

**Ballymoney Borough Council  
Council Meeting No 918 – 7<sup>th</sup> April 2010**

**Table of Contents**

<b>918.1</b>	Council Response to Electricity Supply Failure	<i>Report tabled</i>
<b>918.2</b>	Minutes – Meeting No 917 – 1 <sup>st</sup> March 2010	<i>Confirmed</i>
<b>918.3</b>	Consultation Committee No 48 – 15 <sup>th</sup> March 2010	<i>Received</i>
<b>918.4</b>	Development Committee No 213 – 15 <sup>th</sup> March 2010	<i>Adopted</i>
	4.1 Causeway Coast & Glens RTP Contribution (213.5)	
	4.2 Rural Development Programme – ICE Programme	
	4.3 NEP: New Governance Proposals New Interreg IVA Joint Committee (213.11)	<i>Extend invitation to SEUPB to address Council</i>
<b>918.5</b>	Leisure & Amenities Committee No 370 – 16 <sup>th</sup> March 2010	<i>Adopted</i>
<b>918.6</b>	Health & Environmental Services Committee No 358 – 23 <sup>rd</sup> March 2010	<i>Adopted</i>
	6.1 Municipal Waste Returns (358.15)	
	6.2 Erection of Street Nameplates in a Language other than English (358.37)	<i>Motion lost</i>
	6.3 Legal Advice in Relation to Closing of Landfill Site	<i>Join with other Councils in seeking legal advice</i>
<b>918.7</b>	Corporate & Central Services Committee No 384 – 22 <sup>nd</sup> March 2010	<i>Adopted</i>
<b>918.8</b>	Ballymoney Rugby Club	<i>Congratulations</i>
<b>918.9</b>	Resources Task Group	<i>Approved</i>
<b>918.10</b>	Flooding at Riverside Park	<i>Referred to DBS</i>
<b>918.11</b>	Seal Documents	<i>Affix Seal of Council</i>
<b>918.12</b>	Royal British Legion	<i>Accept invitation</i>
<b>918.13</b>	Roads Service – Proposed Limited Waiting – Queen Street, Ballymoney	<i>Agreed</i>
<b>918.14</b>	NILGA – Agents Telephone Numbers on Planning Schedules	<i>Support</i>

CM 918

7<sup>th</sup> April 2010

- |               |                                                                                            |                             |
|---------------|--------------------------------------------------------------------------------------------|-----------------------------|
| <b>918.15</b> | Castle Tower School Delegation                                                             | <i>Nominee noted</i>        |
| <b>918.16</b> | Autism Bill                                                                                | <i>For information</i>      |
| <b>918.17</b> | Parents' Autism Lobby (PAL)                                                                | <i>For information</i>      |
| <b>918.18</b> | Honorary Consulate of the Republic of Latvia in Northern Ireland                           | <i>For information</i>      |
| <b>918.19</b> | Roads Service – Roads Programme Spring Consultation                                        | <i>Date agreed</i>          |
| <b>918.20</b> | NILGA – Management & Monitoring of Engagement with NILGA                                   | <i>Table at AGM</i>         |
| <b>918.21</b> | Appointment Of Two Local Government Representative Members To The Patient & Client Council | <i>Call for nominations</i> |
| <b>918.22</b> | Reports                                                                                    | <i>For information</i>      |
| <b>918.23</b> | NILGA Reports & Updates                                                                    | <i>For information</i>      |
| <b>918.24</b> | NAC – Drug Awareness                                                                       | <i>For information</i>      |

**Ballymoney Borough Council**

Minutes of Council Meeting No 918 held in the Council Chamber, Riada House, Ballymoney on Monday 7<sup>th</sup> April 2010 at 7.00 pm.

