

**Ballymoney Borough Council
Council Meeting No 910 – 7th December 2009**

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Ballymoney Borough Council

Minutes of Council Meeting No 910 held in the Council Chamber, Riada House, Ballymoney on Monday 7th December 2009 at 7.00 pm.

IN THE CHAIR: Alderman F Campbell, Mayor

PRESENT: **Aldermen**

H Connolly
J Simpson

Councillors

J Finlay
R Halliday
B Kennedy
M McCamphill
A Patterson
E Robinson
I Stevenson
M Storey, MLA

APOLOGIES: A Cavlan
C Cousley, MBE, Deputy Mayor
T McKeown

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

Press

910.1 MINUTES - MEETING NO 909 – 2ND NOVEMBER 2009

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

that the minutes of meeting No 909 on 2nd November 2009, as circulated, be confirmed as a correct record.

910.2 CONSULTATION COMMITTEE NO 44 – 16TH NOVEMBER 2009

Alderman Connolly presented the report.

**** - Councillors Halliday and Stevenson joined the meeting at 7.05pm.**

Matters arising:

2.1 Consumer Focus Posts' Draft Work Programme for 2010-11 'A Fair Deal for Postal Consumers (44.9)

Alderman Connolly reported his attendance at the launch of the programme and expressed support for the call for the retention of rural Post Offices.

2.2 Rose Energy – Bio Mass Plant in Glenavy, Antrim (44.4)

Councillor Finlay advised that he would be unable to attend the meeting with the Minister.

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

that Councillor Halliday join the delegation meeting the Minister.

2.3 Public Transport Reform Consultation (44.7)

Councillor Robinson offered her apologies for the event on 17th December 2009. No substitute was appointed.

2.4 Minutes

The minutes of meeting No 44 on 16th November 2009, as circulated, were received.

910.3 DEVELOPMENT COMMITTEE NO 209 – 16TH NOVEMBER 2009

Councillor McCamphill presented the report.

**** - Councillor Storey joined the meeting at 7.12pm**

Matters arising:

3.1 North Antrim Business Awards (209.17)

Councillor Finlay expressed the hope that that the awards do take place in 2010.

3.2 Adoption of Minutes

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

that the minutes of Development Committee Meeting No 298 on 16th November 2009, as circulated, be adopted and the recommendations therein approved.

910.4 LEISURE & AMENITIES COMMITTEE NO 366 –17TH NOVEMBER 2009

Councillor Stevenson presented the report.

Matters Arising:

4.1 Existing Amenities Working Group Minutes 10th November 2009 (366.6) Item 2 – Riverside Park – Path Collapse

Councillor Robinson requested clarification from the Director on the cost of the loan required to carry out the reinstatement scheme and short term work of material removal from the river and temporary path and fencing.

The Director advised that the cost of a loan of £137,000 over a 30 year period would be £7,618 per annum (or 0.1604% on the rates) and that, as requested by the working group, this information had been given to members verbally at the Leisure & Amenities Committee meeting held on 17th November 2009.

Councillor Storey queried the stability of the other sections of the promenade path. The Director pointed out that the part of promenade path which had collapsed had been fenced off and a temporary path provided immediately following the incident and that with the passage of time further temporary work would be required in the near future as regards this provision. He again advised that the section of path which had collapsed had done so without any warning whatsoever on 19th April 2009 and that it was very fortunate that no one had been in its vicinity at the actual time the collapse had occurred. He advised that having commissioned the Council's consultants to undertake a structural survey of the whole pathway, which is 69m in length, as Committee/Council has been informed there is evidence that the retaining wall on that part of the path not currently fenced off to public access is leaning towards the river and that this would suggest that this part of the path too has been, is being undermined. He advised that it would be impossible for him to make any prediction as to the timeline of possible future events, other than to concur with the Amenities Working Group view that it would be prudent to undertake, as soon as practicable, the work recommended by the Working Group.

Following lengthy discussion it was proposed by Councillor Kennedy, seconded by Councillor Finlay and **AGREED:**

that the matter be referred back to the next meeting of the Leisure & Amenities Committee.

