

Ballymoney Borough Council
Council Meeting No 993 – 6th January 2014

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BALLYMONEY BOROUGH COUNCIL

Minutes of Council Meeting No 993 held in the Council Chamber, Riada House, Ballymoney on Monday 3rd February 2014 at 6.30 pm.

IN THE CHAIR: Councillor J Finlay, Mayor

PRESENT: **Aldermen**
C Cousley, MBE
B Kennedy

Councillors
J Atkinson
W Blair
R Halliday
R McAfee
P McGuigan
T McKeown
C McLaughlin
A McLean
E Robinson, MBE
I Stevenson, Deputy Mayor

APOLOGIES: **Alderman**
F Campbell
H Connolly
Councillors
A Cavlan

IN ATTENDANCE: Chief Executive
Director of Borough Services
Director of Central & Leisure Services
Head of Corporate & Development Services
Business Support Officer

Unison Representatives (Item 1)
Nuala McGuckian
Catherine Finney
Maggie Montgomery

Press x 2

993.1 UNISON – NJC PAY CLAIM 2014/15

The Chair welcomed Unison's representatives to the meeting to outline details of the proposed NJC Pay Claim of 1% for 2014/15 and seek Council's support for

their claim for £1.00 per hour per person pay increase which would ensure that 510,000 workers will receive at least the minimum wage of £7.65 per hour. Mrs Montgomery advised that local government pay conditions are the worst in the public sector and since 2010 wages have fallen by 18% with workers earning 12% less than those in the UK whilst Government reserves have risen to £19B. She stated that members' commitment, despite the loss of many local authority jobs, needs to be recognised and a £1.00 per hour pay increase, equating to 8% of Government reserves, would help to recycling wages in the local economy and maintain local services.

At the request of Councillor Atkinson and Councillor Robinson, Mrs Montgomery gave details of the last pay award three years ago and that the 1% currently on offer was made by Local Government Employers. Responding to Alderman Kennedy, she confirmed that Unison has taken this matter up with MLA's and has met with the National Joint Council where the pay claim is lodged and a decision is awaited.

The Chair thanked the representatives for their presentation which concluded at 6.40 pm. The representatives left the meeting at this time.

Members noted the presentation.

- * **Councillor McAfee and Councillor McGuigan joined the meeting during the discussion at 6.35 pm.**
- * **Councillor McKeown joined the meeting at 6.40 pm.**

993.2 DECLARATIONS OF INTEREST

The Chief Executive, Alderman Cousley and Alderman Kennedy declared an interest in item 933.12.1 as Directors of Acorn the Business Centre. The Chair agreed that Alderman Kennedy (Chair of the Development Committee) could present the report but could not take part in any discussion which might arise.

993.3 MINUTES OF COUNCIL MEETING NO 989 – 6TH JANUARY 2014

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

that the minutes of Council Meeting No 989 – 6th January 2014, as circulated, be confirmed as a correct record.

993.4 MINUTES OF COUNCIL MEETING NO 990 – 7TH JANUARY 2014

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

that the minutes of Council Meeting No 990 – 7th January 2014, as circulated, be confirmed as a correct record.

993.5 MINUTES OF COUNCIL MEETING NO 991 – 17TH JANUARY 2014

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

that the minutes of Council Meeting No 991 – 17th January 2014, as circulated, be confirmed as a correct record.

993.6 MINUTES OF COUNCIL MEETING NO 992 – 28TH JANUARY 2014

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

that the minutes of Council Meeting No 992 – 28th January 2014, as circulated, be confirmed as a correct record.

993.7 MINUTES OF CONSULTATION COMMITTEE NO 93 – 20TH JANUARY 2014

Alderman Cousley presented the report.

The minutes of Consultation Committee Meeting No 93 – 20th January 2014, as circulated, were received.

7.1 NIE – Finvoy Sub Station

Councillor Finlay advised that there are a number of concerns about the application relating to health issues.

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

that Council writes to the Environment Minister requesting that an environmental impact assessment to be carried out.

993.8 MINUTES OF LEISURE & AMENITIES COMMITTEE MEETING NO 413 – 21ST JANUARY 2014

Councillor Halliday presented the report.

Matters Arising:**8.1 Amenities Projects Update (Killyrammer Community Centre Upgrade Scheme (413.17.5))**

At the request of Councillor Robinson, the Director of Borough Services advised that a report will be given at the next meeting of Committee. In the meantime, he will provide an update to Councillor Robinson on the work due to take place.

