

Ballymoney Borough Council

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Ballymoney Borough Council

Minutes of Council Meeting No 878 held in the Council Chamber, Riada House, Ballymoney on Monday 6th May 2008 at 6.30 pm

IN THE CHAIR: Councillor J Finlay, Mayor

PRESENT:

Aldermen
F Campbell
H Connolly
C Cousley
J Simpson

Councillors
A Cavlan
P McGuigan
T McKeown
A Patterson
E Robinson
I Stevenson

APOLOGIES:

Councillors
B Kennedy
M McCamphill
D McKay, MLA
M Storey, MLA
R Wilson

IN ATTENDANCE:

Chief Executive
Director of Borough Services (Items 1-9)
Director of Central & Leisure Services (Items 1-9)
Head of Corporate & Development Services
Committee Clerk

Northern Health & Social Care Trust (Item 4)
Ms N Evans, Chief Executive
Ms M Mulholland, Head of Communications

Press

878.1 CONGRATULATIONS

The Mayor extended congratulations to the Deputy Director of Borough Services, Bryan Edgar, who completed the Belfast Marathon on Monday 5th May 2008 in a time of 2:56:52, raising over £3,500 for Breast Cancer Research.

Alderman Connolly congratulated constituent Mrs Close from Loughgiel in completing the marathon for charity.

The Mayor also extended congratulations to Ballymoney United U18 football team who won their group in the Northern Ireland league play off.

The Mayor also acknowledged the excellent work of the Community Sports Project Officer, which contributed towards the team's success.

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

that a letter of thanks be sent to The Community Sports Project Officer acknowledging his excellent contribution to the success of Ballymoney United U18 football team.

878.2 BALLYMONEY POLICE STATION OPENING TIMES

The Mayor advised members of a number of complaints received from residents in Ballymoney relating to the reduced opening times of Ballymoney Police Station. A petition has been raised stating:

"We, the residents of Ballymoney Council area, call for the reinstatement of Ballymoney PSNI station opening hours to 24 hours per day, seven days per week. We are deeply concerned that this base is not policed at all times and indeed, this situation has an adverse affect on the peace of mind of those living in the Borough."

The petition was circulated to members and is available to sign at the Town Hall and the Joey Dunlop Leisure Centre and would be circulated to all Community Associations.

* **Councillor Patterson and the Director of Central and Leisure Services arrived at 6.36 pm.**

878.3 MINUTES – MEETING NO 877 – 7TH APRIL 2008

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

that the minutes of meeting No 877 on 7th April 2008, as circulated, be adopted, subject to amendment of minute 877.18 at the request of Councillor Robinson (delete "attend" for the Minister's address and inser "later in the day for the Health Minister's address".

878.4 SEAL DOCUMENTS

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

that the seal of Council be affixed to Grave Registration Certificate numbers 1100, 1101 (Ballymoney Cemetery) and 0011 (Rasharkin Cemetery).

878.5 PRESENTATION – NORTHERN HEALTH & SOCIAL CARE TRUST

The Mayor welcomed the Chief Executive and the Head of Communications from the Northern Health & Social Care Trust to provide members with an update on service provision and development following the amalgamation of the Trust to incorporate those areas formally covered by Homefirst, Causeway and United Hospitals Trusts. The presentation is attached as Appendix 1.

* **Councillor McKeown arrived at 6.47 pm**

The Trust Chief Executive advised that the remit of the Trust includes:

- equality of access in view of extensive coastal boundaries
- demands of higher public expectation
- challenging targets of planning review
- investment in community services
- development of new services to meet template of modernisation and reform
- development of links with local councils and councillors

* **During the presentation, the Director of Borough Services and Councillor Cavlan arrived at 7.00 and 7.05 respectively.**

The presentation concluded at 7.05 pm following which, Ms Evans responded to a number of questions. Included in the issues raised were:

- Better services for people suffering from Alzheimer's Disease
- Job share and part time employment of staff
- Spending review per head of population
- Provision of care packages and services to older people
- Location of Trust HQ to Ballymena and retention of existing accommodation
- Microbiology and pathology services at the Causeway Hospital
- Security review at Robinson and Dalriada complex
- Mixed bays on wards
- Palliative care provision
- Cause and prevention of hospital 'superbugs'
- Provision of midwifery services and special care baby units at the Causeway Hospital

* **During the questions, Councillor McGuigan arrived at 7.32 pm**

The Mayor thanked Ms Evans and Ms Mulholland for their presentation.

