

**Ballymoney Borough Council
Council Meeting No 927 – 4th October 2010**

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BALLYMONEY BOROUGH COUNCIL

Minutes of Council Meeting No 927 held in the Council Chamber, Riada House, Ballymoney on Monday 4th October 2010 at 7.00 pm.

IN THE CHAIR: Councillor B Kennedy, Mayor

PRESENT:

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

Councillors
A Cavlan
R Halliday
P McGuigan
T McKeown
C McLaughlin
A Patterson
I Stevenson
M Storey, MLA

APOLOGIES:

Councillors
J Finlay
M McCamphill
E Robinson

IN ATTENDANCE:

Chief Executive
Deputy Director of Borough Services
Director of Central & Leisure Services
Head of Corporate & Development Services
Committee Clerk

Press

927.1 CONDOLENCE

The Mayor expressed condolences at the death of a former Council Officer, Mr Norman Elder, on 28th September.

He stated "Norman commenced employment with the Council in the early 70's, as Works Superintendent, responsible for delivering Council's grounds and building maintenance functions. He retired after some 20 years service. During his service, Norman was greatly respected by all who knew him and will be fondly remembered as a thorough and

dedicated public servant. I would offer Council's sympathy to his wife Annie, son Stanley and the family circle".

Councillor Stevenson, Alderman Campbell, Alderman Connolly, Alderman Simpson and Councillor Patterson associated themselves with the Mayor's remarks referring to Mr Elder as a conscientious worker and also extending their sympathies to his wife and family.

927.2 CONGRATULATIONS

Loughgiel Shamrocks

The Mayor extended congratulations to Loughgiel Shamrocks who won the recent County Antrim Championship defeating Cushendall.

Co Antrim Junior Camogie Team

The Mayor also congratulated the Co Antrim Junior Camogie Team, which includes some local players, who were successful in the All Ireland Championship defeating Waterford.

Alderman Connolly thanked the Mayor for his words of congratulations and will pass these on to the Clubs concerned.

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

that Council write to Loughgiel Shamrocks to congratulate them on their success and that a reception be hosted to recognise their achievement.

Ryder Cup

The Mayor congratulated the European winners of the Ryder Cup particularly the two Northern Ireland players, one of whom, Graeme McDowell from the neighbouring borough of Coleraine, won the deciding round of the competition.

Commonwealth Games

Councillor Storey extended best wishes to athletes from the borough representing Northern Ireland at the games in Delhi. The Mayor concurred with Councillor Storey's remarks extending best wishes to all those taking part and in particular, those from this borough.

927.3 COMMUNITY RESCUE SERVICE

The Mayor expressed sadness and disappointment at the mindless destruction, by arsonists, of Community Rescue Service's command support vehicle purchased recently and launched on the 22nd August to assist volunteers of the service in their work. He said "We in this Council support the work of the Community Rescue Service

and hope the team will rise from the ashes and continue with the tremendous job they do.” Alderman Campbell supported the Mayor in his remarks. Alderman Connolly concurred with the Mayor and Alderman Campbell’s comments particularly relating to the work of the Service at the time of the severe weather conditions earlier in the year and the tremendous work they undertook to assist people at that time.

927.4 MINUTES - MEETING NO 925 – 6TH SEPTEMBER 2010

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

that the minutes of meeting No 925 – 6th September 2010, as circulated, be confirmed as a correct record.

927.5 CONSULTATION COMMITTEE NO 54 – 20TH SEPTEMBER 2010

The minutes of meeting No 54 on 20th September 2010, as circulated, were received.

* **Councillor McKeown joined the meeting at 7.20 pm.**

927.6 DEVELOPMENT COMMITTEE NO 218 – 20TH SEPTEMBER 2010

Councillor Stevenson presented the report and the Head of Corporate & Development Services advised members of addendum as set out at 6.1 and 6.2 below

6.1 Village Renewal Programme (Rdp)

A number of villages within the area of the regions rural development programme, following information sessions, have indicated that they are going to submit a preliminary application for village renewal programme. The closing date for preliminary applications is 4th October.

Villages in our borough area who have been in contact with the Village Renewal Facilitator to indicate that they intend to submit applications for village plans are Ballybogey, Stranocum, Dervock and Dunloy, while Rasharkin and Cloughmills have indicated that they will submit projects.

The following Associations have written to Council requesting Council to consider match funding of 25% (£1,750) towards the development of a village action plan.

- Ballybogey & District Community Association
- Stranocum & District Development Group
- Dervock & District Community Association

The applications are submitted for Council’s consideration. While Council has committed to contribute towards the Village Renewal Facilitator, no budget

provision has been provided to support applications under the village renewal programme.

