

**Ballymoney Borough Council
Council Meeting No 944 – 6th June 2011**

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BALLYMONEY BOROUGH COUNCIL

Minutes of Council Meeting No 944 held in the Council Chamber, Riada House, Ballymoney on Monday 4th June 2011 at 7.00 p.m.

IN THE CHAIR: Councillor I Stevenson, Mayor

PRESENT: **Aldermen**
F Campbell
H Connolly
C Cousley, MBE

Councillors
J Atkinson
W Blair
A Cavlan
J Finlay
R Halliday
T McKeown, Deputy Mayor
C McLaughlin
E Robinson
M Storey

APOLOGIES: **Aldermen**
B Kennedy

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

Press (2)

944.1 BALLYMONEY HOCKEY CLUB

The Mayor referred Members to his predecessor, Mayor Kennedy's, statement at the AGM, of the recent success of Ballymoney Hockey Club 1st XI. The team was crowned Premier League Champions for the first time in the Club's history at the beginning of May and has also won the Ulster Shield this season. The Mayor added his congratulations to the ladies on their success and **RECOMMENDED** that Council host a reception in their honour.

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

that Council hosts a reception for Ballymoney Hockey Club 1st XI in recognition of their success in the Premier League Championship and the Ulster Shield.

944.2 MINUTES – MEETING NO 942 – 4TH APRIL 2011

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

that the minutes of meeting No 942 – 4th April 2011, as circulated, be confirmed as a correct record.

Matters Arising:

2.1 Report on Review of Causeway Coast & Glens Regional Tourism Partnership (CCGRTP) and recommendations on future tourism delivery structures (942.5.1)

At the request of Councillor Robinson, the Head of Corporate & Development Services gave an update advising that a meeting has been arranged with the Chief Executive of the Tourist Board in the next couple of weeks.

2.2 Brown Signs Audit (942.5.2)

The Head of Corporate & Development Services advised Councillor Robinson that the audit is now complete and one application is being progressed.

2.3 NI Housing Executive – Presentation on Emergency Response Severe Weather December 2010/January 2011 (942.1)

Referring to the presentation given at Council's meeting on 4th April, the Chief Executive advised members that Housing Executive Officers will attend the Consultation Committee meeting on 20th June to present the District Housing Plans and Local Housing Strategy 2011/12. An update on the emergency response will be given at that time.

944.3 MINUTES – MEETING NO 943 (AGM) – 18TH MAY 2011

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

that the minutes of meeting No 943 (AGM) – 18th May 2011, as circulated be confirmed as a correct record.

Matters Arising:

3.1 Appointment to Joint Committees (943.7)

Councillor Robinson referred to her and Alderman Campbell's nomination to the North East Rural Development Partnership (LAG) requesting clarification whether, as members

of the Joint Committee, nomination to the Local Action Group (LAG) is acceptable. The Chief Executive advised that an agreement had been made whereby Council submits names of six candidates without electing to either body to allow the Partnership to allocate representatives to ensure cross community and gender balance. The minute reflects Council's decision in this matter.

3.2 NE Peace III Programme – Leadership in a Shared Society (943.9)

Councillor Robinson reported on her recent visit to Fife to look at their success in community planning. She advised members that this was a very interesting and informative visit.

Councillor Robinson advised she wished to raise an issue relating to the event 'in Committee'.

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

that Council 'move into Committee'

*** Members of the press left the meeting at 7.10 pm.**

In Committee, Councillor Robinson stated that she had requested corporate gifts for event speakers and had been advised by a staff member that none were available. She alleged that a fellow delegate from the Borough had been supplied with corporate gifts, which she found embarrassing and requested an explanation. The Chief Executive undertook to investigate the allegation on receipt of advice as to the individual involved, which the member agreed to supply outside the meeting.

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

that Council 'move out of Committee' to continue its business .

*** Members of the press returned to the meeting at 7.15 pm.**

3.3 Revised Regional Transportation Strategy 2011 Consultation Event (943.10)

Councillor Cavlan and Alderman Campbell will be attending this event.

944.4 CONSULTATION COMMITTEE NO 61 – 18TH APRIL 2011

It was **AGREED:**

that the minutes of meeting No 61 on 18th April 2011, as circulated, be received.

