

Ballymoney Borough Council

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Ballymoney Borough Council

Minutes of Council Meeting No 886 held in the Council Chamber, Riada House, Ballymoney on Monday 4th August 2008 at 7.05 pm.

IN THE CHAIR: Councillor J Finlay, Mayor

PRESENT:

Aldermen
F Campbell
H Connolly
C Cousley
J Simpson

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

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

Press

886.1 CONDOLENCES

The Mayor expressed condolences to the families of those who recently lost their lives in tragic circumstances in the Borough. Sympathies were extended to the families of Alderman H Connolly on the death of his brother, Mr & Mrs Bellingham from Dunaghy on the death of their son, Paul in a motorcycle accident, Mr & Mrs McFarland from Dervock on the sudden death of their young son, Adam and to the family circle of Mr R McNabb from Ballymoney. The Mayor has written to the families concerned expressing Council's deepest sympathy at this sad time.

Alderman Connolly thanked the Mayor, members, officers and staff for their expressions of sympathy, cards and floral tribute.

* **Councillor Storey arrived at 7.08**

886.2 MINUTES – MEETING NO 885 – 7TH JULY 2008

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

that the minutes of Meeting No 885, 7th July 2008, as circulated, be adopted.

Matters Arising:**2.1 Presentation – Regional Reviews JMRC Coleraine Office (885.1)**

The Director of Borough Services advised that representatives from the Public & Commercial Services Union have invited members to write personal letters of support in addition to Council's formal response. A proforma was circulated to facilitate those members wishing to register their support.

2.2 Sister Cities Conference 2008 & 2009 (855.10.1)

The Mayor reported on his recent attendance at the conference, stating:

"I, with my colleagues Malachy McCamphill and Bill Kennedy, accompanied by Chief Executive and Head of Corporate & Development Services attended the conference and attended a meeting of Benbrook City Council where we made a presentation in support of the reinstatement of the formal link between our two cities.

The conference was worthwhile with opportunities to learn from the experience of others and hear of best practice examples of programmes. The theme of the conference was "Sustainable Peace through Liveable Communities". We heard expert views and reports on the latest trends on the environment and solutions, such as renewable energy.

There were keynote speakers on environment, human rights and women's issues and on educational and cultural affairs. There was also a best practice exhibition covering arts & crafts, economic development, fundraising, humanitarian assistance, sustainable development, youth and education. We attended some interesting workshops and networking sessions on:

- * fund raising programmes
- * sustainable sister cities programmes
- * connecting schools
- * volunteering
- * communications and marketing
- * youth programmes

We had the opportunity to see an amazing exhibition from young artists and photographers from various sister cities throughout the world on the theme of "A reflection of your Community".

I will be arranging a meeting with officials of the Twinning Association to share relevant information.

As you know the 2009 conference will be held in Belfast - the first time it will be staged outside the U.S.

We hosted a Northern Ireland Reception, with a taste of Northern Ireland food and culture and an exhibition from the regions from Causeway Coast, Mountains of Mourne to the lakes of Fermanagh. It was a most successful event. I pay tribute to the excellent work of my colleagues and all the Northern Ireland team. We are delighted to report that by the end of the conference, some 140 delegates were signed up and have paid to come to Northern Ireland in 2009. “

Councillor Kennedy paid tribute to the Head of Corporate & Development Services and the Chief Executive for their input in promoting Ballymoney during the course of the Conference.

Councillor McCamphill concurred with the Mayor and Councillor Kennedy stating that attendance at the conference was worthwhile.

2.3 Statement to Council on Possible Strike Action (885.21)

Members were advised that strike action had not taken place and that services were delivered as normal.

2.4 Strategic Review of Parading (885.26)

This item was deferred from the July meeting to give members further time to consider. No comments were offered.

2.5 Somme Association Service of Dedication of Church Pews & Remembrance Service to the 16th (Irish) Division (885.30)

Council has reserved two places at this event on 6th/7th September 2008.

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

that the Chief Executive and the Mayor attend the Service of Dedication and Remembrance Service on 6th/7th September 2008

2.6 Island of Ireland Partnership Journey of Remembering Armistice Day Visit (885.29)

Council has considered attendance at the event from 9th – 12th November.

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

that the Deputy Mayor be nominated to attend.

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

that Councillor Stevenson be nominated to attend.

2.7 Ballymoney Museum Security Works (885.13.1)

In response to questions posed by Councillor Robinson, the Director of Borough Services welcomed the opportunity to advise that the Head of Amenities had informed the Director of Central & Leisure Services in writing on 30th June that the security work at the Town Hall was complete and that subsequently he had met with the Council's consultant who had also advised that the work highlighted in the two reports received by Council prior to the instruction of its contractor had been addressed.

886.3 SEAL DOCUMENTS

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

that the seal of Council be affixed to Grave Registration Certificate numbers 1109 and 1110 and 1111.