Ms Evans and Ms Mulholland left the meeting at 7.45 pm.

* **Alderman Cousley left the meeting at 7.45 pm**

878.6 CONSULTATION COMMITTEE NO 26 – 21ST APRIL 2008

Councillor Cavlan presented the report.

Matters Arising

6.1 Planning Service Streamlined Consultation Pilot Scheme (26.1)

Members gave further consideration to this matter, deferred from Committee, and agreed to participate in the proposed pilot scheme.

6.2 Adoption of Minutes

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

that the minutes of Meeting No 26 – 21st April 2008, as circulated, be adopted.

878.7 DEVELOPMENT COMMITTEE NO 193 – 21ST APRIL 2008

The report was presented by Councillor Stevenson including addendum as set out in 7.1.

7.1 Addendum

Rural Development Programme

Following consideration of options for delivery structures and management for the Rural Development Programme in the North East Ballymena have confirmed their lead Council role. As members know each of the Council's in the north east cluster nominated two elected members to serve on the LAG. This process is now complete and unfortunately the political make-up of the elected members does not meet criteria set down by DARD for composition of the LAG. The assistance of the political parties is being sought to address the political imbalance prior to submission of the bid.

Peace III

Following consideration of options for delivery structures for the Peace III programme Coleraine Borough Council have agreed to take the lead. As members are aware Coleraine have been leading to date in the process and **it is recommended** that Council confirm Coleraine Borough Council as lead council for this programme.

North East Partnership / Interreg IV

The 'Tourism and Enterprise' elements of the Partnership 'Multi-Annual Plans' have been considered by the independent steering committee. Circa €8m (£6.4m) allocated to 7 out of the 13 projects tabled under the NEP bid and assessed for SEUPB by KPMG as follows;

Enterprise

- * Absenteesim led by Antrim BC - approved in principle
- * Innovation and Growth led by Udaras - approved in principle
- * Market Towns - led by Newtownabbey BC - approved in principle
- * Contingency Planning - led by Antrim BC - not approved
- * Water Management for SMEs - not approved
- * BIDS (Business Improvement Districts) - led by Ballymena BC - not

approved

* Think Food - led by Coleraine BC - not approved

Tourism

* Causeway Connections - led by CCAG RTP - approved in principle

* Off-shore Islands - led by Donegal Co Co - approved in principle

* Gobbins & Slieve League - led by Imeal Tra - approved in principle

* National Cycle Network - Dumfries to Dundalk - approved in principle

* Native Birds as tourism resource - led by RSBP - not approved

* Motorcycle Tourism - led by Imeal Tra - not approved

The final figures for individual projects has yet to be determined.

The 'approved in principle' projects will now be submitted to the responsible department in Northern Ireland - in this case DETI.

The outcome of the third theme projects - Public Sector Collaboration - will not be known until late June 2008. There are 4 projects submitted under this theme and two further projects being worked up.

7.2 Adoption of Minutes

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

that the minutes of Meeting No 193 – 21st April 2008, as circulated, and the addendum as set out in 7.1 be adopted and the recommendations therein approved.

878.8 LEISURE & AMENITIES COMMITTEE NO 342 – 15TH APRIL 2008

Alderman Campbell presented the report.

Matters Arising:

8.1 Ballymoney Museum (342.18)

At the request of Councillor Cavlan, the glass frontage to the Tourist Information Centre was referred to Committee. The Director of Central & Leisure Services advised that the Museum Working Group has been rescheduled from 8th May to 9th May 2008 at 10.30 am

8.2 Contributions to Outside Bodies for Capital Purposes (342.19)

At the request of Councillor Robinson, this matter will be referred back to Committee for further consideration.

8.3 Celebration of Community Upgrades

Referring to the completion of work on play area upgrades and community facilities provision at Dunaghy, Balnamore and Killyrammer, the Mayor advised that the community associations, on which Council are

represented, wish to hold fun events in the villages on Saturday 24th May to celebrate the commissioning of the facilities.

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

that Council provide a budget not exceeding £1,000 to cover the cost of the celebratory events.

8.4 Adoption of Minutes

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

that the minutes of Meeting 342 – 15TH April, as circulated, be adopted and the recommendations therein approved.

878.9 HEALTH & ENVIRONMENTAL SERVICES COMMITTEE NO 339 – 22ND APRIL 2008

Councillor Robinson presented the report.