Councillor Finlay expressed disappointment at the change in Planning Officer allocation to Ballymoney Council stating that continuity is essential in the decision making process of planning

applications. Alderman Connolly and Councillor Robinson concurred with Councillor Finlay's remarks.

944.5 DEVELOPMENT COMMITTEE NO 225 – 23RD MAY 2011

Councillor Finlay presented the report to Council.

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

that the minutes of Development Committee Meeting No 225 on 23rd May 2011, as circulated, be adopted and the recommendations therein approved.

944.6 LEISURE & AMENITIES COMMITTEE NO 384 – 24TH MAY 2011

The report was presented by Alderman Campbell. The Director of Borough Services presented an addendum as set out at 6.1.

6.1 Festive Lighting Tenders 2011-2015

The Director of Borough Services reported on the 4no. tenders received from the Council's Select List Contractors by the deadline set [noon, 27th May 2011] which had been opened on 31st May by the Committee Chair – Alderman F. Campbell and the Director and then passed to the Council's consultants: Cogan & Shackleton for evaluation. He advised that the tender from RHK Davidson had an arithmetic error and should have read - £174,925. The tenders received were therefore –

1.	J.F. & H. Dowds Limited, Milltown Road, Ballymoney	£144,272
2.	H.M. Electrics Limited, Glen Road, Maghera	£168,405
3.	R.H.K. Davidson & Co Limited, Bushmills Road, Coleraine	£174,925
4.	Irwin Electrical Services Limited, Diviny Drive , Portadown	£411,273

He stated that the Council's consultants **RECOMMENDED** that the tender of J.F. & H. Dowds Limited, in the sum of £144,272, excluding vat, for carrying out the electrical engineering services contract associated with the Council's Festive Lighting Scheme in the years – 2011, 2012, 2013, 2014 and 2015 be accepted.

The Director responded to member questions and indicated that were Council to accept the lowest tender received, which was the recommendation, that the cost of installation and re-lamping would be about £28,000 in each of the five years of the proposed contract.

6.2 Application for Financial Contribution for Sports Trip

Councillor McGuigan advised of a request received from a sports group representing Ireland at an overseas tournament. The Director of Central & Leisure Services undertook to pass the request to the Sports Advisory Committee on receipt of information.

6.3 Adoption of Minutes

It was proposed by Alderman Campbell seconded by Alderman Connolly and **AGREED:**

that the minutes of Leisure & Amenities Committee Meeting No 384 on 24th May 2011, as circulated, be adopted and the recommendations therein be approved including the addendum as set out at 6.1.

944.7 HEALTH & ENVIRONMENTAL SERVICES COMMITTEE NO 371 – 31ST MAY 2011

Councillor Robinson presented the report.

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

that the minutes of Health & Environmental Services Committee Meeting No 371 – 31st May 2011, as circulated, be adopted and the recommendations therein approved with the exception of item 371.23 (appointment of DPP Chair).

Matters Arising:

7.1 District Policing Partnership Chairperson (371.23)

The Chief Executive and Director of Borough Services responded to a query from Councillor McGuigan relating to the timescale and legislation relating to the appointment of the DPP Chairperson and the establishment of the new Police & Community Safety Partnership (PCSP).

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

that Councillor Robinson be appointed as the Chairperson of the District Policing Partnership for the remainder of the term of the current Partnership and that, in principle, Councillor Robinson's 12 month term would carry over to the newly constituted PCSP, after which the chairmanship would pass to the nominee of the next largest party.

* Alderman Connolly left the meeting at 7.45 pm.

944.8 CORPORATE & CENTRAL SERVICES COMMITTEE NO 395 – 25TH MAY 2011

Alderman Cousley presented the report to Council.

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

that the minutes of Corporate & Central Services Committee Meeting No 395 on 25th May 2011, as circulated, be adopted and the recommendations therein approved.

8.1 Staff Matters (395.7)

At the request of Councillor Finlay, the Chief Executive agreed to advise on cost, if any, to Council relating to this equal pay claim.

8.2 Waste Management Conference (395.17)

The Chief Executive advised that Councillor Robinson tabled her interest in this conference and Committee recommended her attendance. Details have now been obtained. The Chartered Institute of Waste Management Conference will take place 14 & 15 June in London. The cost of the Conference fee and travel is estimated at £415.00.

