

**Ballymoney Borough Council
Council Meeting No 909 – 2nd November 2009**

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Ballymoney Borough Council

Minutes of Council Meeting No 909 held in the Council Chamber, Riada House, Ballymoney on Monday 2nd November 2009 at 7.00 pm.

IN THE CHAIR: Alderman F Campbell, Mayor

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

Councillors
A Cavlan
J Finlay
R Halliday
M McCamphill
D McKay
T McKeown
A Patterson
E Robinson
I Stevenson

APOLOGIES: B Kennedy
P McGuigan
M Storey, MLA

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

Press

909.1 CONGRATULATIONS

Councillor McCamphill congratulated the Dunloy Senior Hurlers on their success in the all Ireland semi final. He wished them every success in the forthcoming final on 15th November.

Alderman Connolly congratulated Loughguile Senior Camogie team on their success in the County Camogie Finals.

909.2 MINUTES - MEETING NO 908 – 5TH OCTOBER 2009

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

that the minutes of meeting No 908 on 7TH October 2009, as circulated, be confirmed as a correct record.

909.3 CONSULTATION COMMITTEE NO 43 – 19th OCTOBER 2009

Alderman Connolly presented the report.

The minutes of meeting No 43 on 19th October 2009, as circulated, were received.

909.4 DEVELOPMENT COMMITTEE NO 208 – 19TH OCTOBER 2009

Councillor McCamphill presented the report on behalf of the Chair of the Committee. The Head of Corporate & Development Services presented addendums as set out at 4.1 and 4.2

4.1 Report of the Independent Review of Economic Policy (The Barnett Report)

The Environment Minister launched a short period of consultation on the report of the Independent Review of Economic Policy on 5th October. In a statement to the Northern Ireland Assembly, the Minister outlined the key areas where the Review Panel has made recommendations, and where she is seeking the views of economy stakeholders, over the next six weeks.

The Minister invited Professor Richard Barnett to Chair the Review to determine whether existing policies, programmes and resources, in the Department of Enterprise, Trade & Investment and Invest NI, are contributing optimally to the delivery of the productivity goal set out in the Programme for Government. The Panel has made a total of 58 recommendations, which cover a broad range of issues associated with economic policy development and delivery in Northern Ireland. The Minister stressed that it is important that stakeholders, and other interested parties, take the opportunity to contribute to the debate on how Government should respond to the Review Panel's report.

A full copy of the report, running to some 270 pages is available on request from the Office of the Chief Executive or can be found at www.irep.org.uk. A copy of the Executive summary was circulated. The closing date for this consultation is 16 November 2009.

It is recommended that Council consider adopting the report and suggested comments (Appendix 1) for submission in response to the consultation document.

4.2 NI Multiple Deprivation Measures Consultation

NISRA has commenced work on updating the Northern Ireland Multiple Deprivation Measure 2005 with meetings of the project Steering Group and with meetings of statistical domain sub-groups for each of the individual domains of deprivation. The first output of the process is a consultation document setting out how the measures will be updated. The deadline for consultation is 6th November.

Two public consultation events were held on 22 September 2009 in Omagh and on 30 September 2009 in Lisburn. The presentation at these events outlines the indicators, proposed changes and consultation questions. Copies of the document and the presentation are available from the Office of the Chief Executive. The documents can also be downloaded from www.nisra.gov.uk.

NILGA, who are aware that there are a number of issues with the current measure, are keen to ensure that a robust local government response is submitted to this consultation. However, given the current demands on everyone's time, organizing meetings to deal with this issue is not felt to be the best solution. It is therefore suggested that Council's draft response to the consultation questions and any other views or issues of concern be forwarded to NILGA who hope to formulate a prioritized composite response from Council views, and submit for 6th November. **It is recommended** that the draft response to the consultation questionnaire, attached as Appendix 2, is forwarded to NILGA.

4.3 Christmas Marketing (6.2)

Councillor Finlay referred to his representations regarding additional pick up point at Vow Road by Logans Travel on their rural services route and hoped the company would agree to this request.

4.4 Interreg Programme (208.5)

Head of Corporate and Development Services advised that a letter from participating Councils had been sought to support the project proposal for Towns and Villages on Inland Waterways. This had been provided based on Councils' support of the Interreg HEP and its strategy and multi annual plans, its support for tourism product development in its own development plan and the project's contribution to the Causeway Coast and Glens Master Plan objectives.

4.5 Adoption of Minutes

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

that the minutes of Development Committee Meeting No 208 on 19TH October 2009, as circulated, be adopted and the recommendations therein approved including addendum as set out at 4.1 and 4.2.