**IN THE CHAIR:** Alderman F Campbell, Mayor

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

**Councillors**  
A Cavlan  
J Finlay  
R Halliday  
M McCamphill  
D McKay, MLA  
E Robinson  
M Storey, MLA

**APOLOGIES:** **Alderman**  
H Connolly

**Councillors**  
B Kennedy  
P McGuigan  
I Stevenson

**IN ATTENDANCE:** Chief Executive  
Deputy Director of Borough Services  
Head of Corporate & Development Services  
Committee Clerk

**Press**

**918.1 COUNCIL RESPONSE TO ELECTRICITY SUPPLY FAILURE**

A number of members spoke before the Chief Executive commending the work of various agencies and local residents for their community spirit during the recent power and water failures. The Mayor extended his thanks to all who assisted in the provision of services and special thanks to the Head of Corporate & Development Services who provided him with regular, updated information on the situation. Councillor Cavlan commended the work of the Managers of the Centres, the NIE, Community Rescue and British Red Cross for their assistance and to the Chief Executive and Deputy Director of Borough Services for their prompt actions in implementing the plan of assistance.

The Chief Executive advised members that on Thursday 1<sup>st</sup> April, following requests from councillors to provide assistance to citizens affected by the extended loss of electricity supplies, the Emergency Planning Team met, reviewed the situation and decided to open an assistance centre at the Joey Dunlop Leisure Centre. This would allow people to spend some time in a warm environment as well as giving access to showers and hot food. The centre was also equipped to provide for those wishing to stay overnight.

Later than same evening, following an offer by NIE to provide a generator for the Millennium Centre in Loughgiel, the management of that facility agreed to open an assistance centre there also. Both centres remained open until Sunday night, when NIE confirmed that all customers were back on supply. Around 1000 meals were provided at the Millennium Centre and some 200 – 300 at the Leisure Centre. One family stayed overnight in the Leisure Centre.

The Chief Executive thanked various people and organisations for their support and assistance; firstly the Council staff involved, from all three departments, who worked after hours and over the bank holiday weekend, secondly the statutory and voluntary agencies including the Health Trust, NIE, British Red Cross and Community Rescue; thirdly, the manager, staff and volunteers from the Millennium Centre; he said that this was an excellent example of a community helping itself, supported by statutory and voluntary agencies and fourthly Tesco for supplying food, Basil Knipe for providing a TV for the Council's assistance centre and Councillor Tom McKeown for installing it. The Chief Executive also thanked NIE for meeting the cost of the meals provided and the media for helping to get out the message during the power cuts. He stated that a more detailed report will be provided to the Health & Environmental Services committee later in the month.

Arising from comments by Councillor McKay on the need for NIE to issue compensation for local businesses, farmers and the general public, Councillor Storey advised that a meeting will take place in the near future between the Regulator and the Chief Executive of NIE regarding compensation and with the Department of Agriculture and Mr Paisley Jnr regarding compensation for farmers.

Councillor Storey expressed the view that the procedures put in place should be examined to ascertain lessons for the future and he requested that representatives from NIE be invited to Council to explain the reason why poles in particular locations were so badly affected. The Chief Executive advised that NIE have indicated their wish to talk to Council about the failure and to undertake a de-briefing exercise with Council's emergency response team when personnel from the Millennium Centre and the Joey Dunlop Leisure Centre will also be involved. NIE were also willing to meet Council and this would be arranged.

#### **918.2 MINUTES - MEETING NO 917 – 1ST MARCH 2010**

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

***that the minutes of meeting No 917 on 1st March 2010, as circulated, be confirmed as a correct record.***

**918.3 CONSULTATION COMMITTEE NO 48 – 15<sup>th</sup> MARCH 2010**

*The minutes of meeting No 48 on 15<sup>th</sup> March 2010, as circulated, were received.*

**918.4 DEVELOPMENT COMMITTEE NO 213 – 15<sup>TH</sup> MARCH 2010**

Councillor McCamphill presented the report.

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

*that the minutes of Development Committee Meeting No 213 on 15<sup>th</sup> March 2010, as circulated, be adopted and the recommendations therein approved.*

**Councillor Robinson asked to be recorded as abstaining from adopting all Committee minutes due to her absence from Committee meetings in March.**

**Matters Arising:****4.1 Causeway Coast & Glens RTP – Contribution (213.5)**

At the request of Councillor Robinson, the Head of Corporate & Development Services advised that funding for existing programmes in the current financial year had been re-profiled and project timelines revised due to delay in grant aided projects and as a consequence, the additional contribution of £2,500 to Causeway Coast & Glens can be met from existing budgets.