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

that Councillor Robinson attend the Waste Management Conference on 14th & 15th June at an approximate cost of £415.00.

Councillor Robinson thanked the Office of the Chief Executive for arranging a reduction in the fee and advised she would be staying with relatives and would not incur accommodation costs.

* **The Director of Borough Services and the Director of Central and Leisure Services left the meeting at 7.55 pm.**

944.9 SEAL DOCUMENTS**a) Contract for New Community Halls at Balnamore and Stranocum**

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

that the JCT Standard Building contract with Martin Hamilton, Ballymena in the amount of £638,855 be signed and sealed.

b) Grave Certificates

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

that the Seal of Council be affixed to Grave registration certificate numbers 1237, 1238, 1239, 1240.

944.10 SUSTAINABLE TRAVEL TOWNS

In response to Council's interest in becoming a pilot model sustainable travel town, the Department for Regional Development has advised that the Active Travel Forum, which was established in March 2010, is bringing forward recommendations for an Active Travel Strategy. This strategy will consider the wider social, economic and health benefits of active travel, the

key barriers, best practice and opportunities for alignment with and delivery of existing policies and programmes.

The key element of the Forum's work is to bring forward proposals to deliver a number of demonstration projects – a concept that has been developed and implemented successfully elsewhere in the British Isles. The aim of these demonstration projects is to show the benefits of active travel for health, the environment and the economy and, in doing so, to generate interest and enthusiasm for taking them forward more widely.

A draft Active Travel Strategy will be issued for consultation in early autumn. Once the strategy has been finalised and agreed by the Executive, it is anticipated a competition will be launched and it would be the Department's intention to invite local councils to submit applications to take forward demonstration projects.

944.11 ROADS SERVICE

11.1 A26 Dual Carriageway Scheme

In response to a request to the Minister for a review of the A26 dualling scheme and for improved access arrangements from the A26 to the Kirk Road and the Knock Road, the Minister has advised that, due to a reduction of 40% in the Executive's overall capital funding from the Treasury over the 2011-2015 period, his Department is now faced with funding constraints and has the difficult task of having to allocate finite resources to its numerous demands for the maintenance, management and development of the transport network.

Unfortunately, when these competing priorities are taken into consideration, the funding allocated in Budget 2010 will not enable construction of the A26 dualling between Glarryford and the A44 Drones Road to start in the next four year period. The timing of delivery of this scheme will therefore be dependent on the allocation of finances in the future. However, in the meantime, Roads Service will continue to develop the scheme through the normal statutory processes.

With regard to access arrangements from the A26, traffic surveys were carried out in February 2008 at both the Kirk Road and Knock Road junctions with the Ballymoney Bypass, to determine the turning movements of the traffic using the junctions, the extent of queuing and the delays to side road traffic joining the main flow. The surveys were carried out during periods of peak traffic flow in the morning and afternoon. The results of these surveys indicated that any delays being experienced, with one or two very isolated exceptions, were not excessive, at either junction. As the volume of traffic on the Bypass has not changed significantly since then, these figures can be relied upon as a reasonable guide to current traffic movements at the two junctions. In addition, the Sub-Regional Transportation Strategy did not highlight the provision of any further improvements to the junctions along the Ballymoney Bypass. Therefore, there are currently no plans for improvements at either junction.

Alderman Campbell recorded his disagreement with Roads Service findings and expressed disappointment at the non provision of improvements at the junctions on the Ballymoney Bypass stating the need for improvement of the road infrastructures on safety grounds. Councillor Robinson and the Mayor concurred with Alderman Campbell's remarks.

11.2 Private Streets Order.

Notice has been received that streets at the undernoted locations have been adopted by Roads Service.

- a) Nursery Avenue, Ballymoney, Stage 1 (Developer – C&C Contractors Limited).
- b) Alexandra Avenue, Ballymoney, Stage 1 (Developer – NIHE)

944.12 INVITATION – SOMME REMEMBRANCE EVENT AT KNOCKAGH WAR MEMORIAL

An invitation has been received from Carrickfergus Borough Council on behalf of the Knockagh Monument Joint Committee to the Annual Battle of the Somme Remembrance Parade and Service at Knockagh War memorial on Sunday 26th June at 10.00 am and afterwards for refreshments at the Museum and Civic Centre. Responses should be passed to the Office of the Chief Executive.