8.2 Project at Drumaheglis Marina & Caravan Park Tender Report (413.14 (14.1))

The Director of Borough Services advised that having contacted RDP, Council's application for funding is not within the first five schemes being considered for the slippage money. As a consequence, he saw no reason to delay this project and as Council has already accepted the tender received, ***it was recommended*** that the project commences.

8.3 Adoption of Minutes

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

that the Minutes of Leisure & Amenities Committee Meeting No 413 – 21st January 2014, as circulated, be adopted and the recommendations therein approved, including the recommendation as set out at 8.2.

993.9 MINUTES OF HEALTH & ENVIRONMENTAL SERVICES COMMITTEE NO 398 – 28TH JANUARY 2014

The report was presented by Councillor Atkinson.

Matters Arising:

9.1 Prospective Environment Services Change Options (398.6)

Responding to Councillor Robinson, the Director of Borough Services clarified details of the WRAP revenue scheme which has not yet been published but which, he understands, is not 100%.

9.2 Adoption of Minutes

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

that the Minutes of Health & Environmental Services Meeting No 398 – 28th January 2014, as circulated, be adopted and the recommendations therein approved.

993.10 MINUTES OF CORPORATE & CENTRAL SERVICES COMMITTEE NO 422 – 27TH JANUARY 2014

Councillor Robinson presented the report.

Matters Arising:

10.1 Civic Events (422.13)

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

that a civic reception be held for Causeway Judo and Wrestling Club in recognition of coaching award and gold, silver and bronze awards at British, Irish and Ulster levels.

10.2 Consultation on Draft Local Government Pension Scheme Regulations (NI) 2014 (422.3)

The Director of Central & Leisure Services advised that correspondence has been received from the Minister advising that the scheme, scheduled to come into effect from 1st April 2014 has now been deferred until 1st April 2015.

10.3 Adoption of Minutes

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

that the Minutes of Corporate & Central Services Committee No 422 –27th January 2014, as circulated, be adopted and the recommendations therein approved.

The Director of Leisure & Central Services presented an addendum as set out at 10.4.

10.4 Annual Tenders 2014/15

Annual tenders (54) were received on 31st January 2014. ***It is recommended*** that the Chair of Committee and the Head of Finance and ICT open the annual tenders following which a report will be tabled at the February meeting of the Corporate & Central Services Committee.

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

that the Chair of Committee and the Head of Finance and ICT open the annual tenders and a report brought back to the February meeting of the Corporate & Central Services Committee.

993.11 MINUTES OF AUDIT COMMITTEE MEETING NO 31 – 22ND JANUARY 2014

The report was presented by Councillor Finlay.

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

that the Minutes of Development Committee No 255 – 18th January 2014, as circulated, be adopted and the recommendations therein approved.

Declarations of Interest

The Chief Executive, Alderman Cousley and Alderman Kennedy declared an interest in item 933.12.1 as Directors of Acorn The Business Centre.

993.12 DEVELOPMENT COMMITTEE REPORT

Alderman Kennedy presented the report.

12.1 Exploring Enterprise Programme

An application has been received from Acorn The Business Centre for continuing funding for the Exploring Enterprise Programme 2, year 4, which will be delivered in the financial year 2014-15. The programme gives unemployed people from the Ballymoney Borough the opportunity to take advantage of high quality free business training and personal development that greatly improves prospects of finding work. £10,718.51 has been secured from Enterprise NI towards the cost of the programme. ***It is recommended*** that Council provide match funding of £5771.49

12.2 Intervention Funding – Virtual Shop Project

Revised proposals have been prepared to improve the visual appearance of various properties in the town centre, arterial routes and key gateways, with the assistance of intervention funding from DoE. The project involves minor repair work, cleaning, painting of 9 properties and design of panels and a window dressing element which has been developed to improve the appearance of vacant shops, following advice from DFP. ***It is recommended*** that Council endorse the revised proposals. Costs are within the budget already approved.

Quotations have been invited and will be opened by Chair and Head of Service. The scheme has to be completed and grant claimed before the end of March 2014.

12.3 Ballymoney Masterplan

The Masterplan for the regeneration of Ballymoney Town Centre, commissioned by the Department for Social Development in September 2012, was launched on 30th January 2014 by the Minister.