**4.2 Rural Development Programme – ICE Programme (213.4)**

Responding to Councillor Storey, the Head of Corporate & Development Services clarified the strategies used to market this and other programmes to Ballymoney businesses eg target marketing of potential beneficiaries, via electronic Business Bulletin and Council's website.

**4.3 NEP: New Governance Proposals New Interreg IVA Joint Committee (213.11)**

Councillor Storey expressed concern at the delays by SEUPB in commencement of the programme including the re-assessment of projects and the expectation of a more efficient process following change from intermediary funding bodies (IFB's). Councillor Robinson advised that NILGA have also expressed concern.

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

*that Council write to Pat Colgan, SEUPB's Programmes Manager extending an invitation to him and Howard Keery to attend Committee to provide an update to Council in relation to current and future Interreg and European funding.*

**918.5 LEISURE & AMENITIES COMMITTEE NO 370 –16<sup>TH</sup> MARCH 2010**

Councillor Halliday presented the report.

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

*that the minutes of Leisure & Amenities Committee Meeting No 370 – 16<sup>th</sup> March, as circulated, be adopted and the recommendations therein approved.*

**918.6 HEALTH & ENVIRONMENTAL SERVICES COMMITTEE NO 358 – 23<sup>RD</sup> MARCH 2010**

Councillor Cavlan presented the report. The Chief Executive presented an addendum to the report as set out at 6.3.

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

*that the minutes of Health & Environmental Services Meeting No 358 on 23<sup>rd</sup> March 2010, as circulated, be adopted and the recommendations therein approved including the recommendation as set out at 6.3 below.*

**Matters Arising:****6.1 Municipal Waste Returns (358.15)**

Councillor Robinson expressed pleasure at the continued decrease in waste to landfill and stated that every effort should be made to encourage residents of the borough to recycle where possible. Councillor Storey concurred with Councillor Robinson and requested that consideration be given as to how the message might further be reinforced. Referring to the table at 358.15, he suggested this might be usefully produced in graph format for inclusion in a publication.

**6.2 Erection of Street Nameplates in a Language other than English (358.37)**

Councillor Cavlan recorded her disappointment at delay in compliance with policy in relation to processing applications for signage. She stated that the Equality Commission has written to Council expressing its view and that a meeting with their representatives serves no purpose. Councillor McKay concurred with Councillor Cavlan stating that his party (SF) cannot accept the recommendation to extend an invitation to the Equality Commission and advised that applicants were taking legal advice on the matter. He expressed the view that Council is open to challenge on the treatment of applicants on grounds of equality (Section 75).

- **Councillor Finlay joined the meeting during the discussion at 8.20 pm.**

Responding to Councillor McKay, Councillor Storey stated that Council should await the meeting with the Equality Commission to ascertain their views.

It was proposed by Councillor McKay, seconded by Councillor McCamphill

***to recommend that Council proceed in naming of streets in a language other than English (Irish) in accordance with Council's policy and where budget provision permits.***

Councillor McKay requested that a recorded vote be taken:

<b>FOR (3)</b>	<b>AGAINST (6)</b>	<b>ABSTENTION (1)</b>
Councillor McKay	Councillor Storey	Alderman Simpson
Councillor Cavlan	Councillor Finlay	
Councillor McCamphill	Councillor Halliday	
	Councillor Robinson	
	Alderman Cousley	
	Alderman Campbell	

**The Chair declared the motion lost.**

### **6.3 Legal Advice in Relation to Closing of Landfill Site.**

The Chief Executive advised that five Councils, including Ballymoney, have received similar letters from the DoE concerning the Department's views on the implications of the Landfill Directive for sites which closed after the EU's directive was passed in 2001 but before the Directive was transposed into Law in Northern Ireland in 2004.

Officers from the five Councils met last week and it is **RECOMMENDED** that Council join with the other Councils (Antrim, Castlereagh, Limavady and Lisburn) to seek a legal opinion on the validity of the Department's interpretation of the law.

