

**Ballymoney Borough Council
Council Meeting No 930 – 1st November 2010**

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BALLYMONEY BOROUGH COUNCIL

Minutes of Council Meeting No 930 held in the Council Chamber, Riada House, Ballymoney on Monday 1st November 2010 at 7.00 pm.

IN THE CHAIR: Councillor B Kennedy, Mayor

PRESENT:

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

Councillors
A Cavlan
R Halliday
M McCamphill
T McKeown
A Patterson
I Stevenson
J Finlay
P McGuigan
C McLaughlin
E Robinson

APOLOGIES:

Aldermen
F Campbell

Councillor
M Storey, MLA

IN ATTENDANCE:

Chief Executive
Director of Borough Services
Deputy Director of Borough Services (Item 1)
Director of Central & Leisure Services
Head of Corporate & Development Services
Committee Clerk

Press
NIE (Item 1)
Mr Stephen Harper
Ms Sara McClintock

930.1 PRESENTATION

The Mayor welcomed Mr Stephen Harper and Ms Sara McClintock representatives from Northern Ireland Electricity. He explained that they would be giving a presentation regarding the Storm on 30th March 2010 and there would be an opportunity at the end for Councillors to ask questions. The presentation is attached in the minutes under Appendix A.

The representatives from NIE delivered their presentation and following this the Mayor thanked them for attending the meeting, for the work of the NIE and the personnel that were employed both from here and across the UK. He also thanked Councillor Cavlan and Councillor McKay along with the Deputy Director of Borough Services who accomplished a great deal of work during the storm. He also recorded thanks to Loughgiel Community Association, Rescue Services and other volunteers and advised that he had hosted a reception to recognise their contribution on 21st October 2010.

A number of Councillors also gave thanks to the staff from NIE, for their work at this time, including Customer Services Advisors, staff and volunteers at the Millenium Centre, Leisure Centre, Search and Rescue and other volunteers.

NIE representatives addressed a range of questions from members, including:

- * Prioritisation of work across the affected areas in Northern Ireland - to be referred to Customer Services.
- * Goodwill payments for loss of freezer food – noting customers can claim from their home insurance.
- * Condition of electricity poles found to be of sound quality.
- * Advice regarding associated Health and Safety issues.
- * Work done on the Altnahinch Road during the storm – all work done during the incident would be followed up.

The Mayor thanked Mr Harper and Ms McClintock again for their presentation and the representatives left the meeting at 7.45 p.m.

- * **The Deputy Director of Borough Services left the meeting at 7.45 p.m.**

930.2 MINUTES - MEETING NO 926 – 4TH OCTOBER 2010

It was proposed by Alderman Connolly seconded by Alderman Cousley and **AGREED:**

that the minutes of meeting No 926 – 4th October 2010, as circulated, be confirmed as a correct record.

930.3 MINUTES - MEETING NO 927 – 4TH OCTOBER 2010

It was proposed by Councillor Cavlan seconded by Councillor Halliday and **AGREED:**

that the minutes of meeting No 927 – 4th October 2010, as circulated, be confirmed as a correct record.

930.4 MINUTES – MEETING NO 928 – 18TH OCTOBER 2010

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

that the minutes of meeting No 928 – 18th October 2010, as circulated, be confirmed as a correct record.

930.5 CONSULTATION COMMITTEE NO 55 – 4TH OCTOBER 2010

It was proposed by Alderman Connolly seconded by Alderman Cousley and **AGREED:**

the minutes of meeting No 55 - 18th October 2010, as circulated, be received.

930.6 DEVELOPMENT COMMITTEE NO 220 – 18TH OCTOBER 2010

Councillor Finlay presented the report to Council.

Matters Arising:**6.1 North West 200 (220.6.2)**

Councillor Finlay commented on the economic benefits to the region of the 2010 event revealed in report commissioned by the Coleraine & District Motor Club, organizers of the NW200, around £4.5M for the local economy, £7.79M to Northern Ireland and creating around 150 jobs.

6.2 Adoption of Minutes

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

that the minutes of Development Committee Meeting No220 on 18th October 2010, as circulated, be adopted and the recommendations therein approved.

930.7 LEISURE & AMENITIES COMMITTEE NO 377 – 19TH OCTOBER 2010

Councillor Cavlan presented the report to Council.

Matters Arising:**7.1 Good Relations Programme 2010/11 (377.3)**

In response to the question from Councillor Robinson regarding the level of grant, £77,146.50, the Director of Central & Leisure Services advised that the offer made from The Office of the First Minister and Deputy First Minister (OFMDFM) is the full amount requested by Council and represents 75% of the cost of the current year's programme.

