

**Ballymoney Borough Council
Council Meeting No 969 – 5th November 2012**

Table of Contents

969.1	Declarations of Interest	<i>Nil.</i>
969.2	Condolence	<i>David Black</i>
969.3	Prison Officers' Association	<i>Presentation</i>
969.4	Minutes of Council Meeting No 968 – 1st October 2012	<i>Adopted</i>
969.5	Consultation Committee No 78 – 15 th October 2012	<i>Received</i>
969.6	Minutes of Development Committee Meeting No 239 – 17 th October 2012	
	6.1 A26 Dualling	
	6.2 Food Tourism Project	
	6.3 Invitation from Tlokwe City Council, Porchefstroom, SA	<i>Accepted</i>
	6.4 Adoption of Minutes	<i>Adopted inc 6.1, 6.2 & 6.3</i>
969.7	Minutes of Leisure & Amenities Meeting No 399 – 16 th October 2012	
	7.1 Panel Van	<i>Accept lowest tender</i>
	7.2 Land at Cloughmills (399.20)	
	7.3 Adoption of Minutes	<i>Adopted inc 7.1</i>
969.8	Minutes of Health and Environmental Services Meeting No 385 – 25 th October 2012	<i>Adopted</i>
969.9	Minutes of Corporate and Central Services Committee Meeting No 408 – 22 nd October 2012	
	9.1 Sign Off Revised Accounts for Financial Year 2011-12 including Revised Annual Governance Statement 2011-12	
	9.2 Adoption of Minutes	<i>Adopted inc 9.1</i>
969.10	Resources Task Group No 44 – 30 th October 2012	<i>Adopted</i>
969.11	Audit Committee No 26 – 25 th October 2012	<i>Adopted</i>
969.12	Mayor's Business	
	12.1 Congratulations	<i>Loughgiel Shamrocks John McLean Causeway Archers Gary Dickson</i>
	12.2 Local Government Reform	
969.13	The Royal British Legion	
	13.1 Ballymoney Branch	<i>Mayor & CE to attend and lay wreath –</i>

13.2	Dervock Branch	<i>Members to robe Deputy Mayor & Director to attend</i>
969.14	Northern Ireland Electricity (NIE)	<i>Councillors Atkinson, McKeown & Stevenson to visit Centre</i>
969.15	Roads Service	
15.1	Disabled Parking Bay – Townhead Street, Ballymoney	<i>Proposal agreed</i>
15.2	Private Streets (NI) Order 1980 – Carrowdoon Park	<i>For information</i>
969.16	NILGA Local Government Annual Conference & Exhibition 2013 & Local Government Awards NI Ceremony	<i>For information</i>
969.17	Parking Concession	<i>Write to DRD and CE of NSL</i>
969.18	Northern Ireland Water	<i>For information</i>
17.1	Briefing Session – Major Incident	
17.2	Winter Weather Campaign	
969.19	NILGOSC Briefing	<i>For information</i>
969.20	Open College Network NI	<i>Arrange meeting with Chair and CEO of OCN NI</i>
969.21	The Shaftsbury Estate of Lough Neagh Limited	<i>For information</i>
969.22	Public Consultation Event – Ulster Scots Academy	<i>For information</i>
969.23	Reports & NILGA Reports	<i>For information</i>

BALLYMONEY BOROUGH COUNCIL

Minutes of Council Meeting No 969 held in the Council Chamber, Riada House, Ballymoney on Monday 5th November 2012 at 6.30 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
J Finlay
R Halliday
R McAfee
P McGuigan
T McKeown
C McLaughlin
I Stevenson
M Storey, MLA

APOLOGIES: **Councillor**
A Cavlan

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

Prison Officers' Association
Mr Nigel Lowe
Mr Finlay Spratt
Mr Lenny Lucas

Press x 2

967.1 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

967.2 CONDOLENCE

Referring to the recent murder of prison officer David Black, the Mayor said "I, as I know you and the citizens of this Borough, were greatly shocked at the callous murder on 1st November of Prison Officer David Black, a citizen of Cookstown.