Matters Arising:

9.1 88 Apartments & 3 Dwellings at Market Street, Ballymoney McAlister Holdings Ltd, 5th Floor, Lesley Buildings, 61 Fountain Street, Belfast (339.15)

Suggestions by the Developer of “Market Yard” and “St George’s Gate” as a second preference for naming the development were discussed at Committee’s meeting on 22nd April. “St George’s Gate” was not deemed appropriate and Committee deferred the naming of the development for further consideration at the meeting of Council. The Developer was requested to submit further suggestions and the Director of Borough Services advised members that two further names had been put forward, these being:

1. Market Quarter
2. Market Mews

As ‘Market Mews’ is not deemed an appropriate name for the development, members were asked to give consideration to the names “Market Yard” and “Market Quarter”.

It was proposed by Councillor Robinson, seconded by Councillor Cavlan:

that Council approve the name ‘Market Quarter’ for the overall development at the location as detailed above,

A vote was taken with four members voting in favour and three members voting against.

The Mayor declared the motion carried.

9.2 Underage Sales Test Purchase Exercise (339.3)

Reference was made to consideration by the Minister of increasing the age limit for the purchase of tobacco to the age of 18 years.

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

that council write to the Minister with the following suggestions for amendments to legislation.

1. *an increase in the age limit to 18 years for the purchase of tobacco products.*
2. *requiring persons to produce appropriate identification.*
3. *that Council be given powers to issue fixed penalty fines to retailers for breach of statutory duty.*

9.3 Water Abstraction and Impoundment (Licensing) Regulations (NI) 2006 (339.2)

At the request of Alderman Campbell, the Director of Borough Services advised that this matter will be tabled for discussion at the next meeting of Committee.

9.4 NILAS Working Group Meeting (339.18)

It was **AGREED:**

that the next meeting of the NILAS working Group will take place on Tuesday 20th May 2008 at 2.30 pm.

9.5 Adoption of Minutes

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

that the minutes of Meeting No 339 – 22nd April 2008, as circulated, be adopted and the recommendations therein approved.

878.10 CORPORATE & CENTRAL SERVICES MEETING NO 365 – 28TH APRIL 2008

Alderman Simpson presented the report.

Matters Arising:

10.1 Resignation of LSP Monitoring Officer (365.11.2)

At the request of Councillor Robinson, the Chief Executive advised that as there will be no cost to Council in filling the post of LSP Monitoring Officer

for the remainder of the contract period, this matter had not been tabled for discussion at a Resource Working Group meeting.

* **Councillor McGuigan left the meeting at 8.12 pm**

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

that council move 'into Committee' to discuss staff matters.

* **Members of the press left the meeting at 8.15 pm**

DECLARATION OF INTEREST

Alderman Campbell declared an interest in item 365.11.5 as a relative of a staff member involved and left the meeting at 8.15 pm.

10.2 Single Status (365.11.5)

The Mayor advised members of a petition signed by 49 employees received earlier in the day, stating:

"We, the undersigned staff members employed by Ballymoney borough council, feel aggrieved with the single status issues concerning our money payouts, resulting from the evaluation process. Having gone through the evaluation process during the first quarter of 2006, we still have not received any increase on our wages or back pay. We feel this treatment is unfair and discriminatory. We therefore request immediate back pay and an increase in wages accordingly. We understand some staff have appealed their pay grades; however, this should not be an issue as to why we have not received our increased pay."

In Committee, the Chief Executive responded to members inquiries regarding the single status process, the pay and grading review, the moderating process underway by independent consultants, ongoing negotiations with the trade unions, budget issues etc.

* **Councillor McGuigan returned to the meeting at 8.20 pm.**

* **Councillor Stevenson and Councillor Patterson left the meeting at 8.40 and 9.05 pm respectively during discussion on the above item.**

10.3 Honarium (365.11.4)

The Mayor reported receipt of a letter from the Officer to the Chief Executive, which had been copied to him. The Chief Executive clarified the formula and rationale used in calculating the honorarium payment. It was **AGREED:**

that the matter be deferred to Committee's next meeting to enable further consideration.

10.4 Adoption of Minutes

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

that the minutes of Meeting No 365 – 28th April 2008, as circulated, be adopted and the recommendations therein approved, with the exception of item 365.11.4 referred to at item 10.3.

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

that Council move ‘out of Committee’

- * **Alderman Campbell returned to the meeting at 9.30 pm**

878.11 POST OFFICE NETWORK CHANGE PROGRAMME AREA PLAN PROPOSAL FOR NORTHERN IRELAND

This item was deferred pending information from Postmasters wishing to seek Council representation on closures prior to the end of the consultation period on 12th May. The Mayor advised that he had written to the three Post Offices proposed to be closed in the Borough, asking if they wished any help from Council in any representations. No further correspondence has been received.