4.2 Lough Neagh & Lower Bann Advisory Committees (366.13)

Councillor McCamphill expressed disappointment at the withdrawal by DCAL and

DOE of funding for the Lough Neagh and Lower Bann Advisory Committees, particularly since it was they who had set up the structure. Alderman Simpson concurred with Councillor McCamphill's view.

Alderman Simpson reported on a crisis meeting of the Advisory Committee last Thursday and indicated that lobbying of Councils for funding had commenced, it being argued that projects, valued at some £300,000, for which funding had been secured, which are being delivered by the committee, could be lost. The Member also expressed concern regarding management of the lower Bann and control of activities on the river, in response to which Councillor McCamphill expressed the view that the responsible government department should introduce and enforce bylaws to regulate activities.

4.3 Adoption of Minutes

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

that the minutes of Leisure & Amenities Committee Meeting No 366 – 17th November, as circulated, be adopted and the recommendations therein approved with the exception of item as noted at 4.1 above.

910.5 HEALTH & ENVIRONMENTAL SERVICES COMMITTEE NO 354 – 24TH NOVEMBER 2009

Councillor Robinson presented the report

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

that the minutes of Health & Environmental Services Meeting No 354 on 24th November 2009, as circulated, be adopted and the recommendations therein approved.

910.6 CORPORATE & CENTRAL SERVICES COMMITTEE NO 380 – 23rd November 2009

Alderman Simpson presented the report.

Matters Arising

6.1 2009 National Pay Deal (380.4)

Alderman Simpson reported on his attendance at the annual pay briefing event held at NILGA on 27th November 2009. He advised that there had been a canvas regarding 0% - 1% pay increase and while he supported a 0% increase there was a majority at the meeting for 1%. He expressed disappointment at the very poor attendance at the meeting.

Councillor Finlay requested, and it was agreed, that when figures for attendance at NILGA meetings are received that the report be tabled at Corporate & Central Services Committee

6.2 Police (NI) Act 2000 (380.9)

Councillor Finlay expressed the view that Council should not support the 50:50 recruitment provisions currently in place. It was noted that the matter had been deferred to the December meeting of the Corporate & Central Services Committee and Councillor Storey suggested that Council should take the time to make a considered response to the public consultation.

6.3 Adoption of Minutes

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

that the minutes of Corporate & Central Services Committee Meeting No 380 on 24th November 2009, as circulated, be adopted and the recommendations therein approved.

910.7 RESOURCES TASK GROUP – 9TH NOVEMBER 2009 & 24TH NOVEMBER 2009

Alderman Simpson presented the report of the meeting held on 9th November 2009.

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

that Council move 'into committee' to discuss the minutes of Resource Task Group meetings held on 9th November and 24th November 2009.

Alderman Simpson presented the report of the meeting held on 24th November 2009.

Councillor Stevenson left the meeting at 8.15pm.

Matters Arising:

7.1 Shortfall – festive lighting scheme (26.2.1)

In reply to a question by Councillor Kennedy the Director of Borough Services confirmed that there had been a scaling back of the scheme and some older features (with different voltage) had been removed.

7.2 Budget Issues 2009-10 – Proposed savings (RTG 26.2.2/27.2)

Some members suggested that reducing budgets which attracted grant funding, eg DPP and Economic Development, should be avoided. It was reported that DPP Manager had advised DPP at last meeting that due to budget cuts made certain project funding could not proceed. It was also suggested that proposed reduction should not be applied to Mayor's Allowance.

The Chief Executive explained that 3% cuts had been applied across all budget areas where possible and remained at this stage proposals to be considered by Council. The proposed reductions to DPP budget areas had been put forward by the DPP Manager.

Following discussion it was proposed by Councillor Finlay, seconded by Councillor Robinson and **AGREED:**

- a) that the proposed 3% reduction on DPP budget (£350) and Mayor's allowance (£244) are not made and that the Chief Executive identify additional reductions in other budget areas (total £574)**
- b) that further budget reductions of £574, offered by the Chief Executive from Official Visits budget ***, increasing reduction from that budget from £2338 to £2912, be accepted, retaining overall savings across Council at £85,462.**

*** (The Chief Executive confirmed that the remaining budget in Official Visits was sufficient to cover existing committed expenditure.)