On my own behalf and on behalf of this council and our citizens I express condemnation of the callous and dastardly deed.

This is a terrible human tragedy and the thoughts and prayers go out to Mr Black's colleagues at Maghaberry Prison and the Mayor, Council and citizens of Cookstown.

I have written to the Chief Officer of Magherberry Prison and asked that the condolences of the Council be conveyed to the bereaved family. I have also written to the Chairman of Cookstown District Council."

Members stood in silent tribute.

967.3 PRISON OFFICERS' ASSOCIATION

The Chair welcomed members of the Prison Officer's Association (POA) to the meeting to update members on its response to NI Prison Service consultation on their Outline Estate Strategy relating to the proposed decommissioning of Magilligan Prison in 2018.

Mr Finlay Spratt of POA addressed members. He advised that the Association's response highlights their disappointment at the failure of the service to implement the 2006/16 Estates Review and questions how the Outline Estates Strategy was developed and informed. It also refers to the view of NIPS management at the time of the 2006/16 review that Magilligan should continue to play a major part in the criminal justice system for the future.

He explained that Magilligan Prison opened in 1972 and following the Estates Strategy Review in 2006/16 the then Minister announced that Magilligan would be redeveloped on the existing site with a new build facility to accommodate up to 800 male prisoners. The Prison Officers' Association's response expresses the view that the Prison Service should proceed with the announcement made by the Minister in December 2007 to build a new prison at Magilligan. Not do so would be a misuse of public funds already expended in the design of the new build and additional expenditure to operate the prison until decommissioning in 2018 would be a waste of public funds. The new pumping station built by NI Water at Magilligan took account of the 800 bed prison. It strongly challenges the opinion of the PRT that Magilligan prison is wrongly located in a rural area with no evidence to support that theory and that the new build at Maghaberry is not justified, pointing out that some 32 prisons in England are built in rural areas. He

also referred to the work on rehabilitation of prisoners on which Magilligan had been involved for many years.

Mr Finlay Spratt, in concluding his presentation of the Prison Officer's Association's response to the consultation stated that there is no substance to back up the proposals to decommission Magilligan Prison other than the ultimate privatisation of the prison service in the long term. He stated that Magilligan Prison has a good role to play in the penal system but lacks the funds to carry out its work despite the £1.4M set aside for it which is no longer available added to which will be an operational cost of £12M over the next few years. He welcomed Council's support and the opportunity to address members.

Councillor Finlay, Alderman Kennedy and Councillor Stevenson stated their support for the retention of Magilligan Prison, Councillor Finlay expressing the hope that there were enough people in the Executive to support the proposal to close Maghaberry, while Alderman Kennedy said the prison was a source of employment for citizens of this borough and as leader of the DUP group he pledged support for the retention of the prison at Magilligan.

The representatives from the Prison Officers' Association left the meeting at 6.55 pm.

967.4 MINUTES OF COUNCIL MEETING NO 968 – 1ST OCTOBER 2012

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

that the minutes of Meeting No 968 – 1st October 2012, as circulated, be confirmed as a correct record.

967.5 CONSULTATION COMMITTEE MEETING NO 78 – 15TH OCTOBER 2012

the minutes of Consultation Committee Meeting No 78 – 15th October 2012, as circulated, were received.

967.6 MINUTES OF DEVELOPMENT COMMITTEE MEETING NO 239 – 17TH OCTOBER 2012

Alderman Kennedy presented the report including addendums as set out at 6.1, 6.2 and 6.3.

6.1 A26 Dualling

The final draft submission from White Young Green, Planning Consultants retained by Ballymena Borough Council, to be presented to Council for adoption, is not available at the time of publication of this report. It is expected tomorrow (2/11/2012) and will be emailed and posted to members. **It is recommended** that the final draft submission be adopted.

6.2 Food Tourism Project

The application to DARD Supply Chain Programme was submitted by the deadline of 26th October, with Mr Rex Humphreys, Food NI, acting as lead applicant on behalf of the Councils in the Causeway Coast & Glens region. We have received advice that the group, consisting of six local authority officers and six private sector representatives, have been accepted onto the programme.