- * **The Director of Borough Services and the Director of Central and Leisure Services left the meeting at 9.35 pm.**

878.12 ROADS SERVICE – THE BANN ROAD, BALLYMONEY (ABANDONMENT) ORDER (NORTHERN IRELAND) 2008

The order shall come into operation on 9th June 2008. The area of road described in the schedule is abandoned (200 square metres of Bann Road, Ballymoney)

878.13 CAMPAIGN MEDAL FOR NORTHERN IRELAND FIRE FIGHTERS

The Mid Ulster Fire Fighters Association has written requesting Council's assistance in their efforts to have the Secretary of State strike a campaign medal for the fire fighters of the Province for their service during the "troubles". The Board of the Northern Ireland Fire & Rescue Service has given its full support and backing.

The Association hopes that Council will give assistance or advice to help provide recognition for the unusual dedication and service rendered by the fire fighters of this Province, past and present.

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

that Council support the Mid Ulster Fire Fighters Association in their representations to the Secretary of State for a medal campaign.

878.14 PROPOSALS FOR NEW HEALTH STRUCTURES

The Health Minister, Michael McGimpsey recently issued proposals for new Health structures which present significant opportunities to strengthen the future role of local government.

Following a NILGA meeting with the Minister, based on existing NILGA policy, and in liaison with Environmental Health Officers, NILGA has developed the a draft response responding to the key strategic issues. A copy of the response is attached as appendix A to this report.

It has been agreed in principle by the NILGA Executive, subsequent to further comment from Councils.

The consultation period ends on 12th May 2008 and therefore NILGA would appreciate receipt of comments or copies of council responses, which would assist in strengthening the local government response by 9th May. No specific comments were offered and members noted the NILGA response.

878.15 CARRICKFERGUS BOROUGH COUNCIL

At its April business meeting, Carrickfergus Borough Council unanimously resolved to support the following motion:

‘Carrickfergus Borough Council calls upon the Minister for Health, Social Services and Public Safety to ensure that his Department and all relevant Trusts implement as a matter of extreme urgency all the recommendations in the Report issued on 27th March 2008, by the Western and Eastern Health and Social Services Boards, with a view to effectively tackling the issue of suicide across Northern Ireland. The Council also calls for adequate funding to be made available at a local level to help resource community groups pursuing the same objective.’

Members noted this correspondence.

87816 DOWN DISTRICT COUNCIL

‘Joined-up Thinking’ on Energy and the All-Island Energy Market

At its meeting on 18 March 2008, the following Notice of Motion was agreed by Down District Council:

“Considering the impact that escalating energy prices and climate change is having in County Down and on Northern Ireland, and considering the lack of joined-up-thinking displayed by the Northern Ireland Civil Service in respect of energy and building standards policy, with the proposed

ending of the reconnect scheme in March and the watering down of the building standards in April,

this Council resolves to:

- *write to the First Minister Ian Paisley and Deputy First Minister Martin McGuinness and ask that they commit all the Ministers on the Executive to co-operate on a joint energy policy which is based on the need for a sustainable strategy of energy production and conservation.*
- *to write to Ministers Nigel Dodds of the DUP and Eamon Ryan of the Green Party at the N/S ministerial council to express our concern that the long term planning of the all-island energy market could be thrown into disarray by the proposed decisions to end the reconnect grant in March and exempt the new buildings standards from renewables in April.*
- *ask what steps the ministers are taking to ensure a “joined-up policy” to ensure NI is meeting its share of international commitments and what steps they are taking to ensure policy co-ordination on energy issues and in building up the capacity of the renewables industry in NI to meet the challenge.*
- *the council will point out that this has a long-term impact on energy security, our carbon footprint and the competitiveness of the all-island economy and will severely effect the capacity of the industry in NI to manage the next stages in the tightening of building standards by the UK government towards “zero-carbon” in 2010 and 2013.”*

Council noted this motion.

878.17 REPORTS

A schedule of reports was tabled for members' information

878.18 ROSE ENERGY BIOMASS POWER PLANT PROPOSAL

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

to extend an invitation to Rose Energy to give a presentation to Council on its Biomass Power Plant Proposal, date to be agreed.

This being all the business, the meeting closed at 9.40 pm.

Appendices

Appendix 1 - Presentation – Northern Health & Social Care Trust

APPENDIX 1