CENTRAL & LEISURE SERVICES REPORT

The Head of Leisure Services presented the report.

886.4 GOOD RELATIONS GRANTS

The following applications have been received –

1. Glebeside Community Association for assistance towards a shared history project. This is a joint project with Castle Street Youth Club.

IT IS RECOMMENDED that a grant of £300.00 be awarded.

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

that a grant of £300.00 be awarded to Glebeside Community Association.

2. Lauren McAleese seeking a bursary to support a cross community and cross-cultural youth project.

IT IS RECOMMENDED that a grant of £75.00 be awarded.

It was proposed by Councillor Kennedy, seconded by Councillor Storey and
AGREED:

that a grant of £75.00 be awarded to Lauren McAleese.

886.5 COMMUNITY SUPPORT GRANTS

The following applications have been received –

1. Provincial Towns Indoor Bowling Club for assistance towards an International Bowls Tournament.
2. Ballybogey Over 50 Club for assistance towards a bus trip for its members.

IT IS RECOMMENDED that a grant of £100.00 each be awarded.

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

that a grant of £100.00 be awarded to

1. *Provincial Towns Indoor Bowling Club*
2. *Ballybogey Over 50 club*

In response to a question from Councillor Kennedy relating to the amount of funding available for international events, the Mayor advised that the level of funding for community support grants was limited by the criteria set out in the policy.

886.6 TALKS AND TOURS 2008

The University of Ulster at Coleraine have written to the Council requesting support for their 2008 Talks and Tours Programme.

The Council has annually supported the Talks and Tours Programme.

IT IS RECOMMENDED that a grant of £150.00 be awarded.

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

that a grant of £150.00 be awarded to the University of Ulster.

886.7 JOEY DUNLOP LEISURE CENTRE – PUBLIC ADDRESS SYSTEM AND REFURBISHMENT OF HOT WATER SYSTEM

The closing date for receipt of tenders from the companies on the select list is Friday 8th August 2008.

IT IS RECOMMENDED that the tenders are opened by the Chair of Committee and the Head of Leisure Services and referred to the Council's consultants for evaluation and report to the Leisure and Amenities Committee meeting in August.

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

that tenders are opened, evaluated and reported on in accordance with the recommendation.

At the request of Councillor Robinson, the Head of Leisure Services advised that refurbishment of the Fitness Suite at the Joey Dunlop Leisure Centre has been completed and that the Suite is fully operational. Councillor Robinson thanked the Head of Leisure Services for his report and congratulated the Contractor on the refurbishment, stating that she had received several complimentary comments. Councillor Stevenson concurred with Councillor Robinson.

886.8 SPORT NORTHERN IRELAND – GRANT PROGRAMME

Sport Northern Ireland is considering an initiative relating to strategic investment in sports facilities, which it may launch in September 2008 with a view to funding appropriate projects in the period 1st April 2009 to 31st March 2010. It is believed that Council has identified a number of amenities projects within its Corporate Plan which may fall within the Sports NI funding criteria.

In order that Council might be in a position to avail of the proposed Sport NI grant programme, **IT IS RECOMMENDED** that Council progress its proposals in the following manner:

1. Prepare necessary tender documentation
2. Obtain planning approval
3. Create a select list of tenders with respect to the following proposed schemes:
 - a) 3rd Generation synthetic Floodlit Pitch at Riada Playing Fields
 - b) Additional stand and other facilities at Riada Stadium

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

that Council progress its proposals as set out above.

*** Councillor Stevenson left the meeting at 7.32**

Responding to a question from Councillor Storey about the need for increased seating during the Milk Cup and the process and flexibility of the scheme, the Director advised that proposals put forward now will enable Council, via the Leisure & Amenities Committee, to work up tangible proposals that could be

progressed if funding is awarded. Councillor Kennedy requested that a survey of Riada Stadium be undertaken to ascertain seat occupancy over the year, expressing his view that funding would be better spent on athletes.

886.9 NORTHERN IRELAND CONSULTATION EVENT

Sport Northern Ireland, as the lead agency for the development of sport in Northern Ireland, are holding a consultation event focusing on the development of three new investment programmes –

- Active Communities
- Investing in performance Sport 2009 – 2013 and
- A New Capital Investment Programme

The event, to cover the Ballymoney, Coleraine, Limavady and Moyle area, is being held in the Joey Dunlop Leisure Centre on Thursday 14th August 2008 at 4:45pm to 8:00pm. Council members and officers are invited to participate. Places are limited to a maximum of 40 delegates.

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

that Alderman Campbell, Alderman Connolly, Alderman Cousley, Councillor Robinson and Councillor Patterson attend the event together with officer representation from Leisure & Borough Services.

* **Alderman Connolly left the meeting at 7.40 pm.**

BOROUGH SERVICES REPORT

The Director of Borough Services presented the report.