7.2 Amenities Capital Projects 2010/11 (377.11)

In response to question by Councillor McCamphill the Director of Borough Services informed Council that his directorate had applied for planning permission for the 4 proposed projects namely those at – Ballybogey, Balnamore, Cloughmills, and Stranocum which Council had indicated they wished to proceed with. Council's Consultants had been commissioned to prepare drawings and progressed the process for a select list of contractors.

Councillor McCamphill recommended that apart from refurbishment of the play area in Cloughmills, none of the other projects should go ahead this year until the new rates were decided.

Discussion then ensued regarding whether the Capital projects should go ahead or be deferred until the new rate was determined. The Mayor recommended that this issue be further discussed at the next rates meeting and a decision could then be made as to whether these projects will be suspended or not.

7.3 Changing Facilities at Riada Stadium (377.6)

In relation to concerns which had been raised by Ballymoney Ladies Hockey Club regarding the availability of changing facilities in respect of their use of the Astroturf pitch at the Joey Dunlop Leisure Centre, Councillor Robinson requested an update. The Director of Borough Services advised that steps have been taken to provide provision for the first eleven.

Councillor Robinson thanked the Director of Borough Services for his intervention on this matter and sought information on arrangements to meet the Club's needs. In response the Director of Central and Leisure Services added that a meeting with Ballymoney Ladies Hockey Club will take place week commencing 1st November 2010.

7.4 Adoption of Minutes

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

that the minutes of Leisure & Amenities Committee Meeting No377 on 19th October 2010, as circulated, be adopted and the recommendations therein approved.

7.5 Northern Ireland Milk Cup

The Director of Borough Services advised that he had had an approach from the organizing committee of the Milk Cup to make their presentation to Council on 6th January 2011 rather than Leisure and Amenities Committee.

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

that Council receive a presentation from the Representatives of the Northern Ireland Milk Cup Committee at council meeting on 6th January 2011.

In response to a question by Alderman Simpson the Director advised that the 3 year funding arrangement for the Milk Cup ended in 2010.

930.8 HEALTH & ENVIRONMENTAL SERVICES COMMITTEE NO 364 – 26TH OCTOBER 2010

Councillor Patterson presented report to Council.

Matters Arising:

8.1 Private Rented Sector Awareness Raising Seminar (364.4)

Councillor Robinson advised that she now has another engagement on that date and asked if there were any of the other members wishing to go.

Councillor Stevenson indicated that he would be available to go.

It was proposed by Councillor Finlay seconded by Councillor Robinson and
AGREED:

that Councillor Stevenson be appointed to attend the Private Rented Sector Awareness Raising Seminar to be held in Newtownabbey Borough Council office on Friday 19th November 2010, in place of Councillor Robinson.

8.2 Adoption of Minutes

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

that the minutes of Health & Environmental Services Committee Meeting No 364 on 26th October 2010, as circulated, be adopted and the recommendations therein approved.

930.9 CORPORATE & CENTRAL SERVICES COMMITTEE NO 389 – 25TH OCTOBER 2010

- * **The Director of Borough Services declared an interest in item 13, as a postholder, and left the meeting at 8.10 p.m.**

Alderman Simpson presented the Committee Report.

Matters Arising:

9.1 Rates – outstanding Debts at 31st March 2010 (389.6)

A discussion ensued regarding the outstanding rates and a number of Councillors agreed that it was a staggering amount outstanding and that steps should be taken by Land and Property Services to recover these.

Councillor Finlay referred to comments by the First Minister that no rates should be above inflation and he concluded that rates may be capped.

9.2 Democracy Week 2010 (389.12)

Councillor Robinson commented on the hard work and dedication shown by staff in arranging democracy week and wished that her thanks be recorded.

9.3 Directors of Services' Pay Review (389.13)

It was proposed by Councillor Robinson, seconded by Councillor Halliday and **AGREED**, 7 members voting for and 2 against, following discussion and a request by the Mayor for a vote to determine a Council view:

that the matter be further discussed.

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

that Council move into committee for this item.

- * **The Director of Central Services declared an interest as a postholder and left the meeting at 8.20 p.m.**

In response to a point of clarification raised by a member, the Chief Executive advised Council that individual members/officers do not need to declare an interest and withdraw from the meeting on a committee recommendation, unless the matter is being discussed by Council.

Discussion ensued regarding the approval, cost of implementation and arrears of the results of the job evaluation exercise on the two director posts, the arrears, as was the case with all job evaluation costs, being met from reserves.