909.5 LEISURE & AMENITIES COMMITTEE NO 365 –20TH OCTOBER 2009

Councillor Stevenson presented the report.

Matters Arising:

5.1 Amenities Working Group

Members of the group agreed that the next meeting of the Amenities Working Group will take place on Tuesday 10th November at 11.00am. This will be followed by a visit to the old mill site at Balnamore at 3.00 pm.

5.2 Adoption of Minutes

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

that the minutes of Leisure & Amenities Committee Meeting No 364 - 16^h October, as circulated, be adopted and the recommendations therein approved.

* Councillor McKeown joined the meeting at 7.15pm.

909.6 HEALTH & ENVIRONMENTAL SERVICES COMMITTEE NO 353 – 27TH OCTOBER 2009

Councillor Robinson presented the report

Matters Arising:

6.1 Erection of Street Nameplates in a Language other than English (Irish)(353.2)

Councillor Cavlan expressed unhappiness about this matter being deferred preventing the residents' applications for bi-lingual signage being progressed. In response Councillor Finlay explained that the deferral was to seek advice from the Equality Commission in the light of ongoing community tensions in Rasharkin.

6.2 Slieveanorra & Croaghan ASSI (353.18)

Alderman Connolly voiced his concern at the DoE's declaration and welcomed the proposal to invite representations from the DoE to address Council on its ASSI declaration in these areas. Councillor Robinson concurred stating that a lot of people have concerns about the declaration. The Director of Borough Services advised that since the date of the meeting, correspondence has been received confirming the designation of ASSI at these locations. He will report further to the next meeting of Committee.

6.3 Adoption of Minutes

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

that the minutes of Health & Environmental Services Meeting No 353 on 27th October 2009, as circulated, be adopted and the recommendations therein approved.

Councillor Robinson requested that her abstention from the agreement to the motion be noted.

909.7 CORPORATE & CENTRAL SERVICES COMMITTEE NO 379 – 26TH OCTOBER 2009

Alderman Simpson presented the report. The Chief Executive presented an addendum as set out at 7.2

Matters Arising

7.1 Review of Public Administration (379.6)

Members agreed that the workshop to consider the report from Pricewaterhousecoopers will take place on Tuesday 17th November at 10.30 am. It was **RECOMMENDED** that Council grant Council powers to the Committee to comment on the consultation document on behalf of Council.

7.2 Staff Matters: Post Entry Training and Education

The Chief Executive advised that an application has been received from Employee Number 05148 for financial assistance to undertake the CIPD Certificate in Personnel Practice

This qualification provides a firm foundation in all areas of human resources and allows the participant to acquire a wide range of relevant and practical HR skills. It is designed to develop the skills needed in personnel work. In the current RPA environment and the consequent increase in workload, which falls to the human resources function, the additional skills gained by this employee through undertaking this course will be of considerable benefit to the section.

It is **RECOMMENDED** that the Council grant, under the NIJC conditions for Post Entry Training, financial assistance to the employee to undertake the Certificate in Personnel Practice at a total cost of £359 (£198 course fees + £161 CIPD registration fee) plus travelling. The course will be completed over one year, two nights a week, in the employee's own time. The costs can be covered from existing budgets.

At the request of Councillor Robinson, the Chief Executive confirmed, on advice from the Director of Central & Leisure Services, that the training cost can be met from the existing budget despite Council's proposal to save 3% across all departments in the current year.

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

that Council grant, under the NIJC conditions for Post Entry Training, financial assistance to employee number 05148 to undertake the Certificate in Personnel Practice, as detailed above.

7.3 Adoption of Minutes

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

that the minutes of Corporate & Central Services Committee Meeting No 379 on 26th October 2009, as circulated, be adopted and the recommendations therein approved, including the recommendation as set out at 7.1 and 7.2 above.

* Councillor Finlay left the meeting at 7.40 pm.

909.8 RESOURCES TASK GROUP – 26th OCTOBER 2009

Alderman Simpson presented the report.

Matters Arising:**8.1 Adjourned Business (5)**

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

that the next meeting will take place on 9th November 2009 at 7.00 pm.

8.2 Adoption of Minutes

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

that the minutes of Resources Task Group on 26th October 2009, as circulated, be adopted and the recommendations therein approved.

909.9 SEAL DOCUMENTS**9.1 Grave Registry Certificates**

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

that the Seal of the Council be affixed to Grave Registration Certificate numbers 1177, 1178, 1179, 1180, 1182, 1183, 1184, 1185 and 1186.