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

that any member can attend the event. Names should be given to the Office of the Chief Executive.

944.13 AIR PASSENGER DUTY (APD) CONSULTATION

A consultation regarding proposals for the future structure of Air Passenger Duty (APD) was issued following the UK budget statement on 23 March. The deadline for responses is 17th June 2011.

Two consultation options for change are identified:

- Option (1) Two new tax bands and two classes of travel .
- Option (2) Three distance tax bands and two classes of travel.

The implications for increased APD may well be significant for the NI region from an economic perspective in that it could result in substantially reduced passenger numbers due to the extra cost of travel. The risk is particularly acute in regional development terms given that similar tax costs will be removed from the Republic of Ireland, specifically at Dublin Airport with whom NI airports may be considered to compete.

Belfast International Airport (BIA) has been campaigning against the structure of UK Air Passenger Duty (APD) which, in its present form, has the potential to limit and restrict

passenger and airline growth and hamper the development of the tourism sector, as well as placing barriers in the way of inbound business.

Of particular concern is Band B of the tax regime which covers Northern Ireland's one and only direct trans-Atlantic service. Here, the tax 'take' is £60 and £120 for economy and business passengers respectively.

The Council, recognising the damage caused to the economy by the current structure of Air Passenger Duty (APD) and the enormous disadvantage it creates between Northern Ireland the Republic of Ireland, calls upon the Government to take steps to correct the glaring imbalance and introduce legislation to devolve APD as a tax varying power to the Northern Ireland Assembly, and that Council's views be forwarded to HM Treasury.

Referring to this matter, Councillor Finlay stated "Belfast International Airport has been campaigning against the structure of UK Air Passenger Duty as it could limit and restrict passenger and airline growth. It could also hamper the development of tourism .

Representations have been made previously to individual Ministers who have lobbied for changes to be made in this tax. The risk we face is particularly acute as the tax that is applied here makes Northern Ireland massively uncompetitive with the Republic of Ireland where the tax is soon to be abolished.

Council must ensure that our Government takes steps to correct the glaring imbalance and introduces legislation to devolve air passenger duty as a tax varying power in the Northern Ireland Assembly. Council must also consider the damage caused to the economy by the current structure of Air Passenger Duty and the enormous disadvantage it creates between Northern Ireland the Republic of Ireland". He said "This issue is an important one for all of Northern Ireland and I believe our Council should support the representations."

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

that Council, recognises the damage caused to the economy by the current structure of Air Passenger Duty and the enormous disadvantage it creates between Northern Ireland the Republic of Ireland; calls upon the Government to take steps to correct the glaring imbalance and introduce legislation to devolve Air Passenger Duty as a tax varying power to the Northern Ireland Assembly and that Council's views be forwarded to HM Treasury.

944.14 HOUSING

14.1 NI Housing Council

Council is asked to note advice from the NI Housing Council that its representative, Councillor John Finlay, during the period 1.5.2010 – 30.4.2011, attended seven out of 10 meetings of the Housing Council and seven out of nine committee meetings.

A report summarising the Housing Council's business from February-May 2011 is tabled. A copy is available on request from the Office of the Chief Executive.

14.2 Housing Executive – Research on Needs of Older People

Some time ago, the Housing Executive formulated a programme of research into the future housing and support needs of older people with the aim of informing a range of policies and strategies including the *Older People Housing Policy Review and Action Plan*, and the Supporting People programme. A number of new reports from the suite of older People's research were launched recently, providing useful and timely findings on:

- older people's current housing circumstances and the likely need for new age-specific social housing;
- a case study of an innovative supported living scheme for older people;
- the potential role of equity release in helping older people live independently in their homes for longer; and
- perceptions on the use of assistive technology to assist ageing in place.

In addition to summaries of the reports on these projects, latest edition of the *Housing Research Bulletin* also looks at evidence from successive Northern Ireland House Condition Surveys on older people's housing circumstances. It is available, along with full reports on all the completed older people's research projects, on the Housing Executive's website at www.nihe.gov.uk/index/sp_home/research-2.htm, or on request from the Office of the Chief Executive.