This project will set up and develop the Causeway Coast & Glens Food Network. The aim of the network will be to:-

1. Facilitate local food businesses involved in all aspects of the supply chain to network and obtain information on business support programs and funding to develop and grow their business.
2. To raise awareness of the unique local food product in the Causeway Coast & Glens region and highlight its important contribution to the local economy. The aim will be to position the Food Sector as a key economic driver for the region, both through local business growth and job creation opportunities and increased visitor spend.

The network will involve the 6 Councils involved in the Causeway Coast and Glens Tourism Area, as designated in the DETI/NITB Draft Tourism Strategy for NI up to 2020. Collectively the group identified local food as a key element of the regional tourism offer.

A consultation workshop with stakeholders agreed the following vision:

“To create and promote a unique and distinct food and drink offer for Causeway Coast and Glens, in which the excellent local produce, high quality hospitality sector and welcoming service will complement the world famous landscape and range of exciting activities, to provide a truly memorable experience”. **It is recommended that Council agree:**

- a. **to Mr Rex Humphreys acting as project lead;**
- b. **to participate in the food network and programme activity;**
- c. **that the Letter of Offer be signed.**

6.3 Invitation from Tlokwe City Council, Porchefstroom, SA

An invitation has been received from the Executive Mayor of Tlokwe City Council, Councillor Andrew J Maphetle to The Mayor, former Mayors and officers to visit their city and attend the McArthur Marathon and Dinner on the weekend 9-11 November, arranged by the Tlokwe City Council in partnership with Traumeel and The North West University – PUK, to mark

McArthur 100th year celebration dinner and marathon on the weekend of 9-11 November 2012.

A delegation from Porchefstroom City Council has visited the borough on two occasions, most recently for our 2012 McArthur celebrations, and the City Council wishes to return the courtesy by including the Mayors who hosted them on their visits to Ballymoney.

In presenting the addendum, the Chair advised that in addition to a civic event to mark McArthur 100th year celebration there would be business meetings to explore links between our two communities to promote economic and social development. This follows on from the visit by a delegation from Porchefstroom City Council to our successful anniversary celebrations in July this year.

The City Council will meet the cost of accommodation and transport from the airport. The cost to Council of travel and associated expenses is estimated at £4500. The delegation from Council is former Mayor's John Finlay and Ian Stevenson, Development Chair, Museum Manager and the Head of Corporate & Development Services. In addition the delegates who had met with the Mayor to discuss the invitation recommended that David Halliday, who had provided substantial assistance to Council during hosting of the delegation in the borough in July, be included.

6.4 Adoption of Minutes

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

that the minutes of Development Committee Meeting No 239 – 17th October 2012 be adopted and the recommendations therein approved including the recommendations made in addendum as set out at 6.1, 6.2 and that the invitation from Tlokwe City Council delegation to attend their 2012 McArthur Celebrations, 9-11 November, be accepted, estimated cost £4,500 (Min 6.3 refers).

* **Councillors McGuigan and McLaughlin joined the meeting at 7.00 pm.**

969.7 MINUTES OF LEISURE & AMENITIES COMMITTEE MEETING NO 399 – 16TH OCTOBER 2012

Alderman Campbell presented the report. The Director of Borough Services presented an addendum as set out at 7.1

7.1 Panel Van

Tenders were invited inclusive of vehicle registration and 12 months road fund licence. Tenders were opened by the LAC Committee Chair and Council's Head of Amenities on 22nd October 2012.

