

**BALLYMONEY BOROUGH COUNCIL  
COUNCIL MEETING NO 845 – 3<sup>RD</sup> JULY 2006**

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**845.17** Resolutions/Representations – *Councillor Finlay, Mayor 'Making your Contribution Count' (PPS14) - Adopted*

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**Ballymoney Borough Council**

**Minutes of Council Meeting No 845 held in the Council Chamber, Riada House, Ballymoney on Monday 3<sup>rd</sup> July 2006.**

**IN THE CHAIR:** J Finlay, Mayor

**PRESENT:**

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

**Councillors:**

A Cavlan	B Kennedy
M McCamphill	D McKay
T McKeown	A Patterson
E Robinson	M Storey, MLA
R Wilson	

**APOLOGIES:** I Stevenson  
P McGuigan, MLA

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

**Press**

**845.1 COUNCIL MEETING NO 841 – 5<sup>th</sup> JUNE 2006**

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

*that the minutes of Council Meeting No 841 held on 5<sup>th</sup> June 2006, as circulated, be confirmed as a correct record.*

**845.2 COUNCIL MEETING NO 842 – 8<sup>th</sup> JUNE 2006 (AGM)**

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

*that the minutes of Council Meeting No 842 held on 8<sup>th</sup> June 2006, as circulated, be confirmed as a correct record.*

**845.3 COUNCIL MEETING NO 843 – 12<sup>th</sup> JUNE 2006 (Roads)**

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

*that the minutes of Council Meeting No 843 held on 12<sup>th</sup> June 2006, as circulated, be confirmed as a correct record.*

**845.4 COUNCIL MEETING NO 844 – 19<sup>th</sup> JUNE 2006 (NIHE)**

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

*that the minutes of Council Meeting No 844 held on 19<sup>th</sup> June 006, as circulated, be confirmed as a correct record.*

**845.5 DEVELOPMENT COMMITTEE NO 171 – 12<sup>TH</sup> JUNE 2006**

The Development Committee report was presented by Alderman Simpson

- **Councillor McKeown arrived, the time being 7.35 pm.**

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

*that the minutes of Meeting No 171 – 12<sup>th</sup> June 2006, as circulated, by adopted and the recommendations therein approved.*

**845.6 CONDOLENCES**

The Mayor expressed Council's condolences to Councillor Wilson on the recent death of his uncle in Australia.

Councillor Storey thanked Council for condolences expressed on the recent death of his aunt, Sarah McIlhatton.

- **Councillor Kennedy arrived, the time being 7.40 pm.**

#### **845.7 CONSULTATION COMMITTEE NO 01 – 19<sup>TH</sup> JUNE 2006**

Alderman Connolly presented the Consultation Committee report.

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

***that the minutes of Meeting No 01 – 19<sup>th</sup> June 2006, as circulated, be approved.***

#### **845.8 LEISURE & AMENITIES COMMITTEE NO 318 – 22<sup>ND</sup> JUNE 2006**

Alderman Campbell presented the Leisure & Amenities Committee report. The following items were discussed.

##### **8.1 Community Relations Grants (318.21 - Item 2)**

Alderman Campbell advised that the request from Castle Community Association for assistance towards a cross border educational trip (£200.00) could not be supported because the event is to be staged outside the borough. He advised that Council could support the event to the amount of £100.00 via the Community Support Grant.

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

***that Council contribute £100.00 to Castle Community Association from the Community Support Grant.***

Making reference to Item 318.22 (Youth Support) Councillor Kennedy, requested the Director of Central and Leisure Services to explain the difference in the criteria for Community Relations Grants. The Director briefly outlined the background relating to funding and advised that an invitation had been extended to the Community Relations Officer to meet with the Committee (date to be agreed) to fully explain the criteria for funding.

##### **8.2 Spa Pool – Joey Dunlop Leisure Centre.**

Councillor Kennedy requested advice on the operation of the spa pool at the Joey Dunlop Centre and was advised that currently, the spa pool is again out of commission and would not likely to be fully operational until the early part of the next calendar year when it would be dealt with under a refurbishment works programme..

**8.3 Riada Stadium**

Councillor Kennedy advised Council that members from Glebe Rangers Football Club would like to book Riada Stadium on 15<sup>th</sup> and 22<sup>nd</sup> July for two pre-season friendly matches. Councillor Kennedy had received advice that the stadium would be closed to prepare for the Milk Cup and asked for clarification of the situation. The Assistant Director of Borough Services agreed to clarify the matter.