Members discussed the background to the closure of the landfill site and the advice provided by DoE at that time. Councillor Storey expressed the view that it would be helpful to have sight of the minutes from 2001 and a copy of the letter from DoE advising the current situation. Responding to Alderman Simpson's view that any concerns should be addressed by the Assembly, Councillor Storey reiterated the importance of Council obtaining its own independent legal opinion on the validity of the Department's interpretation of the law. The Director of Borough Services advised members that in joining with other Councils in seeking legal advice to challenge the decision of DoE, best value for money will be obtained.

It was proposed by Councillor Storey seconded by Councillor Finlay

***that Council join with the other Councils (Antrim, Castlereagh, Limavady and Lisburn) to seek a legal opinion on the validity of the Department's interpretation of the law in relation to closing of landfill sites.***

The motion was put to the meeting with six members voting in favour and one member voting against.

**The Chair declared the motion carried.**

- **Councillor Halliday, Councillor Cavlan and Councillor McKay left the meeting at 8.40 pm.**

#### **918.7 CORPORATE & CENTRAL SERVICES COMMITTEE NO 384 – 22<sup>ND</sup> MARCH 2010**

Alderman Simpson presented the report.

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

***that the minutes of Corporate & Central Service Committee Meeting No 384 on 23<sup>rd</sup> March 2010, as circulated, be adopted and the recommendations therein approved.***

#### **918.8 CONGRATULATIONS**

Councillor Finlay congratulated Ballymoney Rugby Club 's XV on their success at winning the Town's Cup at Ravenhill on Monday 5<sup>th</sup> April. This was the Club's first success in the Town's Cup in 60 years and was a great achievement for the Club and the town. The Mayor added his congratulations.

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

***that a letter of congratulations be sent to the Ballymoney Rugby Club.***

#### **918.9 RESOURCES TASK GROUP NO 28 – 16<sup>TH</sup> MARCH 2010**

Alderman Simpson presented the report and the Chief Executive responded to a member's question regarding fixed term contracts.

- **The committee Clerk retired from the meeting during consideration of the minutes as the post was included in the committee Report.**

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

***that the minutes of Resources Task Group No 28 on 16<sup>th</sup> March 2010, as circulated, be adopted and the recommendations therein approved.***

- **The Director of Central & Leisure Services left the meeting at 8.50 pm. The Committee Clerk returned to the meeting at this time.**



**918.10 FLOODING AT RIVERSIDE PARK**

Responding to a question from Councillor Storey, the Director of Borough Services advised that further discussions will be taking place with Rivers Agency relating to the flooding problems at the Bravallan Road entry into Riverside Park.

- **The Director of Borough Services left the meeting at 8.52 pm.**

**918.11 SEAL DOCUMENTS**

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

***that the Seal of Council be affixed to grave registration certificate numbers 1191, 1193, 1194 and 1195.***

**918.12 ROYAL BRITISH LEGION**

The Ballymoney Branch of the Royal British Legion is hosting the Annual Group 10 Parade and Church Service in St James' Presbyterian Church on Sunday 9<sup>th</sup> May 2010 at 3.00pm.

The Branch extends a cordial invitation to the Mayor Alderman Frank Campbell, Chief Executive and councillors to the Church Services and to the clubrooms for refreshments after the parade returns from Church.

It was **AGREED:**

***that Council accept the invitation.***

**918.13 ROADS SERVICE – PROPOSED LIMITED WAITING – QUEEN STREET BALLYMONEY**

It has been brought to the attention of Roads Service that there has been an increase in all day parkers on Queen Street, Ballymoney. This is causing problems for people wishing to park outside the commercial premises. In order to resolve this matter, Roads Service is proposing to introduce a section of Limited Waiting on Queen Street, Ballymoney.

It was **AGREED:**

***that Council support the Department's proposal as described above.***

**918.14 NILGA – AGENTS TELEPHONE NUMBERS ON PLANNING SCHEDULES**

At a recent meeting of Banbridge District Council, members requested that for ease of reference, DOE Planning Service should include the telephone numbers of agents on the Monthly Planning Schedules which are issued to councils.

Planning Service has advised that they are unable to comply with Banbridge District Council's request as they are the only council who has asked for these telephone numbers to be included. Councillors representing Banbridge District Council feel however, that this information is beneficial for their constituents as it enables them to discuss issues with the agents and have full facts for their meeting with the Planning Service.