7.3 Vacant Posts (27.3)

The Director of Central & Leisure Services confirmed that the vacant post of Good Relations Officer was 75% funded and the annual cost to Council was £7,000.

7.4 Adoption of Minutes

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

that the minutes of Resources Task Group held on 9th November 2009 and 24th November 2009, as circulated, be adopted and the recommendations therein approved with amendment agreed at 7.1 above.

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

that Council move 'out of committee' and move to the next business.

**** - The Director of Borough Services, the Director of Central & Leisure Services and Alderman Simpson left the meeting at 9.05pm.**

910.8 SEAL DOCUMENTS

8.1 Grave Registry Certificates

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

that the Seal of the Council be affixed to Grave Registration Certificate numbers 1181, 1187 and 1188.

910.9 PRESENTATION REQUEST TO COUNCIL – COMMUNITY COMMUNICATIONS NETWORK

The Community Communications Network Ltd (CCN) had requested the opportunity to make a presentation to Council on the Life Channel and the Community Communication Network currently being implemented in Northern Ireland.

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

that Council note the request.

910.10 ROADS SERVICE

10.1 Disabled Parking Bay – No. 22 Carness Drive, Dunloy

Roads Service is proposing to reserve an on-street disabled parking space outside number 22 Carness Drive, Dunloy and request a letter from Council confirming that Council are in agreement with this proposal.

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

that Council agree the proposal to reserve an on-street disabled parking place outside number 22 Carness Drive, Dunloy.

**** - Alderman Simpson returned to the meeting at 9.10pm.**

10.2 Proposed Waiting Restrictions – St James's Road, Ballymoney

Following a site meeting the Dalriada School Principal, Travelwise, Road Policing and Traffic Management concern was expressed with regards to parking on St James' Road opposite Dalriada School. Cars which park on the side in question restrict the movement of traffic both entering and exiting St James' Road, which has a knock on effect on Model Road, especially during the morning and afternoon school times.

It was agreed to introduce a prohibition of parking Monday – Friday 8.30am – 9.00am and 3.00pm – 4.00pm except during July and August.

Council's comments are invited.

DECLARATION OF INTEREST

Councillor Finlay declared an interest in the matter as a member of the Board of Governors of Dalriada School.

It was proposed by Councillor Kennedy and seconded by Councillor McCamphill

that Council make no comment on the proposal by Roads Service to prohibit parking at this location and leave the decision to the traffic management experts in the other agencies involved.

Following discussion the Mayor put the motion to the vote.

The motion was carried with 8 members voting for and 1 against. 2 members abstained.

Councillor Stevenson requested that his opposition be noted.

910.11 NORTHERN IRELAND ELECTRICITY - INVITATION

NIE has written to offer Council the opportunity to visit their 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 has also supplied all elected representatives with a hotline number which they can use to access up-to-date information regarding conditions or customers in the area should an electricity fault occur. The number is 0808 100 2969.

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

that Council note the invitation.

910.12 SOCIAL HOUSING – MAINTENANCE BUDGET

The response by the Minister of Social Development to Council's correspondence dated 23rd October 2009 regarding Council's concerns about renovation and maintenance of social housing stock (circulated).

It was noted from the letter that the Minister has ring fenced £157m for new build social housing as the provision of new social housing within the Social Housing Development Programme is a priority. A budget has also been allocated for renovation and maintenance of social housing and the value of the Housing Executive's Maintenance and Improvement Programme for 2009/10 currently stands at £24m.

910.13 CHANGE TO CAPITAL THRESHOLD FOR STATE PENSION CREDIT/HOUSING BENEFIT (DSD)

The Minister of Social Development had written, 20/11/09, advising Council of the changes to the savings threshold for older people when claiming State Pension Credit or Housing Benefit, circulated. It was noted that from 2 November 2009 the savings

threshold, has been increased from £6000 to £10,000. The letter was previously copied to members for their information.

910.14 PERFORMANCE OF PLANNING SERVICE (NIAO REPORT)

A press release, circulated, was issued by the NI Audit Office on the Report to the Northern Ireland Assembly by the Comptroller and Auditor General on the Performance of Northern Ireland's Planning Service.