HEALTH & SAFETY

886.10 PETROLEUM (REGULATION) ACTS (NORTHERN IRELAND) 1929 AND 1937 PETROLEUM SPIRIT LICENCE (RENEWAL)

Application has been received for the grant of a petroleum spirit licence as follows: -

Premises

Dervock Centra
10-16 Carncullagh Road
Dervock
Ballymoney

Applicant

Mr Seymour Sweeney

Application has also been received for the renewal of petroleum spirit licence as follows: -

<u>Premises</u>	<u>Applicant</u>
Finvoy Filling Station 180 Finvoy Road Ballymoney	Mr Vincent Drain
Supervalu 2 Ballymena Road Ballymoney	Mr P Trolan
Moore's Petrol Station 11 Main Street Cloughmills Ballymena	Mr R Dennis Moore
Tyco Healthcare 20 Garryduff Road Ballymoney	Tyco Healthcare

Both the grant and renewal of licences as detailed above is **RECOMMENDED** and in the case of Finvoy Filling Station subject to the receipt of a satisfactory electrical test certificate.

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

that Council grant and renew licences as detailed above, subject to satisfactory certificates.

ENVIRONMENTAL HEALTH GENERAL

886.11 CERTIFICATE OF FITNESS THE PRIVATE TENANCIES (NORTHERN IRELAND) ORDER 2006 ARTICLE 36 (4)

<u>Landlord</u>	<u>Dwelling- House</u>
Ms. Philomena McColgun	28 Union Street Ballymoney BT53 6HT
Mr. & Mrs. Wilmot	33 Union Street Ballymoney BT53 6HT
Mr. Alex Archibald	36 Union Street Ballymoney BT53 6HT
Mr. Godfrey	61 Union Street Ballymoney BT53 6HT

Fitness inspections of the above dwellings have been conducted within the report period. The dwelling houses meet the fitness standard for human habitation as set out in Article 46 of the Housing (NI) Order 1981.

IT IS RECOMMENDED that the Borough Council grant an Article 36 (4) Certificate of Fitness in respect of the above dwelling houses.

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

that Council grant an Article 36 (4) Certificate of Fitness in respect of the above.

**886.12 PUBLIC HEALTH (IRELAND) ACT 1878 AS AMENDED
89 BENVARDIN ROAD, BALLYMONEY.**

Further to CM 314.5 24th June 2008 an abatement notice was served on the owner of the premises under Section 110 of the Public Health (Ireland) Act 1878 as amended with a time period of compliance of 28 days in order to remedy the a nuisance at the above property arising from conditions prejudicial to health caused by an accumulation of household waste, including putrescible waste. These works have not been completed and an extension has been requested

IT IS RECOMMENDED that Council grants an extension of 28 days to the notice.

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

that Council grants an extension of 28 days to the notice.

LICENSING

886.13 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985 - LICENCE APPLICATION (FOURTEEN UNSPECIFIED DAYS) (RENEWAL)

Premises

St. Patrick's Parochial Hall
(Main Hall and Front Amenity Room)
77 Castle Street
BALLYMONEY BT53 6JT

Applicant

Rev. Peter Oliver Forde, PP

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licence as detailed above. In addition to the Borough Council's "Conditions of Licence" adopted on 7th October 1985 the additional conditions detailed on the premise file also apply.

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

that Council renew the Indoor Entertainment's Licence as detailed above.

886.14 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985 - LICENCE APPLICATION (2 PARTICULAR DAYS) (RENEWAL)

Premises

Chestnut Animal Feeds
55 Main Street
Stranocum
BALLYMONEY

Applicant

Stranocum District
Community Association

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licence as detailed above. In addition to the Borough Council's "Conditions of Licence" adopted on 7th October 1985 the additional conditions detailed on the premise file also apply.

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

that Council renew the Indoor Entertainment's Licence as detailed above.

886.15 THE HAIRDRESSERS ACT (NORTHERN IRELAND) 1939

Premises

Razor Head
5 Edward Street
BALLYMONEY BT53 6JE

Applicant

Tracey Leighton McAuley

Unit 28 Acorn Business Centre
2 Riada Avenue
BALLYMONEY BT53 7LH

Elizabeth Anne Mooney

IT IS RECOMMENDED that the above-named persons and premises be registered under The Hairdressers Act (Northern Ireland) 1939.

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

that Council register the above-named persons and premises.

STREET TRADING

886.16 STREET TRADING ACT (NI) 2001 MOBILE STREET TRADING LICENCE - RENEWAL

Application for renewal of Mobile Street Trading Licences has been made to this Department as follows:-

<u>Purpose</u>	<u>Applicant</u>
Hot Food Trailer	Mr Stephen Lavery 9 Royal Terrace Balnamore BALLYMONEY BT53 7QD
Ice Cream Van	Mrs Drina Stewart 44 Margaret Avenue BALLYMONEY BT53 6BY
Hot Food Trailer	Mr Mervyn Hutchinson 4 Willowdale Bendooragh BALLYMONEY BT43 7LX

IT IS RECOMMENDED that the Mobile Street Trading Licences as applied for be renewed.

