

**Ballymoney Borough Council  
Council Meeting No 965 – 6th August 2012**

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**BALLYMONEY BOROUGH COUNCIL**

Minutes of Council Meeting No 965 held in the Council Chamber, Riada House, Ballymoney on Monday 6th August 2012 at 7.00 pm.

**IN THE CHAIR:** Councillor E Robinson, Mayor

**PRESENT:****Aldermen**

F Campbell

H Connolly

C Cousley, MBE, Deputy Mayor

B Kennedy

**Councillors**

J Atkinson

W Blair

A Cavlan

J Finlay

R Halliday

R McAfee

T McKeown

C McLaughlin

I Stevenson

**IN ATTENDANCE:**

Chief Executive

Director of Borough Services

Head of Leisure Services

Head of Corporate &amp; Development Services

Committee Clerk

**Press****965.1 CONGRATULATIONS**

Alderman Connolly congratulated Dr Eamon Scullion, a scientist originally from Loughgiel who studied for a BSc in Joint Physics and Applied Mathematics at Queen's University, Belfast, following his studies at St. Louis, Ballymena. Dr Scullion has made a ground-breaking scientific solar discovery by uncovering the significance of a vast ocean of magnetic 'super' tornadoes above the sun's surface.

It was **AGREED**

*to write to Dr Scullion congratulating him on his success.*

#### **965.2 CONDOLENCES**

Councillor Finlay expressed condolences to the family of Maybeth Kyle, a former employee of Council for over 30 years. The Mayor said she was writing a personal note to the family.

#### **965.3 MINUTES – MEETING NO 964 – 2<sup>ND</sup> JULY 2012**

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

*that the minutes of Meeting No 964 – 2<sup>nd</sup> July 2012, as circulated, be confirmed as a correct record.*

#### **Matters Arising:**

##### **3.1 Amenities Capital Projects Update (6.1)**

The Director of Borough Services updated Council in response to a question from the Mayor.

##### **3.2 Titanic Survivor**

Councillor Stevenson inquired if any action was to be taken to mark the grave of the Titanic survivor buried in an unmarked grave in Ballymoney Cemetery. The Head of Leisure Services indicated that he had no information on the matter which would be referred to Director of Central & Leisure Services to respond to the member.

#### **965.4 MINUTES - CONSULTATION COMMITTEE NO 75 – 2<sup>ND</sup> JULY 2012**

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

*that the minutes of Meeting No 75 – 2<sup>nd</sup> July 2012, as circulated, were received.*

#### **965.5 MINUTES - DEVELOPMENT COMMITTEE NO 237 – 2<sup>ND</sup> JULY 2012**

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

*that the minutes of Meeting No 237 – 2<sup>nd</sup> July 2012, as circulated, were adopted.*

**965.6 MINUTES - LEISURE & AMENITIES COMMITTEE NO 397 – 2<sup>ND</sup> JULY 2012**

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

*that the minutes of Meeting No 397 – 2<sup>nd</sup> July 2012, as circulated, were adopted.*

**965.7 LEISURE & AMENITIES REPORT – JULY 2012**

Report, as circulated, was tabled as follows:

**Amenities****7.1 Ballymoney Cemetery Memorials**

Applications have been received as undernoted for the erection of memorials in Ballymoney Cemetery.

Section I4 Nos. 30 & 31

'J' Design Black Headstone & Base

Section I4 No. 27

Light Grey Granite Headstone & Base

Section I4 No. 40

Granite Headstone and Base

Section I1 No. 85

Black Granite Headstone and Base

Section I2. No. 56

Black Granite Headstone and Base

Section I4 No. 39

Black Granite Headstone and Base

***IT IS RECOMMENDED*** that Council grant permission for the above memorials to be erected in Ballymoney Cemetery, subject to usual requirements.

**7.2 BBC: The Travelling Picture Show**

Amenities are working with BBC Television to bring a new programme to Ballymoney on Saturday, 25<sup>th</sup> August. The series – The Travelling Picture Show – “is an archive based show, with each programme featuring the film

archive, home movies, characters, stories and a little of the social history of a different town or area each week. Once we find the films we interview the people who filmed them, feature in them or can talk about the subject matter. Then we put the films together and bring them back to the town for a one day screening in our Victorian style theatre tent. On that day we intend to invite all our contributors and members of the public to come along and watch the films and share their memories with our presenter Gloria Hunniford and the team from BBC learning who will also be on hand to give tips and advice about how to collect memories, store film and photos and how to research your family and local history.”