* Alderman Cousley left the meeting at 7.42 pm

9.2 Wayleave – Northern Ireland Transport Holding Company

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

that the Seal of the Council be affixed to the wayleave agreement, Council to NI Transport Holding Company for laying of the storm water pipe on Council's lands at Riverside Park.

* The Director of Borough Services, the Director of Central & Leisure Services and Alderman Connolly left the meeting at 7.45 pm

909.10 PRESENTATION REQUEST TO COUNCIL RE THE PUBLIC PROTECTION ARRANGEMENTS IN NORTHERN IRELAND

To date Public Protection Arrangements has had meetings with 17 councils and are offering to make a short presentation, followed by questions and answers, on the subject of the assessment and management of the risk posed by sex offenders in the community in Northern Ireland.

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

that Council agree to receive at Consultation Committee, Public Protection Arrangements to make a presentation to Council regarding the public protection arrangements in Northern Ireland.

909.11 NEW DENTAL SERVICES

At its meeting on 10th September the Committee for Health, Social Services & Public Safety considered a letter from the Minister regarding the introduction of new dental services to provide health service care and treatment. A copy of the Minister's response was circulated for Council's information.

909.12 ROADS SERVICE

12.1 The Private Streets (Northern Ireland) Order 1980

Notification from Roads Service of Adoption of the following roads was noted:

- (1) Development at High Street & Townhead Street, Ballymoney Stage 1
- (2) Development at Bridge Road, Dunloy Stage 1 Developer Kiloy Developments Ltd

909.13 ROYAL MAIL

Royal Mail has written to give an update on the continuing industrial action taken by the Communications Workers Union.

909.14 UTILITY REGULATOR

A copy of the Draft Determination Summary Report on Water and Sewerage Service Price Control 2010-2013 is available in the Office of the Chief Executive. Comments are invited by 6th November 2009. No comments were offered.

909.15 RESOLUTIONS

15.1 Ballymena Borough Council – British Forces Post Offices In Mainland Europe

At the monthly meeting of Ballymena Borough Council on Monday 5th October the following resolution was passed:-

“Ballymena Borough Council calls upon the Prime Minister to reconsider the decision to remove British Forces Post Offices from Mainland Europe by September 2010.”

Council wishes to stress the importance of families being able to maintain links to their loved ones serving overseas by sending letters and parcels. These letters/parcels are a huge boost to the morale of the Armed Forces, and Council has today written to the Prime Minister, to ask him to reconsider the decision to remove same. I would draw your attention to the online petition accessed at <http://petitions.number10.gov.uk/savebfpo>

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

that Council support Ballymena Borough Council’s representations to the Prime Minister to request he reconsider the decision to remove British Forces Post Offices from Mainland Europe by September 2010.

15.2 Newry And Mourne District Council – Implementation Of The NI Autism Bill

At the monthly meeting of Newry and Mourne District Council held on Monday 5th October 2009 it was agreed to formally adopt the following resolution:-

“That this Council fully supports and endorses the acceptance and implementation of the NI Autism Bill and forward a letter to the Minister of Health; the Minister of Education and NI All Party Executive on Autism requesting that they support the Council’s action.”

In proposing the Motion Councillor O’Hare expressed her deep disappointment and concern at the remarks made by Dr Michael McBride, Chief Medical Officer, who said he had significant concerns about the introduction of legislation for Autism.

Councillor O’Hare has first hand experience of dealing with a system which she says will not act on a child’s symptoms until they have been labelled with the condition and believes that children with autism and their families/carers suffer as a result by not getting the services they require, including the most appropriate stream of education.

Councillor O’Hare believes that legislation will encourage more strategic planning regionally across all Departments and the early diagnosis of the condition will mean that the child will need fewer services later in life. Her comments and concerns were strongly supported by the majority members of the Council who agreed that there is an urgent need and strong demand for an Autism Bill.

The Council would seek the support of the Minister for Health, the Minister for Education, the All Party Assembly Group on Autism and the 25 Councils in Northern Ireland on this matter.

15.3 Animal Aid's Compassionate Charter

A number of Councils have signed up to the above Charter, which has ethical goals. The goals in the Charter are based on reducing the human impact on the lives of animals but some go to minimising our environmental carbon footprint and may even save the Council and its taxpayers money at the end of the day. Even if only a couple of the goals are implemented this would be of huge benefit to animals and nature. A copy of the Charter was circulated.

909.16 REPORTS

A list of reports was circulated for members' information.

909.17 NILGA REPORTS & UPDATES

A list of reports was circulated for members' information. Councillor Robinson highlighted NILGA's new newsheet. She advised members that updated information on RPA will be provided following a meeting of NILGA on Friday 6th November.

The meeting closed at 7.50 pm.