The Head of Corporate & Development Services advised that Dunloy Community Association were also submitting an application and requested consideration of match funding.

At the request of Alderman Simpson, the Director of Central & Leisure Services advised that reserves are not at a sufficient level to satisfy the Local Government Auditor and she strongly advised against using money out of reserves taking into account the impact of the current and potential further cuts in the general grant.

It was **AGREED:**

that the applications be noted.

6.2 Maximising The Impact Of Eu Funds – Energising Growth

NILGA have invited Council to nominate five representatives (elected members and offices) from Council to attend a conference on the above subject on **Wednesday 27th October in the Hilton Hotel, Templepatrick**. Closing date for nominations is 11th October.

The purpose of the event is to explore not only current EU funding opportunities but also to start discussion on future European Programmes post 2013. Importance will be placed on identifying those funding areas within the current round of EU funding programmes that are under represented by local government and to encourage councils to draw down these monies while the opportunity still exists. There will be a number of practical workshops on dealing with funding obstacles and the benefits of working in partnership.

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

that Councillor Cavlan be nominated to attend a conference on Maximising the Impact Of Eu Funds – Energising Growth on Wednesday 27th October in the Hilton Hotel, Templepatrick

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

that Councillor Stevenson, Alderman Cousley and two officers be nominated to attend a conference on Maximising the Impact Of Eu Funds – Energising Growth on Wednesday 27th October in the Hilton Hotel, Templepatrick

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

that Alderman Simpson be nominated to attend a conference on Maximising the Impact Of Eu Funds – Energising Growth on

Wednesday 27th October in the Hilton Hotel, Templepatrick, an officer standing down to facilitate an additional member appointment.

6.3 Film Productions (219.18)

At the request of Councillor McGuigan, the Head of Corporate & Development Services advised that although deferred, it is intended by the producers to screen the film and host an event for all those who took part in it.

6.4 Adoption of Minutes

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

that the minutes of Development Committee Meeting No 218 on 20th September 2010, as circulated, be adopted and the recommendations therein approved, including addendums as set out at 6.1 and 6.2 above.

927.7 LEISURE & AMENITIES COMMITTEE NO 376 – 21ST SEPTEMBER 2010

The report was presented by Alderman Campbell.

Matters Arising:

7.1 Ballymoney Museum (376.17)

Councillor Storey commented favourably on the level of visitors who attended the Road Racing Nation exhibition and thanked the staff for their work in raising the profile of the museum. The Mayor concurred with Councillor Storey's remarks.

7.2 Adoption of Minutes

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

that the minutes of Leisure & Amenities Committee Meeting No 376 on 21st September 2010, as circulated, be adopted and the recommendations therein approved.

927.8 HEALTH & ENVIRONMENTAL SERVICES COMMITTEE NO 363 – 28TH SEPTEMBER 2010

Prior to presenting the report, Councillor Patterson drew attention to additional information and requested that the licence application by Racks, detailed at 363.8 be withdrawn.

Matters Arising:**8.1 Local Government Licence Applications (Full) (Renewal) (363.8)**

It was proposed by Councillor Stevenson, seconded by Councillor Halliday and
AGREED:

that the application from Racks, Unit 9A Ballybrakes Business Park, Ballymoney, be withdrawn due to a review of fire safety at the premises.

8.2 Erection of Street Nameplates in a Language other than English (363.4)

Councillor McGuigan advised of his party's opposition to the recommendations stating that Council deliberated this matter previously and had undertaken an EQIA on the policy which is now in operation.

It was proposed by Councillor McGuigan, seconded by Councillor Cavlan

that Council do not accept the recommendations and enact the current policy.

Councillor McGuigan referred to possible legal implications resulting from Council's continued delay in enacting the policy and stated that all the questions Councillor Finlay has asked on the matter have been answered. At the request of Councillor McGuigan, the Chief Executive clarified that an EQIA can be reviewed but if members are not happy with the recommendations made, they are able to vote against them or refer back to committee for further discussion.

The Mayor ruled that as the motion was a direct negative, those opposed to the recommendations could exercise their right to vote against it and to facilitate this, he invited votes for individual recommendations. Councillor McGuigan requested that voting be recorded.

Recommendation 1 – Council policy be amended**FOR (8)**

Councillor Storey
Alderman Campbell
Councillor Stevenson
Councillor Halliday
Councillor Patterson
Alderman Cousley
Councillor McKeown
Alderman Simpson

AGAINST (4)

Councillor McLaughlin
Councillor McGuigan
Councillor Cavlan
Alderman Connolly

The Mayor declared the motion carried.

