

**Ballymoney Borough Council  
Council Meeting No 917 – 1st March 2010**

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## **Ballymoney Borough Council**

Minutes of Council Meeting No 917 held in the Council Chamber, Riada House, Ballymoney on Monday 1st March 2010 at 7.00 pm.

**IN THE CHAIR:** Alderman C Cousley, MBE, Deputy Mayor

**PRESENT:** **Aldermen**  
H Connolly  
J Simpson

**Councillors**  
A Cavlan  
J Finlay  
R Halliday  
M McCamphill  
A Patterson  
E Robinson  
I Stevenson

**APOLOGIES:** **Alderman**  
F Campbell, Mayor

**Councillors**  
D McKay, MLA  
M Storey, MLA

**IN ATTENDANCE:** Chief Executive  
Deputy Director of Borough Services  
Head of Corporate & Development Services  
Committee Clerk

**Press**

### **917.1 MINUTES - MEETING NO 914 – 1<sup>ST</sup> FEBRUARY 2010**

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

*that the minutes of meeting No 914 on 1<sup>st</sup> February 2010, as circulated, be confirmed as a correct record.*

\* **Alderman Simpson joined the meeting at 7.05 pm**

**917.2 MINUTES - MEETING NO 915 – 2<sup>ND</sup> FEBRUARY 2010**

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

*that the minutes of meeting No 915 on 2<sup>nd</sup> February 2010, as circulated, be confirmed as a correct record.*

**917.3 MINUTES - MEETING NO 916 – 8<sup>TH</sup>, 10<sup>TH</sup> & 12<sup>TH</sup> FEBRUARY 2010**

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

*that the minutes of meeting No 916 on 8<sup>th</sup>, 10<sup>th</sup> & 12<sup>th</sup> February 2010, as circulated, be confirmed as a correct record.*

**917.4 CONSULTATION COMMITTEE NO 47 – 15<sup>TH</sup> FEBRUARY 2010**

Alderman Connolly presented the report.

*The minutes of meeting No 47 on 15<sup>th</sup> February 2010, as circulated, were received.*

**Matters Arising:****4.1 High Hedges Consultation Event – 23<sup>rd</sup> February (47.3)**

Councillor Robinson confirmed her attendance at the event and advised that information on this, tabled at the Health & Environmental Services Committee, had been circulated to members.

**4.2 Patient & Client Council (47.2.1)**

Councillor Stevenson again recorded his disappointment that there is no representation on the Patient and Client Council from Council on local action groups.

**917.5 DEVELOPMENT COMMITTEE NO 212 – 15<sup>TH</sup> FEBRUARY 2010**

Councillor Finlay presented the report. The Head of Corporate & Development Services presented an addendum to the report as set out at 5.3.

**Matters Arising****5.1 Meeting with DEL Minister Re Impact on Economic Downturn (212.5)**

Councillor McCamphill confirmed his attendance at the meeting on 24<sup>th</sup> February and advised members that from this, he understood that Community Associations are now in a position to offer employment fully funded by the Department. Councillor Robinson requested that Council advise Community Associations of this opportunity.

## **5.2 Public Sector Employment (212.7)**

Councillor Stevenson expressed disappointment that while Councils, under RPA, will be given additional powers, it is not informed about the loss or transfer of public sector jobs in the area.

## **5.3 NORTH EAST PARTNERSHIP: NEW GOVERNANCE PROPOSALS NEW INTERREG IVA JOINT COMMITTEE.**

### **BACKGROUND**

As members are aware Council is a member of the North East Partnership (NEP) along with Antrim, Ballymena, Carrickfergus, Coleraine, Larne, Moyle and Newtownabbey Councils. The primary purpose of NEP is to identify suitable funding opportunities that the member councils can take advantage of, particularly those arising from the EU INTERREG Iva Programme for which the Special EU Programmes Body (SEUPB) is the managing authority. The North East Partnership submitted a Multi-Annual Plan (MAP) to SEUPB in October 2007 setting out a detailed proposal for a programme of INTERREG IV activities under three themes: Enterprise, Tourism and Collaboration worth up to £10million. Council is a partner in a number of successful INTERREG bids that has been successful through its membership of NEP and is a partner in others that are still undergoing assessment by SEUPB.