In response to comments regarding deferral of decision and limitation of reserves the Chief Executive advised that technically Council could defer the decision until the new rates are determined, however it may put Council in a difficult position if it is not prepared to validate the outcome of the Independent Consultants exercise, having commissioned the assignment. He also advised that while the new finance bill proposed compulsory levels of reserves there was no legal requirement yet for a particular level of reserves.

There were a number of Councillors for the implementation of the re-grading and a number of Councillors who expressed the wish that the decision be delayed until after the new rates were determined.

To determine the matter the Mayor made a request for a decision to be made by a vote. On being put to the meeting the voting was:

FOR (3)

AGAINST (0)

The Mayor declared the motion carried. Councillor Robinson, Councillor Halliday, Councillor Finlay, Councillor Simpson and Councillor Patterson asked to be recorded as abstaining from the Council's decision.

9.4 Adoption of Minutes

The Mayor then put the committee report and recommendations to the meeting for adoption.

It was AGREED:

that the minutes of Corporate & Central Services Committee Meeting No 389 on 25th October 2010, as circulated, be adopted and the recommendations therein approved.

The Council resolved itself out of committee.

- * **The Director of Borough Services and the Director of Central and Leisure Services re-joined the meeting at 8.45 p.m.**
- * **Alderman Connolly and Councillor McKeown left the meeting at 8.45 p.m.**

930.10 RESOURCES TASK GROUP MEETING NO 33 – 25TH OCTOBER 2010

Alderman Simpson presented the report.

Matters Arising:**10.1 Vacancy – Head of Amenities (33.3)**

Alderman Simpson stressed the need to make a decision on the filling of the post of Head of Amenities. A discussion then ensued and the Director of Borough Services advised on the costs already accrued by Council for advertising and on the Assessment Centre exercise, while the Director of Central & Leisure Services informed Council on annual cost to Council of post. Directors and Chief Executive advised on numbers of Head of Service within Office of Chief Executive and Directorates and responsibilities.

It was proposed by Councillor Stevenson, seconded by Councillor Halliday,

that the post of Head of Amenities not to be filled.

As there were no consensus during discussion the Mayor asked that the Councillors should vote on the matter and that vote be recorded.

FOR (5)

Councillor Finlay
Councillor Stevenson
Councillor Halliday
Councillor Robinson
Alderman Cousley

AGAINST (6)

The Mayor
Councillor McLaughlin
Councillor McGuigan
Councillor McCamphill
Councillor Cavlan
Alderman Simpson

The Mayor declared the motion lost.

It was proposed by Councillor McCamphill, seconded by Councillor Cavlan

that the post of Head of Amenities be filled.

The Mayor put the motion to the meeting and voting was recorded as follows:

FOR (6)

The Mayor
Councillor McLaughlin
Councillor McGuigan
Councillor McCamphill
Councillor Cavlan
Alderman Simpson

AGAINST (5)

Councillor Finlay
Councillor Stevenson
Councillor Halliday
Councillor Robinson
Alderman Cousley

The Mayor declared the motion carried.

10.2 Adoption of Minutes

It was proposed by Councillor Simpson, seconded by Councillor McCamphill and
AGREED:

that the minutes of Resources Task Group Meeting No 33 on 25th October 2010, as circulated, be adopted and the recommendations therein approved.

930.11 SEAL DOCUMENTS

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

that the Seal of Council be affixed to Grave registry certificate numbers 1219, 1220 and 1221.

* Councillors Halliday, Councillor Cavlan, Councillor McGuigan and Councillor McLaughlin left the meeting at 9.00 p.m.

930.12 ROADS SERVICE – PROPOSED ONE WAY TRAFFIC SYSTEM, BALNAMORE, BALLYMONEY

It has been brought to the attention of Roads Services that there are continuing problems with vehicles entering and exiting the Day To Day shop at The Corners, Balnamore.

After subsequent meetings and observations of the problems, Roads Service feels a one way system would be a step to solving the problem. This would mean that vehicles would not be meeting in the middle of the road and causing traffic jams. A map of the proposals is available from the Office of the Chief Executive.

Councillor Finlay welcomed the one way system and appealed for the road to be widened. Councillor Robinson agreed that this work would be vital for the local shop to continue business and would provide added value to the village.

It was proposed by Councillor Finlay and seconded by Councillor Robinson and
AGREED:

that Council support the Department's proposals for the introduction of a one-way system at The Corners, Balnamore and request that the road also be widened.

930.13 LORD CHIEF JUSTICE'S OFFICE – PRIORITY LIST OF AREAS FOR SENTENCING GUIDELINES

As the Lord Chief Justice set out in a speech on 6th September he has been considering how the system by which judges are provided with guidance and information on

sentencing could be enhanced. Part of this is to provide more guidance where it is needed.

