

**Ballymoney Borough Council
Council Meeting No 921 – 7th June 2010**

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Ballymoney Borough Council

Minutes of Council Meeting No 921 held in the Council Chamber, Riada House, Ballymoney on Monday 7th June 2010 at 7.00 pm.

IN THE CHAIR: Alderman F Campbell, Mayor

PRESENT: **Aldermen**
H Connolly
C Cousley, MBE, Deputy Mayor
J Simpson

Councillors

R Halliday
B Kennedy
M McCamphill
P McGuigan
D McKay
T McKeown
A Patterson
E Robinson
I Stevenson
M Storey

APOLOGIES: **Councillors**
A Cavlan
J Finlay

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

Press

921.1 MINUTES - MEETING NO 919 – 10TH MAY 2010

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

that the minutes of meeting No 919 on 10th May 2010, as circulated, be confirmed as a correct record and the recommendations therein approved.

921.2 MINUTES - MEETING NO 920 – 3RD JUNE 2010**Matters Arising:****2.1 Funding Local Government Reform**

Council held a special meeting on 3rd June to discuss the Environment Minister's letter to NILGA dated 28th May when the Mayor and Councillor McCamphill were appointed to represent it at the NILGA meeting on 4th June. A copy of NILGA's response to the Minister, dated 4th June was circulated. Council is invited to endorse this response.

Members who attended this meeting reiterated its outcome, the agreement of the seven principles. They felt that the media coverage which suggested Local Government would cover the cost of the reform was misleading. This was not put forward at nor agreed at the meeting.

Further discussions followed around costs and identified savings, cost neutral, impact on the rate payer and uncertainty of costs involved. The Chief Executive highlighted other important decisions which still need to be made e.g. structure of new Councils, the directorates and management and transferred services.

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

that Council endorse NILGA response to Minister Poots regarding funding Local Government reform.

2.2 Adoption of Minutes

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

that the minutes of meeting No 920 on 3rd June 2010, as circulated, be adopted and the recommendations therein approved, to include 921.2.1

921.3 CONSULTATION COMMITTEE NO 50 – 17TH MAY 2010

Alderman Connolly presented the report.

Matters Arising:**3.1 Northern Area Plan Update**

As advised at last Development Committee meeting the draft Northern Area Plan (dNAP) is now to progress to Independent Examination.

DOE Planning Service have asked to attend Council to provide Members with a short verbal update on the process, indicating what the various elements are and the provisional timescale involved.

Following consultation with the Mayor and Chair of Consultation Committee arrangements have been made for the NAP Team Officers to attend the Consultation committee on Monday 21st June at 2.30pm, just prior to the monthly planning consultation. (NIHE are scheduled to be at the meeting at 2.00pm to present the district housing plan).

Unfortunately, as Council is an objector to dNAP, Planning Service are unable to discuss any of the concerns which Council has raised in its objections to the Draft Plan, in advance of the Independent Examination stage of the plan process.

Subsequent to the presentation on 21st June, and with Council's approval Planning Service would like to present three monitoring papers to Members, relating to housing, industry and retailing. These should provide the Council with information to 2009 of the baseline position within the Council area regarding these main land uses. If Members so wished, Planning Service would be happy to return to discuss any issues arising from the papers which require clarification. The monitor papers will, ultimately, be placed on the Planning Service website prior to the Independent Examination.

In response to Councillor Storey, the Chief Executive agreed on the importance of engaging with planning consultants regarding the objections, however no budget is available in this financial year. A report on any issues on Councils needing addressed would be made to the Development Committee when appropriate.

* **Councillor McGuigan left the meeting at 7.28pm.**

Members endorsed the arrangements made for Planning Service attendance at the next Consultation committee and agreed to receive subsequent presentation on monitoring papers.

3.2 Planning Policy Statement 21: Sustainable Development in the Countryside.

A letter from Department of Environment regarding Planning Policy Statement 21 was circulated to members. Members were asked to note that PPS21 has been published.

3.3 *The minutes of meeting No 50 on 17th May 2010, as circulated, were received.*

921.4 DEVELOPMENT COMMITTEE NO 214 – 17TH MAY 2010

Councillor McCamphill presented the report.

* **Councillor McGuigan rejoined the meeting at 7.34pm.**

Matters Arising:**4.1 Northern Regional College – Business Improvement Plan 2010-2016-Consultation (215.7)**

In response to Alderman Simpson, the Head of Corporate and Development Services advised consultation was planned with local schools, Chamber of Commerce and other organizations which use the NRC facilities to provide a report of committee.

Councillor Storey advised he is meeting Mr Trevor Neilands, NRC Director. He felt Ballymoney suffers when public sector jobs are centralized. Other members supported this view. He also felt key elements of Council's response in 2004 would remain the same.