Arrangements are in hand to use the Council’s Riverside Park, Ballymoney, as a venue not too far from the town centre as requested. ***IT IS RECOMMENDED*** that Council note and publicise the planned event.

### **Leisure Services:**

#### **7.3 Good Relations Grants**

The following applications for grants were considered:

- (i) Bendooragh Apprentice Boys Cultural Society for assistance towards a day trip to Somme Heritage Centre.
- (ii) Cheers Youth Centre for assistance towards a trip to Poland to improve cultural identity awareness.
- (iii) Ballybogey Community Association for assistance towards a Cross Community event.
- (iv) Kingdom of Dalriada Ulster Scots Society for assistance towards a Robert Burns Cultural Celebration.
- (v) Fuse FM for assistance towards Hire of Equipment for the Ulster Scots Community Radio Station.
- (vi) Ullans Speakers Association for assistance towards a Robert Burns Cultural Celebration.
- (vii) Ullans Speakers Association for assistance towards a European Language Day Celebration.
- (viii) Crown Defenders Flute Band, Cloughmills for assistance towards a 25<sup>th</sup> Anniversary Cultural Event.
- (ix) Finvoy Rural Educational & Cultural Society for assistance towards an Ulster Scots Evening.
- (x) Ballymacconnelly Renewal Group for assistance towards “From the Covenant to the Somme” Event.

All applications satisfy the criteria of the Good Relations Small Grant Scheme.

***IT IS RECOMMENDED*** that the above 10 applicants are awarded £350.00 each.

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

***that the Leisure & Amenities Report – July 2012 be adopted and the recommendations therein approved.***

## **965.8 HEALTH & ENVIRONMENTAL SERVICES REPORT – JULY 2012**

Report, as circulated, was tabled as follows:

### **8.1 Goods Vehicles (Licensing Of Operators) Act (NI) 2010 'Own Account' Operators – Temporary Permit**

The DoE Transport Regulation Unit has advised by letter received on 30<sup>th</sup> July 2012 that from 1<sup>st</sup> July 2012, everyone using goods vehicles with a gross weight over 3500kgs to transport goods in the course of a business or trade is required to hold a goods vehicles operator's licence. The requirement to hold a licence will apply to both those who carry goods for hire or reward and those who carry their own goods (own account). Council, as members have previously been advised, falls within the scope of these legislative requirements and ought therefore to apply for a licence before 30<sup>th</sup> September 2012 taking advantage of the abbreviated application process. The application fee is £254. Were Council to do this, then the DoE would issue to Council a temporary permit which will enable Council to operate legally until its application has been determined by the DoE.

***IT IS RECOMMENDED*** that Council authorise its Director of Borough Services to submit an application to the DoE seeking the necessary licence/temporary permit.

### **8.2 Withdrawal of Approval For Causeway Cheese Company Under Regulation (EC) Nos. 852/2004, 853/2004 And 882/2004 Due To Premises Closure.**

Premises: Causeway Cheese Company, Unit 1, Millennium Centre, Lough Rd, Loughgiel, Ballymena, BT44 9JN.

The above premises was granted approval for the production of cheese in February 2002, and subsequently reapproved under the above legislation in July 2006 (CM 845.10 refers).

It has recently come to this department's attention that the premises have ceased trading. It is now necessary to withdraw the premises Approval. The food business operator will be made aware that approval has been withdrawn and advised to contact this department should they wish to re-

open and the Food Standards Agency will also be made aware of the change in the status.

**IT IS RECOMMENDED** that Council withdraws the Approval for Causeway Cheese Company as they have ceased trading.

### 8.3 **Petroleum (Regulation) Acts (Northern Ireland) 1929 and 1937 Petroleum Spirit Licence (Renewals)**

Applications have been received for the renewal of petroleum spirit licences as follows:-

<b>Premises</b>	<b>Applicant</b>
Finvoy Filling Station, 180 Finvoy Road, BALLYMONEY BT53 7JS.	Mr. Sean Maguire
Trolans Supervalu, Riverside Service Station, 2 Ballymena Road, BALLYMONEY BT53 7AB.	Mr. Peter McCool
C. B. Fuels Ltd., 33A Bridge Road, Dunloy BALLYMENA BT44 9AH.	Mr. Colm Bradley,
Biesty's Centra, 6-8 Ballybogey Road, BALLYMONEY BT53 6QD.	Mr. Glen Biesty

The renewal of the licences as detailed above is **RECOMMENDED** and in the case of 33a Bridge Road, Dunloy, same is subject to the submission of a satisfactory electrical test certificate.