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

that Council renew Mobile Street Trading Licences as detailed.

886.17 STREET TRADING ACT (NI) 2001 MOBILE STREET TRADING LICENCE - APPLICATION

Application for a Mobile Street Trading Licence has been made to this Department as follows:-

<u>Purpose</u>	<u>Applicant</u>
Hot Food Trailer	Mr Stephen Brown 151 Vow Road BALLYMONEY BT53 7NT

IT IS RECOMMENDED that the Mobile Street Trading Licence as applied for be granted.

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

that Council grant Mobile Street Trading Licence as detailed.

DOG CONTROL

886.18 DOGS (NORTHERN IRELAND) ORDER 1983

Incident at Megaw Park, Ballymoney on 25th April 2008

On 28th April 2008 this Directorate received a complaint from Mrs xxxxx alleging that she had sustained injuries on the evening of 25th April 2008 whilst exercising her dog in Megaw Park, Ballymoney. As a result of this a full investigation was carried out by officers from the Directorate. On 25th April 2008 Mrs xxxxx was walking her dog on the lead through Megaw Park at approximately 2020 hrs. As she was proceeding around the tennis courts she noticed three persons, one of which was the Park Warden. The other two people known to her as Mr & Mrs xxxxx. Mrs xxxxx then noticed that the two dogs belonging to this couple were off their leads. She immediately became frightened for her dog due to a previous encounter some months before with the same dogs in which they allegedly attacked her dog. Hastily the lady retreated towards the exit. Mrs xxxxx recalls running, she glanced back and noticed a large black dog running towards her. She continued to run, then suddenly left a blow to her back, this caused her to fall flat onto the ground. This released the grip on her dog's lead. Her dog was then chased by Mr & Mrs xxxxx's dog out of the park.

Mrs xxxxx's dog was uninjured as a result of this incident. Mrs xxxxx sustained several cuts and bruises as a result of the fall.

The Directorate's investigation has established that there is insufficient evidence to substantiate a prosecution for any offences under the Dogs (Northern Ireland) Order 1983. However, there is clearly a breach of Article 12 of the Council Byelaws relating to Pleasure Grounds.

Article 12 states:

"A Person shall not cause or suffer any dog belonging to him or in his charge to enter or remain in a designated Pleasure Ground, unless such dog be on a lead and be and continue to be under proper control and be effectively restrained from causing annoyance to any person and from worrying or disturbing any animal or waterfowl and from entering any ornamental lake".

IT IS RECOMMENDED that a formal caution be issued to Mr & Mrs xxxxx in relation to the breach of Article 12 of the Council's Pleasure Grounds Byelaws.

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

that a formal caution be issued to Mr & Mrs xxxxx in relation to the breach of Article 12 of the Council's Pleasure Grounds Byelaws.

SUSTAINABLE DEVELOPMENT

886.19 BIO-DIVERSITY OFFICER PROJECT

Preliminary discussions have taken place at officer level regarding the submission of an application to the NI Environment Agency under its Natural Heritage Grant Programme. As the closing date for applications is 22nd August 2008 it is necessary to establish now whether or not Council is willing in principle to participate in the proposed project. The grant application would seek 75% funding (the maximum available) towards the staff and other associated costs necessary to undertake a 3-year bio-diversity project – a partnership between Coleraine BC, Limavady BC and Ballymoney BC. Insofar as both Limavady and Ballymoney are concerned it is envisaged that a bio-diversity audit would be undertaken with a view to producing borough bio-diversity action plans. As Coleraine already has undertaken an audit and published an action plan its emphasis will be more on implementation. Were the partnership's grant application to be successful and it is presently estimated that the proposed bio-diversity project would cost each participating council £7,000 per annum for the three years of the project (2009-10, 2010-11 and 2011-12).

IT IS RECOMMENDED that Council agree in principle to participate in the proposed Bio-Diversity Officer Project with its neighbours Coleraine and Limavady and that it support a grant application to the NIEA Natural Heritage Grant Programme.

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

that Council agree, in principle, to participate in the proposed Bio-Diversity Officer Project,

ENVIRONMENTAL SERVICES

886.20 WASTE HAULAGE CONTRACT

The Director of Borough Services in his report indicated that he would provide an update on this business at the Council's meeting relating to the two options Council would be asked to consider, namely [1] the acceptance of the new prices submitted by its present contractor or [2] the re-tendering of the work.

The Director of Borough Services advised, in response to a question from the Mayor, that even though this business was commercially sensitive, he could deal with this item in such a way that it would not be necessary for Council to 'move into committee'.