4.2 Adoption of Minutes

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

that the minutes of Development Committee Meeting No 214 on 17th May 2010, as circulated, be adopted and the recommendations therein approved.

921.5 LEISURE & AMENITIES COMMITTEE NO 372 – 11TH MAY 2010 AND NO 373 – 18TH MAY 2010

Councillor Stevenson presented the report.

Matters Arising:**5.1 PRIORITISATION OF AMENITIES PROJECTS 2010/11 (372.1)**

Alderman Simpson raised his concerns regarding the shortfall in estimated costs against budget provision. Discussions followed regarding the need to budget for additional running costs and programme costs. The excellent work of voluntary groups and well established community groups was acknowledged however some members urged caution regarding cost on rates of future capital projects and operating costs as cutbacks are evitable by Central Government.

Further discussions followed on the budget available, capital projects evaluation process, cost analysis and level of provision of facilities throughout the Borough. Councillor Kennedy requested that the decision to proceed with projects be deferred for 12 months.

The Director of Borough Services responded to Councillor Storey's questions on cost analysis including operating costs, advising an economic appraisal is required to support any loan sanction application but no work on other costs impacting on rates had been done as yet. Some provisions in the Borough have Council care-taking presence, others do not. Those facilities without Council presence are under the control of a management committee and dependent on terms, they cover operational costs such as heat and light and Council are

responsible for maintenance. There is no income for Council and costs are rate-borne.

Councillor Robinson suggested that the projects proceed within budget and adjustments made were necessary. Councillor Storey concurred that projects should proceed within budget.

The Director of Borough Services advised that only at the tender stage would actual costs be known.

5.2 Adoption of Minutes

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

that the minutes of Leisure & Amenities Committee Meeting No 372 – 11th May 2010 and No 373 – 18th May 2010, as circulated, be adopted and the recommendations therein approved.

* **Councillor McKay left the meeting during item no 921.5 at 7.47pm.**

921.6 HEALTH & ENVIRONMENTAL SERVICES COMMITTEE NO 360 – 25TH MAY 2010

Councillor Robinson presented the report.

Matters Arising:

6.1 Road Safety Strategy for Northern Ireland (360.8)

Councillor Robinson advised that both herself and Councillor Stevenson attended the event.

6.2 Municipal Waste Returns (360.15)

Councillor Robinson referred to the increase in mixed residual waste and decrease in blue bin recycling. She highlighted £3.3million grant available which may be of benefit to Council.

Councillor Storey suggested a refresher training session on which items are recyclable. The Director of Borough Services agreed to this request and also advised that there will be promotion on recyclable items in local media over future weeks.

6.3 Adoption of Minutes

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

that the minutes of Health & Environmental Services Meeting No 360 on 25th May 2010, as circulated, be adopted and the recommendations therein approved.

921.7 CORPORATE & CENTRAL SERVICES COMMITTEE NO 386 – 24TH MAY 2010

Alderman Simpson presented the report.

Matters Arising:

7.1 CONFERENCES

Councillor Robinson update members on her attendance at The Institute of Revenues, Rating & Valuation in NI and the Chief Executive's Forum event.

7.2 COMMUNITY SAFETY & DPP – JOINT WORKING (386.6)

Councillor Robinson informed members on a recent DPP meeting where Northern Ireland Policing Board advisors presented on a future amalgamated structure of CSP and DPP. The Chief Executive informed members of a Solace meeting attended by Department of Justice officers who indicated that whether or not Local Government Reform proceeded in 2011 it was the view that the two organizations would be combined. Issues regarding make-up of partnership and funding had to be resolved. The recommendation of more efficient working arrangements of existing partnerships within Ballymoney Borough Council is however a separate issue.

Councillor Robinson refrained from voting on this item.

7.3 NATIONAL ASSOCIATION OF COUNCILLORS NI REGION (386.11)

In response to Alderman Simpson, Councillor Robinson, as a NACNI member, advised that NACNI accounts are available for viewing after the association's annual general meeting.

7.4 Adoption of Minutes

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

that the minutes of Corporate & Central Service Committee Meeting No 386 on 24th May 2010, as circulated, be adopted and the recommendations therein approved.

921.8 RESOURCES TASK GROUP NO 30 – 24TH MAY 2010

Alderman Simpson presented the report.

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

that the minutes of Resources Task Group No 30 on 24th May 2010, as circulated, be adopted and the recommendations therein approved.

921.9 SEAL DOCUMENTS

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

that the Seal of Council be affixed to Grave registration certificate numbers 1199, 1200, 1201 & 1202.

* **Press left the meeting at 8.39pm**

921.10 COMMITTEE MEETINGS – JULY & AUGUST 2010

It was **RECOMMENDED:** 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.