A copy of the full plan has been provided for each member. The main actions proposed in the Masterplan include:-

- Streetscape Improvements and re-configuration of the road space to maximise utilisation of space.
- 'Linenhall Quarter'- encourage the full redevelopment of this opportune site.
- 'Eastern Quarter' – identifying acceptable and viable proposals for the development of the backlands to the East of Main Street. There is a major development opportunity to include a new road access, new civic space, mixed use development lands and pedestrian connections to Main Street.
- Western Quarter – testing current assumptions and devising a 'best fit' scheme for the West of Main Street which will create better pedestrian linkages to Main Street, additional car parking and reconfigured service access for properties on Main Street.
- The development of a new transport interchange to include bus depot with ticketing facilities, information stands, passenger facilities, park and ride facilities and relocation of the bus garage to enable the provision of a new road link.
- The creation of a new civic space on High Street to include the creation of a pedestrian friendly environment and help promote a cafe culture.

The plan and executive summary is available to download on the DSD and Council websites.

Council will now move towards the implementation of the action plan. ***It is recommended*** that authority be granted to committee to agree with DSD the composition of the plan team as approved by committee.

The Mayor welcomed the plan which, with the Heritage Lottery funded townscape Heritage investment, would contribute significantly to the regeneration of the town. The Head of Corporate & Development Services advised that a revitalisation project was being worked up and Council has committed some money towards this.

Arising from questions, the Chief Executive advised that a traffic study is a key element of the Masterplan to test viability in the change to traffic flow and DSD are likely to fund this in the incoming financial year. In 2015, the powers that DSD operate for urban regeneration will pass to Council, as will some funding. The Masterplan brings Council into line with other councils in the Causeway Coast & Glens cluster. He also responded to questions in relation to community planning powers, which did not come with any funding.

12.4 Mineral Prospecting Licences

The Department of Enterprise Trade and Investment has responded to Council's concerns on the Mineral Prospecting Licences for Lonmin (NI) Ltd.

The Department reassure Council that the licenses are Mineral Prospecting Licenses (MPLs) and will allow the licensee to carry out exploration in search of all minerals vested in the Department, as set out in the Mineral Development Act (NI) 1969, with the exception of lignite which is specifically excluded from all MPLs. It apologises for not having pointed this out in the original letter. The Department notes the opposition by Council to the award of the MPLs and the local communities' concerns to open cast mining. It points out however that there are no plans for open cast mining in the area. MLP holders are encouraged by the Department to engage fully with the local communities in which they are carrying out their exploration activities.

12.4 Adoption

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

that the recommendations as set out at items 12.1, 12.2 and 12.3 of the Development Committee report be adopted.

993.13 SEAL DOCUMENTS

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

that the Seal of the Council be affixed to Grave Registration certificate numbers 1360, 1361

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

933.14 FRIENDS OF THE RODDENS

Advice has been received from Friends of the Roddens (FOTR) giving notice of a meeting on the future of statutory residential care homes in Northern Ireland. The meeting will take place in the Dunsilly Arms Hotel on Tuesday 11th February 2014 at 7.00pm.

FOTR would appreciate the support of members by their attendance and any member wishing to attend should advise the Office of the Chief Executive (Jean on 028 2766 0201).

As a number of members indicated they wished to lend support and attend the meeting, it was suggested that the rates meeting scheduled to take place at 7.00 pm on Tuesday 11th February be re-arranged to Wednesday 12th February at 7.00 pm. This was agreed.

933.15 NIHE COMMUNITY INVOLVEMENT STRATEGY 2014-17

NIHE has issued a consultation on their Community Involvement Strategy 2014-17.

The closing date is 13th February 2014.

NILGA has prepared a response (copy circulated) which is presented for Council's consideration.

No comments were offered.

933.16 PRIVATE MEMBER'S BILL – AMATEUR SPORTS CLUBS – RATES

Daithí McKay, MLA, is bringing forward a Private Member's Bill to the Assembly that will make Amateur Sports Clubs exempt from rates (copy circulated).

The consultation closes on 13th February 2014.

NILGA is developing a response and invites comments by **7th February 2014**. Councillor McGuigan spoke in support of the Bill.

Motion 1

It was proposed by Councillor McGuigan, seconded by Councillor McLaughlin:

that Council write to NILGA and the Assembly supporting the initiative.

Motion 2

It was proposed by Councillor Stevenson, seconded by Councillor McLean:

that Council note the Bill and leave the matter to the Assembly to decide.

A vote was taken. Three members voted in favour of motion 1 and six members voted against.

The Mayor declared the motion lost.

A vote was taken. Six members voted in favour of motion 2 and one member voted against.