The report examined the performance of the Northern Ireland Planning Service. In 2008-09 the Agency's gross expenditure was £42million, with income of £17.7million, mostly from planning fees.

910.15 HEALTH & SAFETY TRIBUNALS FOR NORTHERN IRELAND – COMPETITION FOR NEW MEMBERS (DETI)

The Department of Enterprise Trade & Investment is seeking to appoint six members to the Health & Safety Tribunal for Northern Ireland with effect from 1 April 2010 (three with specialist knowledge/relevant experience in Health and Safety matters and three ordinary/lay members). It is also hoped to create a pool of applicants to fill future vacancies which may arise.

The Tribunal will adjudicate on appeals relating to the issue of, conditions applied to, or revocations of asbestos or petroleum-spirit licences.

Advertisements appeared in the NewsLetter and Irish News on 3rd December 2009 and the Belfast Telegraph on 4th December 2009.

Full details of the posts and selection criteria are set out in the application packs which are available from Ms Catherine Synott, DETI, Room 128, Netherleigh, Massey Avenue, Belfast BT4 2JP. Telephone (028) 9052 9409 Text Phone (028) 9052 9304 Email Catherine.synott@detini.gov.uk Website www.detini.gov.uk

The deadline for receipt of applications is noon on Friday 8th January 2010.

910.16 RESOLUTIONS:

16.1 Ballymena Borough Council – Castle Tower School, Ballymena.

Correspondence was received from Ballymena Borough Council as follows:

“I wish to advise that Ballymena Borough Council has recently been corresponding with the Minister for Education and Minister for Finance and Personnel with a view to ascertaining the current position in relation to the new building for the Castle Tower School in Ballymena.

Castle Tower School provides education across the NEELB area for children with special needs. Currently there are approximately 260 pupils in the three campuses in the school, travelling from all over the Board area.

The amalgamated schools are presently operating on three different campuses which is extremely difficult for the Principal to manage and the three buildings are in poor condition, as you are no doubt aware. The Board has recently agreed to join with Council to lobby government for this new school to be built. Following a visit by some Councillors to the campuses, it has also become clear that there is an urgent need for immediate action to bring the condition of the present campuses up to a reasonable standard until such times as a new school is built. Some areas of the playgrounds are currently out of use due to health and safety reasons and therefore the children are not able to play outside.

At the Monthly Meeting held on Monday 2nd November 2009 it was agreed to invite all other Councils in the North Eastern Board area to join this Council in

- (a) a lobby campaign to the Minister of Education for the new Castle Tower School to be built; and
- (b) seeking immediate action in respect of bringing the condition of the present campuses up to a reasonable standard, until a new building is complete.

I would be grateful if you could indicate if you would be willing to support this Council in its campaign.”

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

that Council lend its support to Ballymena Borough Council's campaign.

Councillor Storey reported that consultation on the review of special education needs had been extended to January 2010 and it was important that Council responded to this consultation as organizations in the borough, including disabled groups, had raised concerns.

16.2 Castlereagh Borough Council – Aires De Service

Castlereagh Borough Council recently introduced an ‘Aires de Service’ provision to the caravan park at the Leisure Park in Dundonald for the use of motor homes which visit the Borough. This has proved to be a very welcomed service and also assists with the regulation of those who need to use such a service. The council feels it is in the interest of supporting tourism and the local economy that such facilities are expanded. To this end the council would ask all of the other councils across the province to support touring caravan and motor home visitors that visit their areas.

Members were asked to consider the introduction of this service if not already available. No action.

910.18 REPORTS

A list of reports was circulated for members’ information.

910.19 NILGA REPORTS & UPDATES

A list of reports was circulated for members' information.

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

that Council extend an invitation to NILGA to make a presentation to Council on its work and its contribution to Council life before Council makes a decision on contributions to external bodies in 2010/11.

**** - Councillor Storey and Alderman Connolly left the meeting at 9.31pm.**

The Mayor put the motion to the meeting.

The motion was carried with 3 members voting for and 2 against, with 4 abstentions.

The meeting closed at 9.35pm