Appendices attached:

Appendix 1- Draft response to Independent Review of Economic Policy (Barnett Review)
Appendix 2 - NI Multiple Deprivation Measures Consultation Questions Draft Response

APPENDIX 1**Draft Response to the
Independent Review of Economic Policy (the Barnett Review)**

Ballymoney Borough Council welcomes this report and its recommendations, whilst noting the limitations within which the review was conducted. It must be stated that the 6 week timeframe to formulate and articulate a response to such a significant document is very limiting and is not believed to be sufficient. Council believes that such a significant document deserved a consultation period that enabled a fully informed response, but that this has not been facilitated.

Nevertheless, Council recognises that this report provides a framework for the required strengthening and realignment of an Economic Policy for Northern Ireland and hopes that further development of an integrated approach to Economic Policy is adopted.

To inform this, the following specific comments are offered.

Ballymoney Borough Council welcomes the following recommendations in particular and looks forward with interest to their progression:

- A more strategic and integrated approach to regional economic development;
- Economic Development as a separate key consideration in the Executive;
- The review of DETI's role in Invest NI governance, and its operational activities;
- Invest NI's refocus towards R& D and innovation and the withdrawal of barriers, including the current narrow technology-related definition of innovation, to a wider base of potential clients;
- Budgets relating to tourist accommodation should be redirected to a more appropriate body;
- Invest NI's renewed focus on developing higher added value sectors;
- Specialised and refocused training tailored to business need; and
- The review of Planning's time targets.

In relation to the recommendations, Ballymoney Borough Council would like consideration to be given to the following points:

1. Although Ballymoney Borough Council supports the recommendation that more dedicated resources for policy development and monitoring are required, it suggests that although DETI should have an input to the appointment of an 'independent' economist, the appointment should be made independently of DETI. This position should also be reviewed on a regular basis.
2. Ballymoney Borough Council welcomes the recommendations regarding innovation and the suggestion that Invest NI focus its attention on R& D and innovation but widen its 'client base' to include all organisations beyond start up that have the potential to contribute to its new focus. An ability to outreach effectively will be particularly relevant when focussing on building the supply side of the value chain. However, there is concern about Invest NI's capacity to outreach to those organisations where local level contact and support has traditionally been favoured and there is a perceived lack of engagement from Invest NI.
3. The reference to 'a portfolio of policies' would raise some concern, and would negate the affirmation that this review was to aid simplification.

APPENDIX 2**NI Multiple Deprivation Measures Consultation Questions
Draft Response**

In considering the consultation questions a definition of deprivation was sourced first of all in order to establish what exactly is being measure. The responses are therefore based on deprivation being defined as '*hardship resulting from the lack of basic material benefits*'. (The Oxford Dictionary, 2009)

Income Deprivation Domain

Whether the proposed changes from the 2005 domain are acceptable? Specifically:

Q1. Whether Adults and Children in Households in receipt of Housing Benefit should be included in the domain?

A1. It would have to be established whether all households in receipt of housing benefit are also entitled to other benefits where a count is already being made. If they are then this is merely a duplication of effort; if not, then a separate element may be required. It should be pointed out, however, that the previous indicator regarding Tax Credits might have been a more accurate indicator.

Employment Domain

Consultees are invited to comment on:

Q1. Whether, given the recommendations and changes to data availability, the proposed updated domain is acceptable?

A1. Given the limitations on the data available (especially in relation to hidden unemployment the inclusion of which would have been very useful and should be examined in more detail at the next review) the domain will have to be acceptable.

Health Deprivation and Disability Domain**Q. Whether an Emergency Hospital Admission Rate indicator should be included in the domain?**

A. In deciding to include such an indicator, clarification may be required as to the nature of the admission, as emergency admissions occur for a variety of reasons and are not all necessarily linked to deprivation.

Q. Whether Mental Health Hospital Admissions should be included in the mental health indicator?

A. Yes, though clarification may be required as to what type of admissions occurred, i.e. result of trauma or related to a long-term mental health issue(s).

Q. Whether a Children's Dental Health indicator should be included in the domain?

A. Yes, but if this indicator is trying to link deprivation to poor oral hygiene then extractions may not be the best determinant, as extractions occur for a number of reasons other than poor hygiene, e.g. accidents or misalignment/overcrowding of natural teeth. A suggested alternative may be that as well as registration with a dentist, failure to meet the minimum number of visits per annum, e.g. 2 visits, be included.

Q. Whether a Low Birth Weight Indicator should be included in the domains?

A. There are many factors to low birth weight and clarification would be required prior to including such an indicator.

Education, Skills and Training Domain

Whether the proposed changes from the 2005 domain are acceptable? Specifically:

Q1. Whether Key Stage 2 performance data should replace the 'proportions of children aged 11 and 12 not attending a grammar school'?