### **CURRENT POSITION**

In October 2009, Council agreed (Min ref. DC207) to establish a Statutory Joint Committee underpinned by Body Corporate legislation and consolidated by a legally binding Partnership Agreement in order that the NEP can perform its new role under INTERREG IVA and to satisfy the corporate governance requirements normally associated with managing EU funding programmes of this nature. SEUPB indicated its general approval of this course of action but has now asked that the NEP Councils to enter into a less formal arrangement of a Joint Committee without Body Corporate status. SEUPB has taken advice from the Department of Finance & Personnel and in view of the time required to enact the required legislation through the Assembly with the corresponding impact that further delays will have on implementing the Interreg Iva programme a simple Joint Committee structure will suffice providing that one Council acts a lead partner with formal responsibilities for management and administration.

Solicitors, McGrigors LLP Belfast, acting on behalf of the eight Councils have drawn up a draft Joint Committee Terms of Agreement document, copy tabled, for each Council to consider and approve. Ballymena Borough Council has agreed to take on the lead partner role so that funding can be drawn down quickly. In essence, the lead partner in this context, Ballymena will assume responsibility for accepting all letters of offer from SEUPB with all of the corporate governance requirements that go with this arrangement. In turn, Ballymena would be responsible for issuing project sub-contracts in the form of project level partnership agreements to the partners in the approved projects for ensuring that projects are delivered, audited and evaluated in keeping with SEUPB requirements i.e. one such agreement per approved project rather than to all

project participants individually. Ballymena will also host the administration unit employing the programme staff subject to an annual budget agreed with SEUPB.

It is proposed that the Joint Committee should comprise two elected Members from each of the eight Councils who will oversee the delivery of the NEP's Multi-Annual Plan. As the MAP suite of projects have already been selected, albeit awaiting final approval by SEUPB, there is no requirement for the Joint Committee to assume the responsibility for programme management, financial control, risk and contracts; these governance functions will be administered by Ballymena Borough Council acting as lead partner and Ballymena will therefore deal directly with, and be accountable to, SEUPB and the EU Programme Monitoring body.

**It is RECOMMENDED:**

1. That Council agrees to the proposal to establish a Joint Council Committee, without Body Corporate status, based on the Terms of Agreement, tabled, prepared by McGrigors LLB Solicitors, Belfast, on behalf of the NEP constituent councils, for the governance of the North East Partnership, subject to each of the other seven member Councils confirming their acceptance of the arrangements.
2. That Council nominates two elected members to the proposed Joint Committee and that Officers are to bring a further report back to Council later in the year once the outcome of the NEPs' Multi-Annual Plan is confirmed by SEUPB.

#### **5.4 Adoption of Minutes**

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

***that the minutes of Development Committee Meeting No 212 on 15<sup>th</sup> February 2010, as circulated, be adopted and the recommendations therein approved including the recommendation as set out at 5.3 (item 1).***

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

***that Councillor Finlay be nominated as Council's elected member to the Joint Committee.***

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

***that Councillor McCamphill be nominated as Council's elected member to the Joint Committee.***

**917.6 LEISURE & AMENITIES COMMITTEE NO 369 –16<sup>TH</sup> FEBRUARY 2010**

Councillor Stevenson presented the report.

**Matters Arising****6.1 Appointment of Representative to Lower Bann Advisory Committee (369.6)**

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

*that Councillor McCamphill be nominated as Council's representative to serve on the Lower Bann Advisory Committee.*

**6.2 Adoption of Minutes**

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

*that the minutes of Leisure & Amenities Committee Meeting No 369 – 16<sup>th</sup> February, as circulated, be adopted and the recommendations therein approved.*

**917.7 HEALTH & ENVIRONMENTAL SERVICES COMMITTEE NO 356 – 23<sup>RD</sup> FEBRUARY 2010**

Councillor Robinson presented the report.

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

*that the minutes of Health & Environmental Services Meeting No 356 on 23<sup>rd</sup> February 2010, as circulated, be adopted and the recommendations therein approved.*

**Matters Arising****7.1 DoE Consultation on High Hedges (357.2)**

Members discussed the recommendations made. Councillor Robinson stated that whilst there is some merit in having such a bill, the provisions need to be clarified and the cost implications carefully reviewed. Councillor McCamphill expressed the view that the matter should be dealt with by the Assembly. Alderman Simpson and Councillor Stevenson concurred with Councillor McCamphill's remarks.

**7.2 Prostate Cancer Awareness (357.3)**

Councillor Robinson drew attention to the initiative to display and publicise information in public buildings under Council control. At her request, the Deputy Director of Borough Services advised that Council will undertake the

recommendation made but that there are no plans for this initiative to be rolled out to other premises in the borough at this time.

#### **917.8 CORPORATE & CENTRAL SERVICES COMMITTEE NO 383 – 22<sup>ND</sup> FEBRUARY 2010**

Alderman Simpson presented the report.