**8.4 Provision of Two Sand Mattress Pitches at Riada Playing Fields.**

The Chair presented a report from Consultants on the 4 tenders for the above mentioned contract. These tenders are as follows:

<b>Tenderer</b>	<b>Tender Amount</b>
Tony Patterson Sportsgrounds Limited 49 Ballynahinch Road Saintfield Co Down BT24 7ND	£198,156.00
CA Haffey & Son Limited 2A Carn Court Road Portadown BT63 5YX	£173,717.00
Michael Ferrity Contracts 77 Greencastle Road Omagh Co Tyrone BT79 7QL	£294,000.10
Whitemountain Quarries Limited 1 Letterloan Road Macosquin Coleraine BT51 4PP	£222,635.20

Council's consultants R Robinson & Sons report that as this contract was issued to a Select List, they are satisfied that all the contractors who have tendered are competent and would be able to complete the contract to a high standard and within the agreed time.

Committee recommend that the tender of CA Haffey & Son in the sum of £173,717 be accepted.

## 8.6 Adoption of Minutes

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

*that the minutes of Meeting No 318 – 22<sup>nd</sup> June 2006, as circulated, be adopted and the recommendations therein, including the recommendations at 8.1 and 8.4 above be approved.*

## 845.9 FINANCE & GENERAL PURPOSE COMMITTEE NO 344 – 26<sup>TH</sup> JUNE 2006

Councillor Patterson presented the report. The following items were discussed.

- **Councillor Wilson retired from the meeting, the time being 8.05 pm.**

### 9.1 National Association of Councillors – Membership (344.13)

As the Association had agreed at its AGM that each Council in Northern Ireland be permitted to have four members appointed (currently three), Councillor McCamphill proposed that Councillor Cavlan be nominated as the fourth member. This was seconded by Councillor McKay.

The Mayor put the motion to the vote with 5 members voting in favour and 7 members voting against.

The Mayor declared the motion lost and stated that the Committee's decision to defer consideration of appointment of an additional member and seek information on the membership levy stands

Councillor Cavlan recorded her disappointment that she was the only Member not on an outside body and again, her nomination has been voted against by the DUP.

### 9.2 Election of Vice Chair (344.2)

Councillor McKeown pointed out that he had not been nominated to Finance & General Purpose Committee. Councillor Finlay proposed that this matter be referred back to the Committee. This was seconded by Alderman Campbell and agreed.

### 9.3 Somme Association – Annual Pilgrimage (344.12)

Councillor Storey extended his thanks to Council for the opportunity to attend the 90<sup>th</sup> anniversary of the Battle of the Somme, reflecting on

those who died in battle including those of the 16<sup>th</sup> Irish Division in Guillemont.

The Mayor reminded Council of the exhibition of the Battle of the Somme currently taking place in the Town Hall and urged Members to attend.

#### **9.4 Adoption of Minutes**

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

*that the minutes of Meeting No 344 – 26<sup>th</sup> June 2006, as circulated, be adopted and the recommendations therein approved, with the exception of 344.2, as recorded at 9.2 above.*

### **845.10 HEALTH & ENVIRONMENTAL SERVICES COMMITTEE NO 318 – 27<sup>TH</sup> JUNE 2006**

The report was presented by Councillor Robinson. The following item was discussed.

#### **10.1 Waste Management Grant Spend (318.6)**

Councillor Cavlan referred to this item, proposing that the Director be instructed to take out a loan in order to purchase a replacement vehicle (Big Bite) rather than the remainder of the 2006-07 grant (£117,565 - £70,411), namely £47,154 being used to apply further recycling measures. This was seconded by Councillor McKay

Councillor Robinson proposed an amendment to the motion as follows:

That Council use 50% of the grant to purchase one lorry but the other 50% be referred back to the Committee regarding the use of it for waste management purposes.

This was seconded by Alderman Campbell.

The Mayor put the amendment to the meeting with 8 members voting in favour and 4 members voting against.

The Mayor declared the amendment carried.

#### **10.2 Adoption of Minutes**

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



***that the minutes of Meeting No 318 – 27<sup>th</sup> June 2006, as circulated, be adopted and the recommendations therein approved, including 318.6 as detailed above.***

#### **845.11 COMMITTEE MEETINGS – JULY/AUGUST 2006**

The Mayor referred to previous years when Committee meetings during the months of July and August had taken place during the day and requested Members to consider whether this should apply during the current year. He advised that this being the case, meeting times should be negotiated with Committee Chairs.

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

***that pending agreement from Planning Service, all committee meetings for the months of July and August 2006 be held during the working day.***

#### **845.12 NOTICE OF AUDIT MEETING**

The Chief Executive reported that the Local Government Auditor has given notice of audit of the Council's Accounts for the year ended 31 March 2006, in the Dalriada Room, Borough Offices, Riada House, on **Wednesday 6<sup>th</sup> September 2006. at 11.00 a.m.**

He has asked that notice of the appointment be advised, forthwith, to Members and Accounting Officers of the Council.

A copy of his letter of appointment and the public notice given by the Chief Executive, which will appear in the Ballymoney Times and Coleraine Chronicle during the week commencing 3.7.06, was circulated.