### 8.4 **The Private Tenancies (Northern Ireland) Order 2006 Article 36 (4) Certificates Of Fitness**

<b><u>Landlord</u></b>	<b><u>Dwelling-House</u></b>
Mr. Tommy Gerrow	95 Frosses Road, BALLYMONEY BT53 7EJ.
Ms. Barbara McVeigh	15 Henry Street, BALLYMONEY BT53 6HX.

Fitness inspections of the above dwellings have been conducted and 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 Article 36 (4) Certificates of Fitness in respect of the above dwelling-houses.

#### **8.5 Street Trading Act (NI) 2001 - Mobile Street Trading Licence - Renewal**

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

<b><u>Purpose</u></b>	<b><u>Applicant</u></b>
Ice Cream Van	Mrs Drina Stewart, 44 Margaret Avenue, BALLYMONEY BT53 6BY.

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

#### **8.6 Street Trading Act (NI) 2001 - Temporary Street Trading Licences**

Application for the grant of Temporary Street Trading Licences have been made to this Directorate as follows:-

<b><u>Purpose</u></b>	<b><u>Applicant</u></b>
Hot Food Catering Trailer in High Street (outside McKeefrys) on 28 <sup>th</sup> July 2012	Mr. Darryl Wilson
Metal Frame Stall with Cover selling toys in High Street (outside McKee's Solicitor, Mulholland Butchers) on 28 <sup>th</sup> July 2012.	Mrs. Amanda Porter

***IT IS RECOMMENDED*** that Council grants the Temporary Street Trading Licences as detailed above retrospectively.

#### **8.7 Emergency Plan Implementation**

As members are aware Council has considered this matter previously without finally determining the process by which its Emergency Plan would be implemented. It is the case that recently the DoE Minister has requested on two separate occasions confirmation/assurances that local government has arrangements in place that will provide any necessary responses to emergency incidents out of hours and over holiday periods.



Doubtless recent correspondence from the Minister was prompted to ensure necessary response/co-ordination to flooding incidents in light of forecasts predicting the likelihood of such events.

***IT IS RECOMMENDED*** that Council notes this update.

### 8.8 Fuel Poverty Co-Ordinator Post

The above post ref. 5/FP/SC/1 has become vacant due to the resignation of postholder ref 50145 with effect from 1<sup>st</sup> August 2012. The post was established on 1<sup>st</sup> September 2006 and remains 100% funded by the Public Health Agency. The post serves all 10 Councils within the Northern Group Area, with the Council agreeing to act as employing authority for the post (Committee Minute EH309.4.23, October 2005 refers). The Council remains under contract to provide this service until 31<sup>st</sup> March 2013.

***IT IS RECOMMENDED*** that the post be filled on an agency basis up to 31<sup>st</sup> March 2013 to enable the fulfilment of the existing contract and for Ballymoney Borough Council and the Public Health Agency to consider how the service may be delivered thereafter.

### 8.9 Licensing (Northern Ireland) Order 1996

<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Daniel Stevenson & Bobbie Gray, Fullerton Arms, Main Street, BALLINTOY.	Occasional Licence Stranocum Community Centre 4/8/12 at 7.30pm to 5/8/12 at 1.30am	25/6/12
Patrick Frew, Cloughmills Comm. Action Team.	Occasional Licence Corner House Bar 12/7/12 11.30am – 9.00pm	26/6/12
Tesco Stores Ltd., Castle Street, BALLYMONEY.	Renewal of a Licence	16/7/12
Kashmire Ltd., Dervock Centra, 10-16 Carncullagh Rd., Dervock, BALLYMONEY.	Transfer & Renewal of Licence	24/7/12
William Herbert Brooke Huey, The Glynn's Bar,	Renewal of Licence	26/7/12

23 Church Street,  
BALLYMONEY.

James Craig Black, Renewal of Licence  
The Bush Tavern,  
15-17 Market Street,  
BALLYMONEY.