Number of tenders received : 4 Non-compliant tenders: 2

Compliant Tenders (2)

Tenderer	Product Offered	Vehicle (£)	Painting (£)	Road Fund Licence (£)	Total Price (£)	Warranty	Delivery (weeks)
Mercedes Benz Truck & Van, Mallusk	Mercedes-Benz Sprinter 316 LWB Hi Roof Van	25,480	1,750	270	27,500	3 years / unlimited miles	14 weeks
Donnelly Finance & Leasing, Antrim	VW Crafter CR35 LWB Hi Roof	26,418.55	1,050	270	27,738.55	3 years / unlimited miles	15 weeks

Non-compliant tenders (2)

The following did not satisfy the criteria on certain aspects, in particular, load length capacity

Tenderer	Product Offered	Vehicle (£)	Painting (£)	Road Fund Licence (£)	Total Price (£)	Warranty	Delivery (weeks)
Charles Hurst Peugeot, Belfast	Peugeot Boxer 440 L4 H3 180bhp	19,856	1,600	270	21,726	3 years / 100,000 miles	14 weeks
Lindsay Ford, Mallusk	Ford Transit 350EL Jumbo Hi Roof	22,282.40	1,175	265	23722.40	3 years / 100,000 miles	14 weeks

IT IS RECOMMENDED that Ballymoney Borough Council accept the tender from Mercedes Benz Truck & Van, Mallusk, in the sum of £27,500 for a Mercedes Benz Sprinter 316 LWB Hi Roof panel van.

7.2 Land at Cloughmills (399.20)

At the request of Councillor McLaughlin, the Director of Borough Services advised that on ratification of the recommendation to investigate the suitability of the land, the issue will be progressed with Land and Property Services and a further report brought back to Committee.

7.3 Adoption of Minutes

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

that the minutes of Leisure & Amenities Committee Meeting No 399 – 16th October 2012 be adopted and the recommendations therein approved including the recommendation at 7.1.

* **Councillor McKeown joined the meeting at 7.15 pm.**

969.8 MINUTES OF HEALTH & ENVIRONMENTAL SERVICES COMMITTEE MEETING NO 385 – 25TH OCTOBER 2012

Alderman Connolly presented the report.

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

that the minutes of Health & Environmental Services Committee Meeting No 385 – 25th October 2012 be adopted and the recommendations therein approved.

967.9 MINUTES OF CORPORATE AND CENTRAL SERVICES COMMITTEE MEETING NO 408 – 22ND OCTOBER 2012

Councillor Stevenson presented the report together with an addendum as set out at 9.1.

9.1 Sign Off Revised Accounts for Financial Year 2011-12 including Revised Annual Governance Statement 2011-12

The Director of Central & Leisure Services explained that the changes to accounts affected the valuation of land and buildings included on the balance sheet at both 31 March 2011 and 31 March 2012. Previously certified balance sheet at 31 March 2011 had to be restated. Also the accounts for 2011/12 signed off in June had to be revised. As a result of changing the method of applying the indices the value of the fixed assets reduced by £897,944 at 31 March 2011 to £234,005.55 and by £874,931 at 31 March 2012 to £230,978.63.

DoE has issued a dispensation for the accounting treatment for 2011/12. Disclosure notes have been included in the 11/12 financial statements. The charges did not affect the District Fund Balance.

The Chief Executive indicated that because of the timing of this work, the Audit Committee was not able to deal with the Annual Governance statement in its final form and this would be tabled at the next Audit Committee meeting.

9.2 Adoption of Minutes

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

that the minutes of Corporate & Central Services Committee Meeting No 408 – 22nd October 2012 be adopted and the recommendations therein approved including addendum as set out at 9.1 and that the revised annual accounts be signed off for the year ended 31st March 2012.

969.10 MINUTES OF RESOURCES TASK GROUP MEETING NO 44 – 30TH OCTOBER 2012

Councillor Stevenson presented the report.

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

that the minutes of the Resources Task Group Meeting No 44 – 30th October 2012, be adopted and the recommendations therein approved.

969.11 MINUTES OF AUDIT COMMITTEE MEETING NO 26 – 25TH OCTOBER 2012

Councillor Robinson presented the report.

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

that the minutes of the Audit Committee Meeting No 26 – 25th October 2012, be adopted and the recommendations therein approved.