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

that this matter be dealt with 'in Committee' at the conclusion of the meeting.

- * Councillor Kennedy left the meeting at 7.45 pm.

BUILDING CONTROL

886.21 BUILDING CONTROL APPLICATIONS

IT IS RECOMMENDED that Council note the **Applications, Building Notices and Regularisation Certificates** as detailed in Appendix 1 to this report, which are in accordance with the requirements of the Building Regulations (NI) 2000.

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

that Council note the applications.

886.22 RATING OF EMPTY HOMES

The then Minister of Finance & Personnel launched a consultation exercise on 21st May to seek views on proposals to introduce the rating of empty homes at 100% liability.

Rating of Empty Homes – Preferred Approach

- The liable person should be the person entitled to possession of the property, which usually means the owner.
- Rates on empty homes should be levied at 100%.
- The rating of empty homes should not be introduced on a phased basis.
- There should be no general initial exemption period. A 12-month exemption period should, however, apply to new property developments.
- Similar to the non-domestic sector, completion notices should be used to determine when rates liability for new empty homes.
- Certain properties should be excluded from the rating of empty homes, including where occupation is legally prohibited or by government action, where a person is receiving care, the property is empty due to imprisonment or the owner's death and for properties below a capital value of £20,000.
- Properties in the rented sector, for which owners have agreed to pay rates, should be excluded from the standard rating of empty homes policy.
- The maximum capital value and transitional relief should apply to empty homes.
- Occupation based allowances and reliefs (disabled person's allowance, housing benefit, rate relief, student relief for those in full time education and training and young people leaving care and lone pensioner allowance) should not apply where rates are levied on empty properties.
- The valuation allowance for farmhouses should not be awarded on empty property, due to occupancy conditions.

- The 50% exemption on Minister's houses should apply when the property is empty, and owned by the church, subject to it being used for pastoral duties when next in use.
- New powers should be provided that would allow deliberate rates avoidance to be dealt with, if deemed necessary.

The proposed change in rating policy would have certain financial implications for Council as regards its property – the Cemetery House at 42 Knock Road, Ballymoney.

Comments on the proposed rating of empty homes at 100% liability have been invited by 15th August 2008.

IT IS RECOMMENDED that Council welcomes and supports the measure.

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

that Council welcome and support the proposals to introduce rating of empty homes at 100% liability.

886.23 REVIEW OF DOMESTIC RATING GREEN REBATES: PUBLIC CONSULTATION DOCUMENT (JULY 2008)

ˆThe Department of Finance and Personnel is presently consulting on proposals ˆaimed at encouraging investment in energy efficiency and zero carbon homes – ˆproposals announced during a statement to the Assembly on 27th September ˆ2007.

ˆTwo separate measures are envisaged –

1. A scheme which would provide a rate rebate for households that undertake approved home insulation work, complementing the existing cash-back scheme which is currently funded through the Energy Efficiency Levy Programme; and
2. A rates holiday for a period of up to five years, for the first residents of new houses that meet the proposed new standard for zero carbon.

ˆComments have been invited by 26th September 2008 regarding the following ˆmatters –

1. Energy Efficient Homes: Issues for Consideration
 - What are your views on the proposal to provide a rates rebate for households that carry out energy efficiency improvements to their properties?
 - What are your views on the preferred means of delivery for the rate rebate, that is in partnership with the NIE Energy insulation cash-back scheme?

- What are your views on limiting the rate rebate scheme to owner occupying households only?
- What are your views on the option of providing a higher level of rebate than is currently awarded in terms of the cash-back scheme?

2. Zero Carbon Homes: Issues for Consideration

- What are your views on the proposal to introduce an initial exemption for new zero carbon homes?
- What are your views on providing this initial exemption to the first residents, rather than first purchaser, of such homes (so that self builds and buy to lets are included)?
- What are your views on the Department's approach to the definition of 'zero carbon'?

IT IS RECOMMENDED that Council ought to welcome the proposed measures by DFP aimed at encouraging investment in energy efficiency and zero carbon homes, considering the issues raised in the Consultation Document and deriving a position paper would then be put to Council.

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

that Council welcome the proposed measures by DFP as set out above.

886.24 RATES DEFERMENT SCHEME FOR HOME OWNING PENSIONERS

DFP are presently consulting on a rates deferment scheme for home owning pensioners, that is those who own their own home and who would not be entitled to either housing benefit or rate relief; nevertheless they may only have a fairly modest fixed income and are finding it difficult financially ... The opportunity to defer rates could therefore make a significant difference to people in these circumstances."

"It should be remembered that deferred rates and any associated arrangement fees would be subject to an interest charge. The final debt, therefore, could be quite substantial."

Comment has been invited by **16th September 2008.**

A number of members expressed concern about the proposals.