The Mayor declared the motion carried.

933.17 PROPOSALS TO ABOLISH THE HOUSING COUNCIL & NIHE

Moyle District Council has written to express concern regarding proposals to abolish the NIHE and Housing Council.

Members are of the view that both bodies have done sterling work over many years and that the transfer of housing stock to housing associations will effectively be the privatisation of public housing.

The Council is therefore seeking support of all Councils for the retention of both the Housing Executive and the Housing Council and requests the Council write to the Minister, Nelson McCausland accordingly.

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

that Council note the correspondence from Moyle District Council

933.18 REPRESENTATIONS - PLANNING & ENERGY ACT 2008

A campaign "Efficient, Affordable energy for Buildings", supported by a number of energy organisations, has written to seek support for their campaign to prevent the above Act from being repealed or weakened (The Department of Communities & Local Government has declared its intention to do this). They state that not only would this be a step backwards for the 'green' agenda and lead to higher fuel bills as well as being a disincentive to investment, it would also be contrary to the policy of localism. Their publication which explains the matter more fully was circulated.

The Act gives Council the power to require higher standards and on-site generation in new developments. It is not a duty – but a power that they believe Council should retain.

Council is asked to help by:

- 1) Writing to the Secretary of State, Eric Pickles, urging him not to repeal or weaken the Act.
- 2) Writing to our MP's asking them to urge Mr Pickles likewise.
- 3) Confirming our support to them.

No action taken.

933.19 ORGAN DONOR COMMEMERATIVE GARDEN, GALWAY.

Galway City Council has written to all Councils in Ireland regarding an All-Ireland Local Authority initiative inviting participation in the creation of a National Organ

Donor Commemorative Garden, through sponsoring a tree to represent their areas (£250.00 per tree). Details of the initiative were circulated.

Strange Boat Donor Foundation (Registered Charity CHX19469), in partnership with Galway City Council, are in the final stages of construction of the garden in Quincentennial Park, Salthill, Galway.

Council is invited to support the tree sponsorship initiative.

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

that Council supports the initiative by contributing an amount of £250.00 to the creation of a National Organ Donor Commemorative Garden.

933.20 FUTURE OF COLERAINE DVLA OFFICE

Jim Shannon MP has forwarded copy of response from Ian Paisley MP giving details of actions to try and ensure retention of DVLA jobs in Coleraine (copy circulated).

933.21 STAGED APPROACH TO TRIBUNAL REFORM

A consultation paper was launched earlier this year setting out the Department's proposals for reform of the tribunal system and a summary of the responses received was published in July. Although, on the whole, the responses were broadly supportive of reform, the summary indicated that the Department wished to reflect further before finalizing its way forward.

It had been envisaged that proposals for reform would shortly be settled and that legislation to implement them would be brought forward towards the end of this Assembly mandate.

Recent interventions have, however, increased pressure on the Department's legislative business and this, as well as other unexpected essential business, has meant that the Minister had to revisit what can be delivered by the Department during this mandate. This has led him to the view that reform in this area will be progressed in a more staged manner.

The first stage of reform will now focus on the transfer of other Departmental tribunals (such as the Appeals Tribunal) to the Department. Subject to legislative and resource constraints, the Minister envisages that the second stage, involving legislation to reform tribunal structures, will not be possible until the second half of the next mandate in 2018/19.

He appreciates that Council may be disappointed by this more staged approach to reform. However, he assures Council that reform in this area continues to be an

important part of the Department's vision for reshaping the justice system in Northern Ireland. The fact that establishing the new tribunal structures will now take a little longer to achieve is regrettable, but unavoidable in the circumstances.

The Minister is reassured by the significant improvements that realignment of tribunals under the unified administration of the Northern Ireland Courts and Tribunals Service has already brought to the independence, coherence and accessibility of the tribunal system.

933.22 APPOINTMENT OF SHERIFFS 2014

Copy of Notice from the NI Office announcing the appointment of Sheriffs 2014 by the Secretary of State was circulated.

933.23 PUBLIC APPOINTMENT

Details of Public Appointments competitions, already forwarded to members, are tabled.

Agricultural Wages Board (DARD) – Chair and Independent Member, 3 year term from April 2014, closing date 7th February 2014, NI tourist Board Chairperson and four Board Members (DETI), closing date 14th February 2014.

993.24 REPORTS

A schedule of reports was circulated for members' information.

This being all the business the meeting closed at 7.35 pm.