provisional Actual Penny Product 2008/09**

The Land and Property Services LSP has now completed an initial assessment of the Actual Penny Product out turn for 2008/09. The outcome is that Council will have to repay £142,903.05 of rates relating to 2008/09. Included in this figure is the BT refund of £27,794.45. Under the Finance Ministers Support Package announced in January the BT refund can be spread over five years. That being the case, 80% - £22,235.57 of the BT refund would be deferred. The amount to be repaid of 2008/09 would then be £120,667.48. The remaining 80% of the BT refunds would be paid over the next four years at £5,558.89 per annum.

Council has the option to amend the deferment option. If an amendment is planned LPS are to be advised by 31<sup>st</sup> May 2009. LSP will deduct the clawback from the Rates Income in November 2009.

The Director of Central & Leisure Services advised that the deadline for amendment of the deferment option has been extended to 12<sup>th</sup> June and **RECOMMENDED** that Council agree with the payment requested and deferral of the remaining 80% over a four year period. She responded to Councillor Storey's request for clarification that at the time when Councils merge in 2011, the new Causeway Coast & Glens District Council will accept liability for any approvals Council makes at this time.

It was proposed by Alderman Simpson, seconded by Councillor Robinson and **AGREED:**

***that Council accept the deferment option and repay £120,667.48 to LPS, the remaining 80% of the BT refunds to be paid over the next four years at £5,558.89 per annum.***

**Matters Arising:****9.2 NILGA Presentation (376.1)**

Councillor Robinson advised that Articles 13 and 14 of NILGA's constitution, previously passed, have now been withdrawn and will be discussed at a future meeting of NILGA.

### 9.3 Severance Arrangements (376.5)

Councillor Robinson stated her opposition to Council borrowing to meet the financial implications of any severance schemes. It was noted however that the NAC recommendation was that the cost should be met by Central government.

### 9.4 Adoption of Minutes

It was proposed by Alderman Simpson, seconded by Councillor Stevenson and **AGREED:**

*that the minutes of Corporate & Central Services Committee Meeting No 375 on 27<sup>TH</sup> May 2009, as circulated, be adopted and the recommendations therein approved, including addendum as set out at 9.1*

### 903.10 RESOURCES TASK GROUP – 19<sup>TH</sup> MAY 2009

Alderman Simpson presented the report.

It was proposed by Alderman Simpson, seconded by Alderman Connolly and **AGREED:**

*that the minutes of Resources Task Group on 19<sup>th</sup> May 2009, as circulated, be adopted and the recommendations therein approved.*

### 903.11 AUDIT COMMITTEE NO 15 – 22<sup>ND</sup> MAY 2009

Alderman Cousley presented the report.

It was proposed by Alderman Cousley, seconded by Alderman Campbell and **AGREED:**

*that the minutes of Audit Committee No 15 on 22<sup>nd</sup> May 2009, as circulated, be adopted and the recommendations therein approved.*

\* **Councillor Cavlan left the meeting at 7.55 pm.**

### 903.12 NORTHERN IRELAND HOUSING COUNCIL

The Housing Council has written to confirm Councillor Finlay's attendance at Housing Council meetings between 1<sup>st</sup> May 2008 and 30<sup>th</sup> April 2009.

Councillor Finlay was recorded as present at six out of a possible eight of those meetings. Out of a possible four meetings of the Housing & Regeneration Committee, he attended three.

The Mayor drew attention to the Housing Council Conference on 10<sup>th</sup> June 2009 at Armagh City Hotel advising that four delegates could attend for a fee of £200.00 which he was prepared to meet from his conference budget. Members interested should contact the Office of the Chief Executive.

### **903.13 COMMUNICATION WORKERS UNION**

The Northern Ireland Region of the Communication Workers Union has written to thank Council for their continued support of the campaign "Keep the Post Public".

The Union brought their campaign to Ballymoney on Friday 15<sup>th</sup> May.

### **903.14 BALLYMENA BOROUGH COUNCIL**

#### **Northern Ireland Agricultural Produce**

Ballymena Borough Council advise that at its monthly meeting held on Tuesday 5<sup>th</sup> May 2009, the following resolution was passed:

*"That the Council takes practical steps with local restaurants, cafes and hotels as well as other stockists in the Borough to advance the case for providing home grown, quality Northern Ireland agricultural produce to customers, locals and visitors alike, in order to sustain the fragile agricultural industry in Northern Ireland. Furthermore, that the Council engages with food labelling and food standards agencies, including the Department of Agriculture and Rural Development, to ensure that voluntary labelling endorsing local agricultural produce is advocated, in keeping with the beef industry."*

The resolution has been forwarded to all district Councils highlighting the importance of informing the public of the need to support local produce and to the Minister for Agriculture and Rural Development and the Ulster Pork and Bacon Forum.

It was proposed by Alderman Cousley, seconded by Councillor Stevenson and **AGREED:**

***that Council support Ballymena Borough Council in their request to highlight the importance of informing the public of the need to support local produce.***

### **903.15 REPORTS**

A list of reports was circulated for members' information.