Councillor Robinson reiterated that fact that the new arrangements where the Director and Chair of committee concerned meet prior to the meetings, they will establish if there are any items.

It was proposed by Alderman Connolly, seconded by Councillor Stevenson 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, with the exception of Consultation Committee which would operate as set out above.

The Director of Borough Services advised members that a single issue meeting of the Leisure and Amenities Committee will be held on Tuesday 29th June 2010, at 5.00pm in the McKinley Room, Riada House.

921.11 ANNUAL MEETING DATE

A request has been received from a member to have the date of the Annual

Meeting, on Thursday 17th June at 7.00 p.m. (in accordance with standing orders) changed.

Councillor Robinson explained that she was attending a conference departing 11 June 2010 and would not return until 22 June 2010. Members discussed alternative suitable dates and it was agreed that the Health and Environmental Services Committee will commence at 5.00pm on Tuesday 22 June 2010, to facilitate the Annual Meeting of Council at 8.00pm on the same evening, with the Equality Commission officials attending at 7.00pm as previously arranged.

- * **Director of Borough Services, Council McCamphill, Councillor McGuigan and Councillor Robinson left the meeting at 9.09pm.**
- * **Director of Central and Leisure Services left the meeting at 9.10pm**

921.12 AUDIT COMMITTEE – REPORT BY CHIEF EXECUTIVE

It was **RECOMMENDED** that Council grant power to the Audit Committee, meeting in June 2010, to receive and review reports and recommendations from Internal Audit on reviews undertaken during the last financial year and the annual assurance statement for 2009/10, in advance of the sign off of the Council's accounts for 2009/10 at the Corporate & Central Services Committee in June.

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

that Council grant power to the Audit Committee, meeting in June 2010, to receive and review reports and recommendations from Internal Audit on reviews undertaken during the last financial year and the annual assurance statement for 2009/10, in advance of the sign off of the Council's accounts for 2009/10 at the Corporate & Central Services Committee in June.

921.13 NORTHERN IRELAND HOUSING COUNCIL

13.1 ATTENDANCE AT MEETINGS

NIHC has written to inform Council of its Councillor's attendance at the Housing Councils meetings between the period 1st May 2009 until 30th April 2010.

The Housing Council had 11 meetings within that period. Councillor J Finlay was recorded present at 10 of those meetings. Councillor Finlay also sat on the Housing & Regeneration Committee. Out of a possible 9 meetings of the committee, he attended all nine.

13.2 BUSINESS REPORT TO LOCAL COUNCILS

A copy of the NIHC summary report February to April 2010 is attached for members' information. If further information is required in relation to the report please contact the Secretariat on 028 9031 8750.

921.14 STRABANE DISTRICT COUNCIL - COMMUNITY BENEFIT CLAUSES IN COUNCIL CONTRACTS – LETTER TO MINISTER POOTS

The Council's letter stated "At a meeting of Council held on 11 May 2010, members discussed at length the issue of introducing Community Benefit Clauses into Council contracts.

In these times of economic downturn, Council is keen to give any permissible support to the local economy and to maximise the community benefits which could be realised from public procurement. One very practical means to realise social and economic benefits is through the introduction of Community Benefit Clauses in Council Contracts.

Under current legislation, however, Councils in Northern Ireland are prohibited from considering 'non-commercial' matters in the award of their contracts. Council noted however with interest that Councils in England do not have the same prohibitions applied to their procurement processes as they have implemented the required amendments to legislation.

Council therefore urges you to make an order under the Local Government (Best Value) Act (Northern Ireland) 2002 to provide that certain workforce matters cease to be 'non-commercial' considerations for the purpose of s19 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992.

As this issue is of relevancy to all Councils in Northern Ireland, Council has also sought the support of NILGA in the matter and has forwarded a copy of this letter to all Councils.

Council trusts that you will allocate the required attention to this critical issue and do all in your power to enact the required order with the maximum expediency."

- * **Councillor McCamphill and Councillor Robinson rejoined the meeting at 9.11pm and 9.12pm respectively.**

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

that Council wait for NILGA's response on the matter concerned.

- * **Councillor McGuigan rejoined the meeting at 9.13pm.**

921.15 REPORTS

A list of reports was circulated for members' information.

921.16 NILGA REPORTS/UPDATES

A list of reports was circulated for members' information. Members' attention was drawn by Chief Executive to a letter dated 24th May 2010 regarding the substitution of

appointed representative at full NILGA meetings. A substitution can attend provided the member is from the same Council and same political party. For smaller Councils this may prove difficult and a representative from a different political party may be nominated. The use of the d'hondt system is encouraged. It was **RECOMMENDED** Council endorse NILGA's correspondence.

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

that Council agree NILGA's guidance.

The meeting closed at 9.16 pm.