Following discussion it was **AGREED:**

that the matter be deferred to the meeting of Council on 1st September 2008.

886.25 HEALTH AND SOCIAL CARE (REFORM) BILL

Correspondence has been received from the NI Assembly Committee for Health Social Services and Public Safety inviting Council to make a written submission by **22nd August 2008** as regards the Health and Social Care (Reform) Bill. “The purpose of the Bill will be to provide the legislative framework within which the proposed new health and social care structures can operate. It seeks to set out the high level functions of the various health and social care bodies. The Bill seeks to establish the parameters within which each health and social care body will be permitted to operate and to establish the necessary governance and accountability arrangements which will support the effective delivery of health and social care in Northern Ireland.”

886.26 GUIDANCE ON THE TERMINATION OF PREGNANCY IN NORTHERN IRELAND

DHSSPS has issued Guidance on the Termination of Pregnancy in NI (as required by the Court of Appeal) for consultation. Its purpose is two fold:

- clarify to health care professionals the legal position regarding the termination of pregnancy in Northern Ireland; and
- provide health care professionals with clinical and good practice guidance.

The consultation period ends on **22nd September 2008**.

It was **AGREED:**

that the matter be deferred to the meeting of Council on 1st September 2008

886.27 POST OFFICE

The Post Office has written to give further information on the Network Change Programme. The closure of up to 500 branches and replacement Outreach Services is part of the change programme. Outreach branches will be deployed in those communities where an Area Plan highlights the need to maintain a form of access to services but where a full time branch could not be justified. The type of Outreach Service to be established in a community will depend on where it is located and the number of customers it will serve. For further details contact Network Change Programme Office Tel. 0207 354 7233 or write to: Network Change Programme Office, North London Mail Centre, Room 312, 3rd Floor, 5 Almeida Street, London N1 1AA.

886.28 ROADS SERVICE

Council's comments on the following proposals is sought:

- 2.1 Disabled Parking Bay – 18 Victoria Street, Ballymoney
Roads Service is proposing to reserve an on-street disabled parking space outside number 18 Victoria Street, Ballymoney, following a request from a Mr R Mitchell.
- 2.2 Parking Restrictions - Victoria Street
The current restrictions on the west side of Victoria Street are Mon-Sat 8.30am – 6.00pm, 1 hour in any 2 hours. Roads Service are proposing to bring these restrictions in line with restrictions in other towns by changing them to Mon-Sat 9.00am – 5.00pm 1 hour no return within 1 hour.

It was **AGREED:**

that Council offer no objections to the Department's proposals.

886.29 ROADS SERVICE – PRIVATE STREETS (NI) ORDER 1980 DEVELOPMENT AT KIRK VIEW STAGE 1 DEVELOPER ARMOY HOMES LTD

The streets at the above development have now been adopted by Roads Service.

886.30 ROADS SERVICE – PROPOSED TRAFFIC CALMING, BALLYMONEY

Roads Service is proposing to implement a series of traffic calming measures on Eastermeade Gardens and North Road to control the speed of traffic and improve road safety in the vicinity of local schools. A map showing the proposed road humps, which will be installed in August before the schools in the area return after the summer holidays, is available from the Office of the Chief Executive.

886.31 ACCESSIBLE TRANSPORT STRATEGY – ACTION PLAN 2009

The DRD is responsible for the implementation of the Accessible Transport Strategy (ATS) published in 2005, which has the vision “to have an accessible transport system that enables older people with disabilities to participate more fully in society, enjoy greater independence and experience a better quality of life.” The ATS included a commitment to produce two-year Action Plans to implement the strategy. The Action Plan for the period 2007-2009 has been published on www.drdni.gov.uk/ats

886.32 NORTHERN IRELAND COURT SERVICE – WIDENING THE JURY POOL

The consultation exercise on the above closes on 4th September 2008. In summary it is proposed that the occupations and professions listed at Appendix 1 to this report, would cease to be ineligible for, or excusable as of right from, jury service.

886.33 WASTE INCINERATION.

Council has agreed to receive a presentation from Rose Energy on their project at Ballyvannon Road, Crumlin. This presentation will take place at Council's Consultation Committee Meeting on 15th September, 2.00 p.m.

Council has subsequently had correspondence from Communities Against Lough Neagh Incinerator requesting the opportunity to present the other side of the story should Council agree to receive a presentation from Rose Energy.

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

that Council extend an invitation to Communities Against Lough Neagh Incinerator to give a presentation to Council against Rose Energy's project.

886.34 A26 DUALLING

Roads Service has advised that on 11th August the Regional Development Minister Conor Murphy MLA is expected to announce the "preferred route" for the A26 dualling between Glarryford and the A44 Drones Road, Junction. The "preferred route" announcement will be the culmination of a thorough assessment of five potential corridor options for the route. The corridors have been assessed against the Government's five key objectives for transport; - Environment, Safety, Economy, Accessibility and Integration.