- * **The Director of Borough Services and the Director of Central & Leisure Services left the meeting at 7.25**

969.12 MAYOR'S BUSINESS

12.1 Congratulations

The Mayor congratulated a number of groups and individuals as follows:

- All-Ireland champions Loughgiel Shamrocks have comfortably secured their seventh Ulster Senior Hurling Championship and have reached the semi-final of the All Ireland hurling championships.
- John McLean from the Pipes and Drums of the P.S.N.I. won Juvenile Section 1 at the World Solo Drumming Championships.
- The Causeway Archers, based in Ballymoney, amassed an incredible eight gold medals at the Northern Ireland Outdoor Championships.
- Gary Dickson, a native of Loughgiel, is the newly crowned WKC Kick Boxing champion. The 39-year-old won the coveted title in the recent World championships in Montreal.

She also congratulated all recipients who received sports awards on 20th October at the annual event which was enjoyable and successful, and the staff at the Joey Dunlop Leisure Centre for the Sport comes to Town event on 3rd November.

12.2 Local Government Reform

The Mayor updated members on various Local Government Reform matters addressed by NILGA and the transition committees, including severance, delivery of revised submission for NI Executive LG re-organisation bill and engagement event on planning and Local Government Reform. She indicated that she would circulate a paper to members covering a range of issues on the subject.

- * **Councillor Storey joined the meeting at 7.30 pm.**
- * **Councillor Finlay left the meeting at 7.30 pm.**
- * **Alderman Kennedy left the meeting at 7.35 pm.**
- * **Press left the meeting at 7.35 pm.**

969.13 THE ROYAL BRITISH LEGION

13.1 Ballymoney Branch

The Ballymoney Branch has invited the Mayor, Chief Executive and Councillors to the Remembrance Day Service and Wreath Laying Ceremony which will be held at the War Memorial on Sunday 11th November 2012 at 10.30am and also to the Service of Remembrance which will be held in 1st Ballymoney Presbyterian Church at 3.00pm.

It is customary for the Mayor and Chief Executive to attend the Wreath Laying Ceremony and lay the wreath and members to attend the service and robe.

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

that the Mayor and Chief Executive attend the Wreath Laying Ceremony at the War Memorial on Sunday 11th November 2012 at 10.30am and lay the wreath and that members robe and attend the afternoon remembrance service.

13.2 Dervock Branch

The officers and members of the Dervock Branch have invited representatives from Council to attend the Remembrance Sunday Commemoration at the Dervock Village War Memorial on Sunday 11th November 2012. The Service will commence at 10.30am and it is asked that representatives arrive no later than 10.15am at the North Irish Horse Inn. Refreshments will be served afterwards at the North Irish Horse Inn.

It is customary for Deputy Mayor and a Director to attend a lay a wreath.

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

that the Deputy Mayor and a Director attend the Remembrance Commemoration at the Dervock Village War Memorial on Sunday 11th November 2012 and lay a wreath.

969.14 NORTHERN IRELAND ELECTRICITY (NIE)

NIE, the network company, has invited Council to visit its Control Centre in Craigavon. The visit is designed to introduce Councillors to the plans and systems that are in place to deal with major storms or issues that affect the electricity network.

NIE owns and maintains the electricity wires and meters for everyone, no matter which company bills for energy usage.

As part of its annual winter preparations, NIE has issued a reminder to customers through the media on how to cope if electricity supplies are interrupted. It is also working with other utilities in Northern Ireland to help customers prepare for winter.

Councillors have also been sent a card providing them with the number for elected representatives – 08081002969. This is a priority line to NIE call handling and is for elected representatives only. The Customer Helpline number for public use is 08457 643 643.

Councillors Atkinson, McKeown and Stevenson expressed an interest in attending the centre (Friday most suitable day).

969.15 ROADS SERVICE**15.1 Disabled Parking Bay – Townhead Street, Ballymoney**

Following a request from a member of the public Roads Service and PSNI have visited the site and feel that a disabled parking bay would be beneficial in this location and would be well utilized.

A copy of the plan detailing the proposed space is available from the Office of the Chief Executive.

Council were in agreement with the proposal.