NILGA has asked if Council would indicate if this would be beneficial as both NILGA and Banbridge District Council would be in a position to contact Planning Service again.

It was proposed by Councillor McCamphill, seconded by Councillor Finlay and

**AGREED:**

***that Council support Banbridge District Council in its request to DoE Planning Service that telephone numbers of agents be included on the Monthly Planning Schedules issued to Councils.***

**Alderman Simpson recorded his disagreement with the decision.**

#### **918.15 CASTLE TOWER SCHOOL DELEGATION**

Following Council's support for a lobby campaign to the Minister of Education for the new Castle Tower School to be built; and seeking immediate action in respect of bringing the condition of the present campuses up to a reasonable standard, until a new building is complete, Ballymena Borough Council has invited Council to join a delegation to Minister and Mayor or his nominee will attend.

Referring to the current, untenable condition of the current building, Councillor Storey indicated that he would provide further background information for the Mayor.

#### **918.16 AUTISM BILL**

In response to the growing support from local authorities calling upon the Northern Ireland Assembly to bring in an Autism Bill into force in Northern Ireland, it was agreed by members at the NILGA Executive meeting on 12 March 2010 that NILGA should write to all local councils to inform them of NILGA's support for the development and establishment of an Autism Bill in Northern Ireland. NILGA also wrote to Dr Michael McBride, Chief Medical Officer to pledge support for an Autism Bill for Northern Ireland in early January 2010.

NILGA officers have recently engaged with representatives from Autism NI in order to progress this matter further.

#### **918.17 PARENTS' AUTISM LOBBY (PAL)**

Parents' Autism Lobby has written to thank Council for its recent vote to support legislation for Autism Spectrum Disorder (ASD).

**918.18 HONORARY CONSULATE OF THE REPUBLIC OF LATVIA IN NORTHERN IRELAND**

Dr W G O'Hare, CBE, Honorary Consul of the Republic of Latvia to Northern Ireland has written to inform Council about his recent appointment.

**918.19 ROADS SERVICE – ROADS PROGRAMME SPRING CONSULTATION**

Roads Service will present an update on the current year's work and consult Council about the priorities for next year's programme at the Consultation Committee meeting on Monday 17<sup>th</sup> May 2010 at 2pm.

**918.20 NILGA – MANAGEMENT AND MONITORING OF ENGAGEMENT WITH NILGA**

NILGA recently received correspondence regarding the Larne members' view that Council should be permitted to nominate substitutes to attend meetings in absence of the Council's nominated NILGA representatives.

This matter was brought to the NILGA Executive on Friday 12<sup>th</sup> February 2010, where it was agreed by members that substitutes could be nominated by the Council regardless of party affiliation to attend NILGA meetings.

It was **AGREED**:

*that this matter be tabled for discussion at Council's AGM in June.*

Councillor Finlay requested that report on attendance at NILGA meetings also be considered and the method of arranging substitution of nominees at meetings. Councillor Robinson undertook to also raise the matter at NILGA's next Executive Meeting.

**918.21 APPOINTMENT OF TWO LOCAL GOVERNMENT REPRESENTATIVE MEMBERS TO THE PATIENT & CLIENT COUNCIL**

The Department of Health, Social Services and Public Safety is currently undertaking the process to appoint two local government representative members to the Patient & Client Council.

Details of the posts and how to apply have been sent to all local government representatives. Closing time and date for receipt of application forms is 12 noon on Thursday 29<sup>th</sup> April 2010.

**918.22 REPORTS**

A list of reports was circulated for members' information.

### **918.23 NILGA REPORTS/UPDATES**

A list of reports was circulated for members' information. A general discussion took place on current NILGA issues:

- Filling of current vacancy of Chief Executive.
- Strategic Leadership Board meeting on 12<sup>th</sup> April and local government response.

### **918.24 NATIONAL ASSOCIATION OF COUNCILLORS**

Members noted proposed action by NAC with regard to raising awareness of the dangers of the drug Mephedrone.

**The meeting closed at 9.10 pm.**