A "preferred route announcement" leaflet has been prepared, providing an overview of the assessment process, summary of the results of the study and an illustration of the "preferred route".

On the morning of the announcement Roads Service will hand deliver the leaflet to all those landowners who were potentially affected by any of the five corridor options. The leaflet will be posted to all other landowners, statutory consultees and interested parties contained in Roads Service consultation database. In addition the leaflet can be viewed online at www.roadsni.gov.uk/A26frossess.

Councillor Storey expressed disappointment at the length of time taken by the Minister in issuing a statement on the preferred route and hopes the proposal is for an 'on-line' route, with an early start date. The Mayor concurred with Councillor Storey's comments.

886.35 ARDS BOROUGH COUNCIL - CHANGES TO HOME DELIVERY SERVICES – BELFAST TELEGRAPH

At its meeting on 25th June 2008, the Council considered the Belfast Telegraph's proposed change to its home delivery service.

The Council resolved to express its concerns at the plans to radically alter the Belfast Telegraph home delivery service and the impact any such changes would have upon businesses in the Borough and beyond. It was further agreed to forward the resolution to NILGA and the other 25 Councils in Northern Ireland seeking their support.

886.36 WEST LOTHIAN BOROUGH COUNCIL - FUEL DUTY AND VAT REVENUES

West Lothian Council, at its meeting held on 24th June 2008, agreed the terms of a motion by Councillor Johnston, Leader of the Council, which stated the following:

“West Lothian Council expresses its extreme concerns at the rocketing petrol and diesel prices which are forcing individuals to pay sky high prices at the pumps and forcing public services and industry to finance escalating costs.

Council notes that without UK taxes petrol would be currently 41.2p a litre and diesel 48.8p a litre.

Council further notes that the Energy Trends and Prices statistics, produced by the Department for Business, Industry and Regulatory Reform reveals that the UK’s taxation of petrol is the third highest out of all EU member states.

Council further notes that the UK treasury is netting substantially increasing Fuel Duty and VAT revenues as a direct result of the increasing fuel prices.

In light of all of the above West Lothian Council calls on the current Labour Westminster Government to act decisively to protect the interests of families, public services and industry by immediately introducing a Fuel Duty Regulator which will use the increasing revenues from VAT to reduce Fuel Duty and so the price per litre of petrol and diesel.

Council resolves to circulate this motion to all UK local authorities, to all West Lothian’s MPs and to all Lothian’s MSPs seeking their support for the above action.”

Members are asked to note in particular the terms of paragraph 6 of the motion, where the Council has resolved to seek the authority’s support on these matters.

886.37 WASTE HAULAGE CONTRACT

Council ‘moved into Committee’ to discuss this issue, in accordance with motion at 886.21 above.

- * **The Head of Leisure Services and members of the press left the meeting at 8.05 pm.**

The Director of Borough Services outlined the background to this business. He again explained that the contractor had triggered a clause in the contract giving Council notice that due to the unprecedented increases in fuel prices he had no alternative but to withdraw from the contract on 30th September. He intimated that the Council's present contractor had offered to continue to provide the contracted services were Council to approve new haul rates from 1st October. He reminded members as to the tender prices received in January for the contract which had commenced on 1st April, explained how the proposed new haul rates compared and indicated in percentage terms the extent of the exceptional recent increase in fuel prices. It was the case that Council had a choice to make as to the way it wished to address the matter. The Director then responded to members' questions.

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

that Council accept the new haul charges proposed by its present contractor for the remaining six months of the contract (1st October 2008 to 31st March 2009).

This being all the business, the meeting closed at 8.40 pm.

BUILDING CONTROL APPLICATIONS APPENDIX 1

The following **Applications and Building Notices** are in accordance with the requirements of the Building Regulations (N.I.) 2000.

Ref No: B/2007/0003/MAST
Applicant: Pollock Developments
Agent: 2020 Chartered Architects Ltd 9A Linenhall Street Ballymoney
Location: Sites 7-16, 19 & 25 Station Cottages Stroan Road Dervock Ballymoney
Description: 12 dwellings (House Types A & B)

Ref No: B/2007/0093/
Applicant: Mr & Mrs Kevin Higgins
Agent: Ivan McClean 64 Old Portglenone Road Ballymena
Location: 303 Townhill Road Rasharkin Ballymena
Description: Dwelling and garage

Ref No: B/2007/0109/
Applicant: Mr Patrick McIlhatton
Agent: Hunter Associates 8 Charlotte Street Ballymoney
Location: Rear of 86 Finvoy Road Moneycanon Ballymoney
Description: Dwelling

Ref No: B/2007/0113/
Applicant: Mr Alan Cooper
Agent: Mr S W Atkinson 18 Milltown Road Ballymoney
Location: 157 Vow Road Artnagross Ballymoney
Description: Dwelling and garage