27/7/12

***IT IS RECOMMENDED*** that the above applications be noted.

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

***that the Health & Environmental Services Report – July 2012 be adopted and the recommendations therein approved***

- \* **The Director of Borough Services and the Head of Leisure Services left the meeting at 7.15 pm.**

#### **965.9 TRANSITION COMMITTEES**

##### **9.1 Minutes Causeway Coast & Glens Transition Committee Meeting 19<sup>th</sup> April 2012**

Copies of the minutes were circulated.

##### **9.2 Minutes Regional Transition Committee Meeting 25<sup>th</sup> April 2012**

Copies of the minutes were circulated.

The next Regional Transition Committee meeting is scheduled for 30<sup>th</sup> August 2012. The Causeway Coast & Glens Transition Committee Meetings are scheduled for 6<sup>th</sup> September and 20<sup>th</sup> September 2012.

#### **965.10 NILGA REPORTS & UPDATES**

At the request of the Mayor it was proposed by Councillor Atkinson, seconded by Alderman Cousley and **AGREED:**

***that NILGA reports and updates, item 10 on agenda, be considered at this stage.***

Report 3.7.12 was tabled. The Mayor commented on recent updates on NILGA Activity and highlighted the Reorganisation Bill and Power of General Competence, a summary to be circulated to members; request for funding for reform and representation on reform structures; BT hotline. She concluded by advising that the Mayor of Coleraine would represent NI Local Government at an

Northern Ireland Office reception in London and the AGM would be held in Ballymoney.

## **965.11 CONGRATULATIONS**

The Mayor extended congratulations to Alan Campbell in achieving a bronze medal in the single skulls rowing competition and Peter and Richard Chambers on their success in winning silver medals in the lightweight four races at the 2012 Olympics. All three rowers are from Bann Rowing Club, Coleraine.

## **965.12 LOCAL GOVERNMENT REFORM**

### **12.1 DOE update 'Reform Inform', Issue 2, July 2012**

This covers:

- Response to consultation on LG proposals
- Update on funding
- Councillors' Severance & Remuneration

A copy was circulated, together with copy of statement by the DOE Minister on 3<sup>rd</sup> July 2012 on Councillors' Severance & Remuneration.

At the request of Alderman Campbell, the Chief Executive agreed to obtain advice on method of selection of independent panel to review Councillor's severance scheme. The Mayor advised that NAC AGM will take place on 21<sup>st</sup> September with a joint meeting of NAC and NILGA prior to the AGM. The Mayor will request information relating to the independent panel at the joint meeting and circulate to members.

### **12.2 DOE consultation on the Local Government Reform Policy Proposals**

The DOE's response to the consultation on the Local Government Reform Policy Proposals which took place over the period 30<sup>th</sup> November 2010 to 11<sup>th</sup> March 2011 was circulated.

At the request of Councillor Finlay, the Chief Executive clarified the difference between Council's current position and the proposals set out in section 5 relating to Power of Wellbeing.

## **965.13 ROADS SERVICE**

### **13.1 A26 Dualling Scheme**

The Department of Regional Development has responded to Council's request for further clarification of the programme of improvements and the finances that will deliver the scheme.

The Department explains that the reference to a balanced programme of improvements was primarily in relation to the proposed dual carriageway schemes for the A5, A8 and A2 routes. The revised budget settlement for the current period to 2015 will enable construction work to commence on these projects this financial year, subject to completion of the statutory procedures and procurement processes.

Development work will also continue on a range of other schemes in the Strategic Road Improvement Programme, including the A26 dualling, at this time the earliest timescale envisaged for proceeding with this scheme is likely to be 2015/16. The Investment Strategy for Northern Ireland 2011-21 (ISNI) will provide an indication of the anticipated financial position for 2015-2021. The ISNI document is produced by the Strategic Investment Board (SIB) and, while a draft version was published in November 2011, the final 2011-2021 document has yet to be approved the Executive.

When the Department was provided with an indicative allocation for the period 2015-2021, as set out in the draft ISNI, the Minister highlighted a number of concerns, including the proposed level of funding for roads.

Once projected allocations are finalised, the Minister will review the roads programme taking account of the level of funding that is approved.