Recommendation 2 – Undertake Equality Impact Assessment**FOR (8)**

Councillor Storey
 Alderman Campbell
 Councillor Stevenson
 Councillor Halliday
 Councillor Patterson
 Alderman Cousley
 Alderman Simpson
 Councillor McKeown

AGAINST (4)

Councillor McLaughlin
 Councillor McGuigan
 Councillor Cavlan
 Alderman Connolly

The Mayor declared the motion carried.

Recommendation 3 – Erect only those street signs for which there is a budget.**FOR (8)**

Councillor McKeown
 Alderman Simpson
 Councillor Storey
 Alderman Campbell
 Councillor Stevenson
 Councillor Halliday
 Councillor Patterson
 Alderman Cousley

AGAINST (4)

Alderman Connolly
 Councillor McLaughlin
 Councillor McGuigan
 Councillor Cavlan

The Mayor declared the motion carried.

8.3 Incredible Edible Cloughmills (363.36)

Alderman Campbell congratulated Incredible Edible Cloughmills in winning ‘the Sustainable Ireland Award 2010’ stating that those involved were to be commended for their work in this initiative.

8.4 Adoption of Minutes

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

that the minutes of Health & Environmental Services Committee Meeting No 363 on 28th September 2010, as circulated, be adopted and the recommendations therein approved.

927.9 CORPORATE & CENTRAL SERVICES COMMITTEE NO 388 – 27TH SEPTEMBER 2010

Alderman Simpson presented the report.

Matters Arising:**9.1 Casual Vacancy – District Electoral Area of Bann Valley (388.8)**

Councillor McGuigan paid tribute to the work of outgoing Councillor D McKay, MLA during his term as Councillor for Bann Valley. He said that prior to Councillor McKay's election as an MLA, he was a tremendous Councillor and he will continue to act on behalf of his constituents. On behalf of his party, Councillor McGuigan welcomed Councillor Cathal McLaughlin stating that he would be an asset to this Council and to Sinn Féin.

9.2 Rates Estimates 2011/12 – Dates for Meetings (388.14)

The Chief Executive offered his apologies that he will not be able to attend the special meeting convened for 18th October due to holidays. He advised that the Director of Borough Services was deputising during his absence in October.

9.3 Salting & Gritting of Footways (388.6)

At the request of Councillor Storey, the Chief Executive clarified the powers of DRD Roads Service in clearing footways, the positive suggestion from the Chamber of Commerce in enabling traders to assist in clearing footways, concerns relating to liability issues and contractual arrangements with farmers.

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

- a) *that Council write to the Minister for the Department of Regional Development requesting him to set down reasons for DRD's position with regard to salting and gritting of footways and explain why the same process as is in place for rural roads, where persons are contracted and supervised by DRD who determine when work is to be done, cannot be implemented.*
- b) *that Council write to DRD highlighting concerns that farmers contracted to undertake snow clearance were not sent out last year in severe conditions.*

9.4 Adoption of Minutes

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

that the minutes of Corporate & Central Services Committee Meeting No 388 on 27th September 2010, as circulated, be adopted and the recommendations therein approved.

927.10 RESOURCES TASK GROUP MEETING NO 32 – 27TH SEPTEMBER 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 Meeting No 32 on 27th September 2010, as circulated, be adopted and the recommendations therein approved.

- * **Members of the press left the meeting at 8.05 pm.**

927.11 STAFFING MATTERS

The Mayor agreed to a request by Alderman Campbell to raise a staffing matter impacting on all departments.

Alderman Campbell indicated that at the last meeting of the DUP group, members had considered posts in the Office of the Chief Executive, Borough Services Directorate and Central & Leisure Services Directorate which were, or they understood were to become vacant, the group's view being that no action be taken to fill any vacant posts until the decision on rates for 2011/12 was being made.

- * **Committee Clerk, having an interest in the subject matter raised, left the meeting at 8.10 pm.**

In response to a member question, the Deputy Director of Borough Services advised, in respect of the vacant Head of Amenities post, on the number of internal and external applicants, number of short listed candidates, assessment centre and interview arrangements and confirmed that there had been two internal candidates, neither of whom had been shortlisted. The Chief Executive alluded to a temporary vacancy, arising from a career break, recently approved in the Office of the Chief Executive whilst the Director of Central & Leisure Services confirmed that a post may become vacant in the Leisure Centre.

Alderman Campbell indicated that he would report back to his party grouping.