A1. Yes, as there are limited places in grammar schools and a variety of reasons why a school is chosen. Key Stage 2 results would probably be a more reliable source for establishing educational performance, which may be a more reliable deprivation indicator.

Q2. Whether primary level absenteeism rates should be included in the domain?

A2. Yes, as this may be a better indicator of social deprivation in younger families and is more likely to have a long-term impact in terms of the young person's future.

Q3. Whether the proportion of primary school age pupils with Special Education Needs should be included in the domain?

A3. Based on the definition given at the outset, Special Education Needs is not necessarily an indicator of deprivation, as the needs may arise as a result of other factors.

Q4. Whether the destination of school leavers at 16 years indicator should include those not entering Further Education or training?

A4. Yes, as some may be entering low paid employment but be outside the realm of benefits and some may not be doing anything.

Q5. Whether three sub-domains should be introduced, decreasing the importance of 2001 Census data in the overall domain?

A5. The 2001 Census data may be outdated in that there have been many changes over the past 8 years but it also was a comprehensive research of the whole population. In

making any changes, consideration of the equality impact and ensuring that the data replacing it was equally comprehensive would be key.

Proximity to Services Domain

Q1. Whether cross border service centres and accident and emergency hospitals should be included?

A1. No, because these are the Northern Ireland Deprivation Measures would blur key facts in relation to the provision of services for the Northern Ireland people by Northern Ireland. This could only be included if the services provided in the Republic to Northern Ireland people were on the same basis and paid for by Northern Ireland.

Q2. Whether a general service indicator should be included?

A2. Yes, as to date there is the belief that by excluding some services in this domain, a true picture of deprivation cannot be established. This recommendation goes some way to addressing this gap.

Q3. Whether the food shop indicator should be broadened to include convenience stores?

A3. There is a concern that in considering this, it may mask an element of deprivation in that the cost of food in a large superstore and the cost of food in a local food-store can, accumulatively, be quite considerable.

Q4. Whether dentists, opticians and pharmacists should be combined into a single indicator?

A4. It is believed that combining these into separate indicators would mask an element of deprivation in relation to access to services, and that they should therefore be kept separate.

Q5. Whether council leisure centres should be included?

A5. Yes, as these provide a range of facilities and services to the general population.

Q6. Whether the service centres should be based on service provision rather than having a population of at least 10,000?

A6. Yes, the justification is given in the recommendation in that quality and number of services is a better indication.

Q7. Whether the calculation of proximity should be based on time rather than distance?

A7. Clarification is required in relation to the calculation on journey time rather than distance. E.g. a taken journey using isolated rural roads in summer then in winter may reveal a

wide variation in times, as may urban travel during rush hour and outside of it. Have a number of variables been included in the calculation of time?

Living Environment Consultation Questions

Q1. Whether Central Heating information from the 2001 Census and SOA level housing stress should be replaced by the Decent Home Standard?

A1. Yes, as this is a more comprehensive measurement to allow for other considerations, i.e. meets the minimum Fitness Standard; is in a reasonable state of repair; has reasonably modern facilities and services and provides a reasonable degree of thermal comfort (e.g. a home may have central heating but not be of a decent standard).

Q2. Whether the Housing Health and Safety Rating System should be included?

A2. There is some concern that using defects in dwellings and evaluating the subsequent risk to the health and safety of occupants, neighbours and passers-by will duplicate some aspect of the Decent Home Standard in that should a decent home have defects that pose a risk?

Q3. Whether Household Overcrowding information from the 2001 Census should be excluded?

A4. The rationale for excluding the 2001 Census data in that it is out of date and inaccurate is reasonable. However, it states that *'it is proposed that the household overcrowding measure is excluded from the Housing Access Domain'* and this does raise concern as household overcrowding is an indicator of deprivation. Therefore, until an alternative is established, it is believed the use of the Census 2001 and the House Condition Survey 2006 should be retained as an indicator.

Crime and Disorder Domain

Consultees are invited to comment on:

Q1. Whether, given the recommendations and changes to data available, the proposed updated domain is acceptable?

Q2. There is a concern that none of the recommendations regarding *'examining the different reporting rates of population groups; expanding the Northern Ireland Crime Survey (NICS) and District Policing Partnership (DPP) surveys to enable modelling of results to small area level; developing a robust measure of domestic violence using data from voluntary organisations; and refining the community safety indicators'* are actually being instigated at this stage and that the only changes are name changes to indicators. It would beg the question as to why consult at all.