### **903.16 NILGA REPORTS & UPDATES**

Councillor Robinson advised members that representatives from NILGA have extended thanks to Council for the opportunity to give a presentation in relation to their activities and RPA.

**The meeting closed at 8.00 pm.**

Appendices attached:  
Appendix A – NILAS Working Group Minutes 21.5.09

**APPENDIX A****NILAS WORKING GROUP****MEETING NO. 9**

**Held on Thursday 21st May 2009 at 2.30pm in Riada House**

<b>Present</b>	Councillor Robinson (Chair) Alderman Connolly Alderman Cousley Councillor McCamphill
<b>In Attendance</b>	Director of Borough Services Head of Environmental Services Recycling & Education Officer

**Item 1: Apologies**

None.

**Item 2: Minutes Meeting No. 8, 17<sup>th</sup> September 2008**

Minutes from previous meeting agreed as a true record.

The Director reminded Members that the NWRWMG would no longer be proceeding with the Bio-Waste/Compost Contract.

**Item 3: Textile Recycling**

Members were informed that correspondence had been received from Loughguile Community Association indicating their wish that Council remove it's textile bank from Loughguile Community Recycling Centre. The land on which the recycling centre is located is controlled solely by the community association.

This textile bank has been serviced by Can Can Recycling for the past 4 years, with income generated from the sale of collected materials being used to fund a project which helps adults with learning difficulties. The Council does not benefit financially from this arrangement.

The Director indicated to Members, in light of the correspondence received, that two options were available:-

Option 1: Maintain the status quo (i.e. Can Can Recycling continues to service Council textile banks and retain income generated from the sale of textiles to fund their project).

Option 2: The Council tenders for a textile collection service and uses any potential income at its discretion.

Members were made aware that option 2 may have political and financial implications.

It was **proposed** by Councillor Robinson, **seconded** by Alderman Connolly, **and agreed** that Option 1 be adopted.

#### **Item 4: NILAS Targets**

The Director tabled two spreadsheets outlining NILAS performance, revised for January and May 2009. Included in the May 2009 revision was the affect current rates of waste recovery will have on future NILAS performance.

Particular attention was drawn to year 2012-2013, and the following two years up to and including 2014-2015. In these years the figures presented indicate that Council would not meet its NILAS targets and therefore would be liable to substantial fines.

#### **Item 5: Actual Performance 2008-09 (Interim Figures)**

Members were furnished with tables showing monthly statistical data on the following:-

1. Recycling Initiatives (brown bins / cardboard / waste recovery / dry recyclables)
2. Textile Recycling
3. Waste to Landfill

A further table highlighted brown bin participation from January to March 2009.

Members were asked to note the substantial increase in green waste collected via brown bins in April 2009 compared to April 2008.

#### **Item 6: Brown Bin Recycling Scheme**

With reference to the brown bin participation and tonnage data supplied, the Director recommended that the brown bin collection service be suspended in December, January and February. It was pointed out that the employees providing this service would be re-deployed to other duties within the Environmental Services remit. Householders with green waste during this period would still be able to dispose of it at Knock Road and Crosstagherty Civic Amenity Sites.

It was **proposed** by Alderman Connolly, **seconded** by Councillor McCamphill **and agreed** that the brown bin collection service be suspended in December, January and February.

#### **Item 7: Additional 'Interim' Measures**

##### *i) Recovery of Residual Waste*

The Director advised Members that the company presently used by Council to recover recyclates from its civic amenity waste had proposed a further pilot scheme whereby residual waste produced in Ballymoney would undergo a waste recovery process, with the non-recyclable and compostable material being converted to refuse derived fuel. This fuel would be used to generate energy.

**IT WAS RECOMMENDED** by the Director that any 'interim' measures should be applied on a NWRWMG wide basis, and do not prejudice any ongoing procurement processes.

*ii) Mixed Dry Recyclables*

Glassdon has indicated that it will shortly be in position to accept a wider range of recyclable materials via the blue bin. Additional materials include aerosols, batteries, plastic food cartons and tetra paks.

It is proposed that any changes to the current collection arrangements for blue bins be introduced on a cluster wide basis.

**Item 8: Any Other Business**

Members were reminded that as part of the 2009-2010 budgetary round it had been proposed that the staff complement be increased at Crosstagherty Civic Amenity Site on a Saturday due to the increasing number of customers using the facility. As Council, due to budgetary constraints, was not able to grant the additional resources to facilitate this change, the matter has been further considered and a solution sought using existing resources.

Members were informed of the increasing use of Crosstagherty Civic Amenity Site on a Saturday during the summer months, with 8 times as many vehicles passing through the facility compared to a Sunday.

Members were asked to consider the closure of Crosstagherty Civic Amenity Site on a Sunday, with the savings re-directed to provide additional assistance on a Saturday. Knock Road Civic Amenity Site would continue to be open on a Sunday during the summer months.

It was **proposed** by Alderman Cousley, **seconded** by Alderman Connolly, **and agreed** that Crosstagherty Civic Amenity Site be closed on a Sunday, and the savings made be used to provide additional assistance on a Saturday.

**Meeting closed – 4.25pm.**

Attachments:

NILAS Targets & Performance Review Data  
Actual Performance 2008-2009 (interim Figures)