The Chief Executive explained the process necessary under Standing Orders should members wish to rescind a decision made and pointed to the advanced stage of the recruitment process and expenditure incurred for one of the posts mentioned.

- * **The Committee Clerk returned to the meeting at 8.25 pm.**
- * **The Director of Central & Leisure Services and the Deputy Director of Borough Services left the meeting at 8.25 pm.**

927.12 SEAL DOCUMENTS

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

that the Seal of Council be affixed to Grave registration certificate numbers 1217 and 1218.

927.13 DRAFT NORTHERN AREA PLAN (dNAP)

The Chief Executive advised that at its September meeting Council agreed to advise Planning Service that it wished to pursue all the objections lodged in 2005 to the draft Northern Area Plan (dNAP). Council now has the opportunity to review those objections and agree which, if any, it wishes to withdraw.

It is **RECOMMENDED** that a workshop be held with the Council's planning consultant to review the objections and agree the list of objections to be pursued at the Examination in Public on dNAP.

The suggested dates are 9th or 11th November at 2 p.m.

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

that a workshop be held on Thursday 11th November at 2.00 pm with the Council's planning consultant to review the objections and agree the list of objections to be pursued at the Examination in Public on dNAP.

927.14 FILL VACANCY ON RASHARKIN COMMUNITY CENTRE MANAGEMENT COMMITTEE

Following the resignation from Council of Councillor Daithí McKay a vacancy has arisen on Rasharkin Community Centre Management Committee.

Council is invited to fill the vacancy on this body.

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

that Councillor McGuigan fill the vacancy on Rasharkin Community Centre Management Committee.

927.15 DRIVER & VEHICLE AGENCY – APPLICATION FOR A NEW ROAD SERVICE LICENCE

South Antrim Community Transport, 30 Dennison Ind. Est. Ballyclare BT39 9EB

The Department has received an application for a new Road Service Licence, from the above named, who proposes to operate two buses, from the address above, to carry out the following services:

1. Occasional private hire.

In accordance with Section 6 of the Transport Act (NI) 1967 **Council is asked to submit its comments regarding this application before 14th October 2010.**

No comments were offered.

927.16 THE PLANNING (FEES) (AMENDMENT) REGULATIONS (NORTHERN IRELAND) (S.R. 2010 NO. 294)

The Department has made a Statutory Rule entitled the Planning (Fees) (Amendment) Regulations (Northern Ireland) 2010 (S.R. 2010 No. 294). The Regulations were made on 6th September 2010 and will come into operation on 4th October 2010.

The effect of the Regulations will be to increase planning fees by approximately 2.9%. Planning fees were last increased in August 2009 by the Planning (Fees) (Amendment) Regulations (Northern Ireland) 2009 (S.R. 2009 No. 265). This increase is based on the GDP deflator forecast for 2010/11 and the Department would in future intend to seek a modest annual increase in fees levels based on this accepted inflationary metric.

This in-year increase takes place whilst Planning Service is carrying out the comprehensive Review of Planning Fees and Charges. The objective of the Review is to have a fees structure which, as far as possible, achieves full cost recovery for permitted services, thereby reducing the future burden on tax/ratepayers arising from the need to subvent the provision of planning services and provides a level of service in line with performance set out in PSA targets. The Review will produce further proposals, for changes to planning fees for public consultation in the autumn, to come into operation in the 2010/11 financial year, subject to Assembly scrutiny. Further information available from www.opsi.gov.uk/legislation/northernireland

927.17 PUBLIC INQUIRY INTO THE OUTBREAK OF CLOSTRIDIUM DIFFICILE IN NORTHERN TRUST HOSPITALS – NOTIFICATION OF PUBLIC HEARING, THE ROUND TOWER, ANTRIM CIVIC CENTRE, 50 STILES WAY, ANTRIM

The Public Inquiry into the deaths which occurred in Northern Health and Social Care Trusts hospitals during an outbreak of C.diff infection is now approaching the fourth stage of its work which involves witnesses to the Inquiry appearing before the Inquiry Panel at Oral Hearings.

The Inquiry will be holding Public Hearings in Antrim Civic Centre which are scheduled to begin on Monday 4th October and expected to take approximately 14 days in October. The main Council Chamber at Antrim Civic Centre will operate as the Hearing Chamber, except on Thursdays when Antrim Borough Council meets.

Further information about the Inquiry and details of the Public Hearings can be found on our website at www.cdiffinquiry.org

927.18 REPORTS

A list of reports was circulated for members' information.

927.19

NILGA REPORTS/UPDATES

A list of reports was circulated for members' information.

The meeting closed at 8.35 pm.