Ref No: B/2007/0120/
Applicant: Mr Gerard McFerran
Agent: George Shaw 18 Sandmount Park Ballymena
Location: 143 Bridge Road Glenbuck Dunloy Ballymena
Description: Dwelling

Ref No: B/2007/0128/
Applicant: Mr Pat Fullan
Agent: Ward Design 10 Main Street Castledawson
Location: 31-33 Main Street Rasharkin Ballymena
Description: Alterations and extension to shop

Ref No: B/2007/0137/
Applicant: Mr Patrick McIlhatton
Agent: Hunter Associates 8 Charlotte Street Ballymoney
Location: Rear of 88 Finvoy Road Moneycanon Ballymoney
Description: Garage

Ref No: B/2007/0140/
Applicant: Mr Alexander Gilmore
Agent: Pro Design 43 Kilmandil Road Ballymena
Location: 67A Bendooragh Road Ballymoney
Description: Garage

Ref No: B/2007/0146/
Applicant: Mr Thomas Laverty
Agent: George Shaw 18 Sandmount Park Ballymena
Location: Kilraughts Road Turnagrove Ballymoney
Description: Dwelling and garage

Ref No: B/2007/0158/
Applicant: Mr Kenneth Hughes
Agent: Mr Grant Cameron 75 New Row Coleraine
Location: 11 Downview Crescent Ballymoney
Description: Sun room extension to dwelling

Ref No: B/2007/0187/
Applicant: Mr John Dowey
Agent: Architectural Design Services 107 Rathkeel Road Ballymena
Location: 16 Hillcrest Gardens Killyrammer Ballymoney
Description: Extension to dwelling

Ref No: B/2007/0198/
Applicant: Mr Keith Hiscock
Agent: Architectural Design Services 107 Rathkeel Road Ballymena
Location: 8 Kirkview Close Ballymoney
Description: Extension and alterations to dwelling

Ref No: B/2008/0006/
Applicant: Mr Dick Caldwell
Agent: George Shaw 18 Sandmount Park Ballymena
Location: 64 Killagan Road Bellaghy Glarryford Ballymena
Description: Dwelling

Ref No: B/2008/0024/
Applicant: Mrs Debbie McIlveen
Agent: Architectural Design Services 107 Rathkeel Road Ballymena
Location: 4 Agherton Gardens Ballymoney
Description: Extension to dwelling

Ref No: B/2008/0034/
Applicant: N.E. Education & Library Board
Agent: Gerry Loughrey Architects 22 Foyle Street
Location: 77 Benvardin Road Ballybogey Ballymoney
Description: Extension to school

Ref No: B/2008/0074/
Applicant: Mr Iain Moore
Agent: Mr Mervyn Guthrie 4 Castle Walk Coleraine
Location: 9 Ballywindelland Road Ballymoney
Description: Extension to dwelling

Ref No: B/2008/0076/
Applicant: Mrs T Cuddy
Agent: Architectural Design Services 107 Rathkeel Road Ballymena
Location: 23 Armstrong Drive Ballymoney
Description: Extension to dwelling

Ref No: B/2008/0119/MAST
Applicant: Triangle Housing Association
Agent: Hunter Associates 8 Charlotte Street Ballymoney
Location: 2 & 4 Garryduff Road Ballymoney
Description: Upgrade of roof and wall insulation

Ref No: BN/2008/0041/
Applicant: Ms Glennis Strong
Agent: Mr F Quigg 30 Agivey Road Kilrea
Location: 44a Mullan Road Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2008/0042/
Applicant: Mr Gerard McKay
Agent: N/A
Location: 46 Lisheegan Road Rasharkin Ballymena
Description: Alterations to dwelling

Ref No: BN/2008/0043/
Applicant: Ms Linda McCauley
Agent: Dennis R Tosh 40 Nursery Ave Coleraine
Location: 6 Ashbrook Drive Balnamore Ballymoney
Description: Alterations to dwelling

Ref No: BN/2008/0044/
Applicant: Mr Rodney Taylor
Agent: John Fynes 95a Bravallen Road Ballymoney
Location: 1 Castlehill Place Ballymoney
Description: Sun room extension to dwelling

Ref No: BN/2008/0045/
Applicant: Mr Thomas McClelland
Agent: CFM Ltd 65 Deerpark Road Castledawson
Location: 15a Railway View Macfin Road Ballymoney
Description: Installation of gas-fired central heating

Ref No: BN/2008/0046/
Applicant: Mr Martin Kelly
Agent: N/A
Location: 7 Bellaghy Drive Dunloy Ballymena
Description: Sun room extension to dwelling

B - Full Plans Applications
BN - Building Notice Applications
RC - Regularisation Certificate Applications

	Total
B	18
BN	6
Total	24