Council is invited to highlight any areas of sentencing, which it would like the judicial Sentencing Working Group to consider for inclusion in a priority list of areas in which it is considered the courts should issue new or additional sentencing guidelines or guidance.

The deadline for responses is 20th December 2010.

No comments were offered.

930.14 TRANSITION COMMITTEES

At the Corporate & Central Services Committee on 25th October the Environment Minister's letter announcing the suspension of the funding for Transition Committees was tabled.

It is **recommended** that Council agrees to the five members of the Transition Committee from Ballymoney attending a workshop on 25th November on Collaboration, as this will no longer be covered by DoE funding. This recommendation is to cover expenses only – not for payment of the allowance which was also covered by DoE grant.

Councillor Robinson requested that application be made to the Environment Minister for reimbursement of travelling expenses to all members of the Transition Committee and Council members could then decide if they wish to continue with the work of the Transition Committee.

It was proposed by Councillor Robinson and Seconded by the Mayor and **AGREED:**

that Council agree to the Council's five Transition members attending the Collaboration Workshop on 25th November, and Council to meet travel expenses, and that the Environment Minister be asked to approve payment of travel expenses to Transition Committee members where Transition committee continuing to meet.

* Councillor Patterson left the meeting at 9.10 p.m.

930.15 PLANNING SERVICE – NEW COMPUTER SYSTEM

Planning Service has advised of its intention to install a new computer system in the Agency's Londonderry and Coleraine offices from 1 November, and to reassure Council that they anticipate that this will have a minimal impact on the services it provides to its customers. The planned go-live for the system in the offices is 8 November, and Planning Service will keep council informed should this date change.

Steps have been taken to help ensure that the majority of the Agency's services will be unaffected. Office opening hours, open file appointments, council meetings and site visits will be unaffected. All applications, reserved matters, environmental statements or other information received during the week of installation will be date stamped and the receipt date honoured so that customers will not be disadvantaged. Payments received

at this time will be kept safe and any planning applications received will be validated and advertised approximately one week later than usual.

The new system will not be fully operational until it is implemented in all Divisional offices in December. However, from 8 November progress of planning applications being processed by the Londonderry and Coleraine offices can be tracked using the "Public Access" tool on the Planning Service website.

In response to Councillor Robinson the Chief Executive advised that Council do not have the same system in place. The Departments system is accessed via the internet.

930.16 PROPOSED WIND FARM – LOUGHGULE – REQUEST FOR DELEGATION TO ATTEND COUNCIL.

A request has been received from ORRA Action Group Loughgile for the opportunity to put forward the case of the Residents of Loughgile's objections to the Proposed Wind Farm on the mountain of ORRA. As members know Council has already agreed to give the opportunity to RES to present on this proposal. A copy of their correspondence giving further information is attached.

The Mayor stated that it would be reasonable to give both ORRA Action Group Loughgile and RES an opportunity to put forward their case to Council regarding the Proposed Wind Farm on the mountain of ORRA.

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

that ORRA Action Group be given the opportunity to present their case to Council at the meeting at which RES was scheduled to attend.

930.17 ANNUAL SERVICES OF REMEMBRANCE

Council is invited to attend the Annual Service of Remembrance which will take place in First Ballymoney Presbyterian Church, Meetinghouse Street, Ballymoney, on Sunday 14th November at 3.00 p.m.

It is customary for The Mayor, accompanied by the Chief Executive, to lay a wreath at the Ballymoney War Memorial on behalf of the citizens of the Borough at the Annual Act of Remembrance at 10.30 a.m. Also for the Deputy Mayor, accompanied by a Director, to attend the wreath laying service Dervock.

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

that Council attend the Annual Remembrance Service on 14th November and be robed and that wreaths be laid at Ballymoney and Dervock War Memorials on behalf of the citizens of the Borough.

930.18 INVITE RECEIVED FROM ROSEYARDS CHURCH – WORLD WAR 1 AND WORLD WAR 2 EXHIBITION

Roseyards Presbyterian Church are hosting a World War 1 and World War 2 exhibition to be held on Sunday 21st November 2010. As a final to the event on Sunday 21st November a service will be held in the Church at 7.30 p.m. when the praise will be led by the P.S.N.I. Ladies Choir. A copy of the letter and exhibition leaflet was circulated to members.

930.19 REPORTS

A list of reports was circulated for members' information.

930.20 NILGA REPORTS/UPDATES

A list of reports was circulated for members' information.

930.21 EU FUNDING - DVD

Councillor Robinson advised that there will be a DVD issued shortly to Councils regarding the EU funding available. The DVD examines closely how funding can be drawn down for individual Councils wishing to make application.

The meeting closed at 9.25 pm.