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

***that the minutes of Corporate & Central Service Committee Meeting No 382 on 25<sup>th</sup> February 2010, as circulated, be adopted and the recommendations therein approved.***

\* **The Deputy Director of Borough Services left the meeting at 7.40 pm.**

#### **917.9 PRESENTATION REQUEST**

UNISON has requested speaking rights at a Council meeting to seek the support of Council in opposing the pay freeze for local government workers.

Members discussed the merits in agreeing to Unison's request, some members pointing to the mechanism for unions to engage with local government employers in Northern Ireland and this is where their attention should be directed.

It was proposed by Councillor Cavlan, seconded by Councillor McCamphill

***that Council agrees to Unison's request for speaking rights at a meeting of Council opposing the pay freeze for local government workers.***

Alderman Simpson requested that the motion be put to the vote.

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTENSION</b>
4	4	1

The Mayor used his casting vote against the motion.

**The motion was declared lost.**

#### **917.10 ROADS SERVICE – PROPOSED WAITING RESTRICTIONS MAIN STREET RASHARKIN**

Roads Service is proposing to introduce a short section of double yellow lines on Main Street Rasharkin, in the vicinity of the recently introduced traffic island. It would appear that there are cars parking close to the Island and subsequently restricting large vehicles getting past. The double yellow lines will therefore deter parking and allow free traffic flow past the island.



A map showing the proposed restrictions was circulated. No comments were offered.

#### **917.11 DEPARTMENT OF EDUCATION – NEELB NOMINATIONS**

The Minister of Education has written regarding Council's submission of nominee to the North Eastern Education & Library Board, requesting that Council re-consider and provide the names of at least two nominees.

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

***that Council retain its nomination of one elected member on the North East Education & Library Board.***

#### **917.12 ROADS SERVICE - REPORT 2009/10**

The Acting Divisional Roads Manager has responded to roads issues raised by members at Council's Consultation Committee meeting on 21<sup>st</sup> December 2009, a copy of which was circulated.

#### **917.13 NORTHERN IRELAND HOUSING EXECUTIVE – DISTRICT PLANS**

NIHE will present the Ballymoney District Housing Plan (2010/11) at Council's Consultation Committee on Monday 21<sup>st</sup> June at 2.00pm.

#### **917.14 DERRY CITY COUNCIL**

At a recent meeting of the Regional Services Committee of Derry City Council, the Committee directed that the Minister for Regional Development be asked to undertake an immediate review of the winter gritting programme within both the city and its rural hinterland. The Committee was of the view that the existing programme and policy was not capable of addressing the tremendous difficulties created by the recent weather conditions.

Reference was also made to the failure to grit footpaths, the need to provide many more salt boxes and a need to review snow plough arrangements.

The Committee also directed that the City Council seek the support of other Councils and MLAs in Northern Ireland.

Members discussed the disruption caused by the recent severe weather conditions. Councillor Finlay congratulated Roads Service on their attempts to assist farmers in rural locations by gritting or providing sale in areas not on the schedule. Councillor Stevenson expressed the view that more should be done to assist those living within town estates where there is only one exit route. Councillor Robinson stated the importance in ensuring that adequate salt supplies are available.

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

***that Council support Derry City Council in requesting a review of the winter gritting programme.***

#### **917.15 REPORTS**

A list of reports was circulated for members' information.

\* **Alderman Connolly left the meeting at 7.55 pm.**

#### **917.16 NILGA REPORTS/UPDATES**

A list of reports was circulated for members' information.

#### **917.17 NILGA EVENT – 12 MARCH 2010.**

The NILGA President has written to Chairs of Transition Committees and Chief Executives of councils inviting Transition Committee members and Chief Executives to an event on 12 March 2010 to consider the Local Government paper (circulated) on collaboration. The paper was prepared by SOLACE and is an amalgamation of various papers produced within local government over recent weeks to show how efficiency savings can be made without setting up an elaborate and expensive centralised structure, the Business Support Organisation. The paper sets out broad principles agreed by SOLACE and NILGA and the event is designed at ensuring buy-in across local government to the principles in the collaboration paper, as well as giving an opportunity for debate on the key issues and concerns.

The NILGA press release welcomes the fact that at the SLB meeting last week, Minister Poots agreed in principle to the proposals. Members of the Causeway Coast & Glens Transition Committee also endorsed the collaboration paper in principle at their meeting last Thursday.

**It is recommended that** Council approve the attendance of its five Transition Committee members and the Chief Executive at the NILGA event on 12 March 2010 (the venue has yet to be decided).

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

***that Council's five members of the Transition Committee and the Chief Executive attend the NILGA event on 12<sup>th</sup> March 2010.***

**The meeting closed at 8.00 pm.**