944.15 DRAINAGE COUNCIL – RECONSTITUTION

Following the planned elections in May 2011, the Drainage Council advises that the membership of the Drainage Council will be reconstituted as soon as possible in line with Schedule 1 of the Drainage (NI) Order 1973.

Given the onset of the summer holiday period and the likely amount of reorganisation after the May 2011 elections, reconstitution is planned after the end of the current Drainage Council term in September 2011.

Between now and the end of the current Drainage Council term on 30th September 2011, two further DCNI meetings are scheduled to take place in June 2011 and September 2011. This will ensure that essential Drainage Council business continues and provides for DARD Rivers Agency to continue carrying out its drainage and flood protection responsibilities.

It is intended that a recruitment process to fill any vacant posts for DCNI will begin in August 2011, with the aim that new members will be appointed by January 2012 in time for the first DCNI meeting of the new term in February 2012. All councils will receive notification seeking nominations for the reconstituted DCNI.

These arrangements have been approved by the current DCNI. For clarification on this matter contact Martin Gilliland on 02890 253 045 or by email (martin.gilliland@dardni.gov.uk).

944.16 NI LOCAL GOVERNMENT OFFICERS SUPERANNUATION COMMITTEE – APPOINTMENTS

The Department of the Environment advised in March 2011 on the reconstitution of the Northern Ireland Local Government Officers' Superannuation Committee (the Committee) and the need to appoint seven new members (four employer representatives and three employee representatives). The competition was also advertised in the Northern Ireland press.

Regrettably the number of applications received was lower than expected and the sift exercise completed on these applications failed to produce an adequate pool of candidates for interview to fulfil the number of vacant posts. The Department would therefore like to invite Council for a second time to identify and submit the name(s) of those who may wish to be considered for appointment to serve as a member of the new committee. The closing date is 12.00 pm on 6th June 2011. Any members interested had been invited to contact the Office of the Chief Executive for more information. No expressions of interest were received.

944.17 RESOLUTION - THURLES TOWN COUNCIL/ARDS BOROUGH COUNCIL

The following resolution has been submitted by Thurles Town Council, Co Tipperary.

“Thurles Town Council adopts a resolution expressing our revulsion at the callous and cowardly murder of Ronan Kerr, a young catholic police officer from Omagh Co Tyrone on Saturday 2nd April 2011.

The growing tendency by a very misguided minority towards reigniting terrorist activity on this island must be confronted by every means possible to ensure that other families do not have to live with total devastation which has been inflicted on Constable Kerr's mother and family. Mrs Kerr's courageous and dignified comments in the immediate aftermath of such a horrific incident should act as an inspiration to all right minded people in this country.

That copy of this resolution be forwarded to all other councils throughout Ireland both North and South.”

Ards Borough Council has tabled the resolution. Their members agreed with the sentiments contained within it, expressed the view that the murder of one police officer ought not to be condemned in isolation, when many police officers, both catholic and protestant, had been murdered in Northern Ireland over the past 30-40 years.

The Council agreed to defer consideration of the resolution and to write back to Thurles Council and all Councils in Northern Ireland and Republic of Ireland asking whether their Council agrees that all murders of police officers in Northern Ireland are to be condemned in the same manner. No comments were offered.

- * **Members of the press left the meeting at 8.12 pm.**
- * **Councillor Storey joined the meeting at 8.12 pm.**

944.18 REPORTS

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

944.19 LOCAL ELECTION

In response to a query by Councillor McGuigan about alleged allegations regarding qualification of a Councillor at the recent election, the Chief Executive stated that the matter has been referred to the appropriate authorities for investigation and the individual concerned has been notified. He, as Deputy Returning Officer, did not offer any opinion as to the eligibility of the individual concerned, nor did he have any further information on the matter or the timescale for determination.

844.19 CONDOLENCE – ISLE OF MAN TT ACCIDENT

Members expressed their sympathy to the family of Mr Derek Brien, a competitor in the TT races, who had tragically lost his life during a race. It was **AGREED:**

that a letter of condolence be sent.

The meeting closed at 8.20 pm.