15.2 The Private Streets (Northern Ireland) Order 1980 Development At Carrowdoon Park, Dunloy Stage 1 Developer Kiloy Developments Ltd

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

* **Councillor McGuigan left the meeting at 7.40 pm**

969.16 NILGA LOCAL GOVERNMENT ANNUAL CONFERENCE & EXHIBITION 2013 & LOCAL GOVERNMENT AWARDS NORTHERN IRELAND CEREMONY

The 2013 Annual Conference & Exhibition will be held on Thursday 28th February 2013. The aim of the conference is to showcase and advocate the roles and future roles of community centred, effective and innovative councils in Northern Ireland. Attendance of councillors and staff from councils is welcomed and to support this NILGA is offering one free place at the conference for the First Citizen or a senior council representative and in addition a 5% discount will be applied to all council delegate bookings received by NILGA before the end of November 2012.

A copy of the conference programme was circulated. Any member who wishes to attend should contact the Office of the Chief Executive. The Mayor indicated that as she would be attending as a representative of NILGA, she would make available, her free place to another member.

969.17 PARKING

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

that Council write to DOE requesting a dispensation for free parking on occasions leading up to Christmas to encourage shopping in the town, given the free park and ride facilities being made available in other towns.

Councillor Storey expressed the view that Council should also write to the Chief Executive of the company responsible for the parking attendants (NSL) and that members should raise the issue with the Minister during his forthcoming visit to Ballymoney.

* **Alderman Connolly and Councillor Halliday left the meeting at 7.50.**

969.18 NORTHERN IRELAND WATER

18.1 Briefing Session – Major Incident

In order to ensure close co-operation between NI Water and local councils in the event of a future major incident Council is invited to attend an information briefing session hosted by NI Water on Tuesday 20th November 2012 at 2.00pm. The event will be staged at the Learning and Development Centre, adjacent to Milltown Wastewater Treatment Centre, 61 Milltown Road, Antrim.

Any member interested in attending should contact Office of the Chief Executive.

18.2 Winter Weather Campaign

NIW have sent copies of 'Frozen Pipes Disrupt Lives' leaflet for distribution and display. A copy was circulated for members' attention.

969.19 NILGOSC BRIEFING

A NILGOSC Briefing Event will be held on Friday 23rd November 2012 at the Stormont Hotel, Belfast, further details of which were circulated. If any member is interested in attending please contact Office of the Chief Executive.

969.20 OPEN COLLEGE NETWORK NORTHERN IRELAND

The Open College Network is an education charity and an awarding organization working with the community, with people and businesses, creating qualifications that enable those communities to grow and develop. OCN NI is keen to recognize the contribution that Councils in Northern Ireland have made to the learning success of their communities.

In promoting the work of Ballymoney Borough Council in supporting learning the Chair of OCN NI and the CEO would like to meet with Council and officers to examine how closer collaboration between the Open College Network NI and Council would assist community learning.

It was proposed by Councillor Stevenson, seconded by Councillor Atkinson and **AGREED**

that a meeting be arranged with the Chair of OCN NI, the CEO and Council members and officers to examine how closer collaboration between the Open College Network NI and Council would assist community learning.

969.20 THE SHAFTESBUTY ESTATE OF LOUGH NEAGH LTD

Correspondence has been received from DCP Strategic Communication Ltd on behalf of the Shaftesbury Estate and its Trustees. A copy of the letter was circulated.

969.21 PUBLIC CONSULTATION EVENT – ULSTER SCOTS ACADEMY

A Development and Research Strategy and associated Grants Scheme for the Ministerial Advisory Group (MAG) – Ulster Scots Academy, went out to Public Consultation on Monday 15th October. The Department of Culture, Arts & leisure (DCAL) would like to invite members to a Consultation event to discuss the Strategy and Grants Scheme, on either Wednesday 14th November at the Civic Centre in Lisburn or on Thursday 15th November at the Silverbirch Hotel, Omagh

Members interested in attending one of the consultation events should contact the Office of the Chief Executive before 6th November. Councillor Atkinson indicated his interest to attend on 15th November.

969.22 REPORTS

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

This being all the business the meeting closed at 8.45 pm.