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

***that Council write to the Minister for Finance and Roads Service to express disappointment at the delay in its commencement and its desire to see the project progressed and request advice as to an anticipated commencement date of the project if funding becomes available immediately.***

### **13.2 Private Streets Order**

Notice has been received from Roads Service that the following developments have been adopted.

- Development at Springhill Manor, Cloughmills - Stage 1  
Developer: Armoy Homes Limited – Plan No PS1233/1.
- Development at Bannfield, Bann Road, Ballymoney – Stages 3, 4, 6, 7, & 8  
Developer JF, H&VM & B Dowds, T/A Fairview Developments – Plan No 105566/11/12.

### **13.3 Licence Renewals**

Applications to renew/amend Roads Service licences have been received from DoE in accordance with the attached schedule.

In accordance with Section 6 of the Transport Act (NI) 1967 any representations regarding these applications should be made prior to the date indicated. With regard to amendments to existing Ulsterbus services, any objections made on the grounds that this proposed service would impact on a service already in operation, a map showing the route of the existing service should be provided.

No comments were made.

### **965.14 RUTTER & HINDS REPORTS – ANTRIM AREA HOSPITAL SERVICES**

A copy of both reports and action plan to take forward the recommendations from both, together with media release dated 24<sup>th</sup> May 2012 were circulated to members under cover of memo ref OCE241/12 dated 11<sup>th</sup> July 2012.

The reports arise from two independent reviews carried out at Antrim Area Hospital. The Terms of Reference and nominations for both reviews were agreed by HSCB and the Trust and the reports were then commissioned by NSCB.

One review was conducted by Dr I Rutter, Chair of the Department of Health Clinical Advisory Panel. This focused primarily on the relationship between the Northern Trust and GPs and the Primary Care Sector.

Dr Mary Hinds, Board Member of the Public Health Agency, reviewed unscheduled care, particularly the role of the hospital and opportunities for continued improvement.

Considered together, the recommendations from the two reviews broadly cover the journey from admission through the hospital and on to discharge. Other key recommendations highlight staff engagement and communications.

The Trust has begun to implement the recommendations of the action plan.

### **965.15 FLUORIDE – PUBLIC WATER SUPPLIES**

An email from Stephen McMurray, Newtownabbey, including details of an email he sent to all members of the NI Assembly seeking support for representations to the Health Minister with regard to his consideration of adding fluoride to public water supplies, was forwarded to all members with memo OCE/230/12.

#### **965.16 SECTION 75 AND DISABILITY EQUALITY DUTIES FOR THE FIVE EDUCATION AND LIBRARY BOARDS/STAFF COMMISSION FOR EDUCATION AND LIBRARY BOARDS**

With effect from 1 June 2012, responsibility for the co-ordination of the statutory equality duties under Section 75 of the Northern Ireland Act 1998 and the Disability Duties under the Discrimination Act 1995 (as amended) has transferred from the Staff Commission to an interim Regional Equality Unit in the inter-Board Central Management Support Unit (CMSU) based on SELB HQ, Armagh. The Staff Commission's Project Officer will continue to assist the CMSU in this work.

All current service provision to Consultees regarding the co-ordination of Section 75 and the Disability Duties will continue as normal.

A second edition of the Audit of Inequalities has been prepared which takes account of feedback received (both internal and external) to the initial Audit: the Equality Commission's recently published 'Advice to Public Authorities Approaching an Audit of Inequalities'; research published in the intervening period and the publication of the Boards'/Staff Commission's Equality Action Plan, copy attached.

**Comments on the second edition should be submitted on or before Friday 28<sup>th</sup> September 2012.**

No comments were made.

#### **965.17 SILVER SAVER CAMPAIGN**

Age Sector Platform has launched its 'Silver Saver' campaign that calls on food retailers to introduce pensioner discounts to help older people afford a balanced and healthy diet. Details were circulated to members with OCE memo dated 02.08.12 together with a campaign postcard to provide members with an opportunity to support the campaign.

The campaign will be brought to the attention of citizens' attention via Council's website.

\* **Councillor McKeown joined the meeting at 7.35 pm.**

#### **965.18 REPORTS**

The Chief Executive referred to the schedule of reports, circulated, which are available from the Office of the Chief Executive.

**The meeting closed at 7.40 pm.**