- **The Director of Central & Leisure Services and the Assistant Director of Health & Environmental Services retired from the meeting, the time being 8.35 pm**

**845.13 ROADS SERVICE – CONSULTATION MEETING**

Roads Service have responded to those issues raised at Council Meeting on 1<sup>st</sup> June which required further investigation and a copy of their response was circulated.

Alderman Connolly expressed his disappointment at Roads Service decision to defer the widening of the Glenbush Bridge at this time. Roads Service has however indicated that measures to improve visibility around the bend at the bridge will be explored.

\* **Councillor Cavlan retired from the meeting, the time being 8.40 pm.**

At the request of Councillor Kennedy and Alderman Simpson, the Chief Executive agreed to write again to Roads Service in relation to items raised which still need further clarification - criteria for footway provision and footway link at Millview Park, Ballybogey

**845.14 PROPOSAL FOR A DRAFT STREET WORKS (AMENDMENT) (NI) ORDER**

The Chief Executive advised that this proposal is listed in the weekly consultation documents list and a copy of the explanatory memorandum was circulated. Comments are invited by 15<sup>th</sup> September 2006. No comments were offered.

**845.15 PRIVATE STREETS**

Notice has been received that the following areas have been adopted:

- Old Court Manor, Cloughmills, Developer N J Kirk (Stages 1 & 2)
- Tudor Oaks, Market Street, Ballymoney, Developer E McMullan (Stage 99 & 1)

The Mayor welcomed the adoption of Tudor Oaks, a matter that has been outstanding for a number of years.

**845.16 PROPOSALS FOR A DRAFT WATER & SEWERAGE SERVICES (NI) ORDER 2006**

On 1<sup>st</sup> June 2006 David Cairns, MP, the Minister with responsibility for water reform, launched a 12 week consultation on the above draft order. Comments are invited by 24<sup>th</sup> August. Copies of the draft order and explanatory memorandum, as well as documents published during previous

consultation exercises on water reform, are available on the Water Reform website [www.wterreformni.gov.uk](http://www.wterreformni.gov.uk)

The document is listed in the weekly consultation schedule.

The proposed draft order:

- provides for the appointment of a company, wholly owned by Government, as a water and sewerage undertaker to deliver water and sewerage services in NI;
- establishes a regulatory regime by extending the remit of the current energy regulator, the Department of Regional Development and the General Consumer Council for NI to oversee the new utility;
- sets out a framework for the levying of charges for water and sewerage services;
- sets out the duties and powers of the water and sewerage undertaker in relation to the provision of those services; and
- makes changes to existing environmental legislation dealing with water to accommodate the new arrangements.

## **845.17 RESOLUTIONS/REPRESENTATIONS**

### **17.1 DEVELOPING AGREEMENT ON THE APPROACH TO PPS14: POST CONSULTATION CALL TO DRD - 'Making your Contribution Count'**

Councillor Finlay proposed the following resolution from the Rural Development Council be adopted.

*"It is clear there are significant concerns about the form and scope of PPS14. The Rural Development Council are seeking the support of Councils and other organisations in requesting the Department to*

- *Refer to its own previous best practice demonstrated in its consultation for the Regional Strategy (Shaping Our Future);*
- *Lay out and address in turn the various points made by those organisations and individuals responding to the consultation. It is vital the Department shows it has recognised and considered the advice and guidance provided through the consultation and that it clearly explains the basis for accepting or rejecting responses made in formulating the next version of PPS14;*

- *Take seriously the proposal made by the Assembly to establish a working group of rural representatives to assist in developing a practicable and satisfactory approach to PPS14 – we refer to those groups established by DoE in taking forward the RPA as a model of how this could be achieved.*

*In view of our representations to the Department on PPS14 I have subscribed to the RDC post consultation call to DRD, as set out above and would ask for the Council's endorsement of this".*

**Alderman Simpson requested it be recorded that he is against this resolution.**

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

***that Council endorse the subscription of Councillor Finlay to the RDC post consultation call to DRD as set out above.***

#### **845.18 NILGA WORKSHOP**

The Chief Executive brought Members' attention to an Equality Commission workshop to be held by NILGA on 25<sup>th</sup> July. The workshop is free of charge and details are available from the Chief Executive's office should anyone wish to attend.

#### **845.19 TRANSLINK FUTURE 06/07**

Councillor Storey referred to the report currently available in relation to Translink's Annual Review of 05/06 and Future Plans. He advised Members of a recent 140-minute delay in the journey between Ballymoney and Ballymena due to debris on the track when no bus service had been provided as an alternative. Councillor Storey indicated that this highlights the difficulties with the train system and the future of Translink's lesser used line from Ballymena to Londonderry and requested Council call for a meeting of the railway task group, together with Coleraine and other councils to look at the issue.

The Chief Executive agreed to speak to the Chief Executive of Coleraine Borough Council to ascertain the date of the next meeting and advise Members accordingly.

#### **845.20 REPORTS**

A list of reports was circulated for Members' information.

**This being all the business, the meeting closed, the time being 8.40 pm**