

**Ballymoney Borough Council
Council Meeting No 950 – 5th December 2011**

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BALLYMONEY BOROUGH COUNCIL

Minutes of Council Meeting No 950 held in the Council Chamber, Riada House, Ballymoney on Monday 5th December 2011 at 7.00 pm.

IN THE CHAIR: Councillor I Stevenson, Mayor

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

Councillors
J Atkinson
J Finlay
R Halliday
P McGuigan
T McKeown, Deputy Mayor
C McLaughlin
E Robinson
M Storey, MLA

APOLOGIES Alderman H Connolly
Councillor R McAfee

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

Members of the Press

950.1 CONDOLENCE – REVEREND SMART

The Mayor said “It was with shock and sadness that I learned of the sudden death of The Reverend Warwick Smart who died at the weekend. A native of South Africa, he came to Ballymoney as Minister of First Ballymoney Presbyterian Church in 2009.

He used his youth and experience in becoming actively involved in its many spheres and preaching in his own unique manner. He certainly did much in his short life and seemed to put his all into everything he did.

Reverend Smart served as Mayor's Chaplain to Alderman Frank Campbell in 2009/10. In his role he met and welcomed many visitors to this borough.

Numerous tributes have been paid to the popular minister. He is deeply mourned by his congregation and by people throughout the area who knew him as a kind and good natured friend.

I would convey condolences to his loving wife Andrea and young sons Nicholas and Daniel and wider family circle and pray that they will find God close to them at this time.

Reverend Smart will be fondly remembered by all who knew him and as first citizen of this borough I sympathise with all in the community who grieve his passing".

Alderman Campbell and Alderman Kennedy associated themselves with the Mayor's remarks, Alderman Campbell referring to the positive impact Reverend Smart had made as Mayor's Chaplain and Alderman Kennedy to his warm personality which had brought joy and comfort to many people.

950.2 MINUTES OF COUNCIL MEETING NO 949 – 7th NOVEMBER 2011

Matters Arising:

2.1 OFMDFM – Social Investment Fund – Public Meetings (949.19)

The Chief Executive advised members that, as requested, the Department will be sending a representative to discuss the Social Investment Fund prior to the Consultation Meeting on 19th December at 6.00 pm. As this will be a public meeting, there is interest from Community Groups to attend.

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

that the Consultation Committee receive representatives from OFMDFM on Monday 19th December 2011 at 6.00 pm to discuss the Social Investment Fund and that community representatives be invited to attend.

2.2 Adoption of Minutes

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

that the minutes of meeting No 949 – 7th November 2011, as circulated, be confirmed as a correct record.

950.3 MINUTES OF CONSULTATION COMMITTEE MEETING NO 67 – 21ST NOVEMBER 2011

The minutes of Consultation Committee Meeting No 67 – 21st November 2011, as circulated were received.

950.4 DEVELOPMENT COMMITTEE MEETING NO 229 – 29TH NOVEMBER 2011

Councillor Finlay presented the report.

Matters Arising:**4.1 Meetings of Committee (229.10)**

It was **AGREED:**

that the next meeting of Committee will take place on 21st December at 7.00 pm.

4.2 Adoption of Minutes

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

that the minutes of Development Committee Meeting No 229 – 29th November 2011, as circulated, be adopted and the recommendations therein approved.

950.5 LEISURE & AMENITIES COMMITTEE MEETING NO 388 – 15TH NOVEMBER 2011

Alderman Campbell presented the report.

Matters Arising:**5.1 Land at Rasharkin Cemetery (338.8)**

Councillor McGuigan requested clarification on issues relating to advantages and disadvantages to interested parties in having to secure agreement of third parties to access the land and the need for Equality Impact Assessment. The Chief Executive advised that the land is land-locked and as Council has decided it would not be appropriate to gain access to the land via the cemetery, it is being offered on the basis that potential investors can demonstrate that access can be gained via arrangements with land owners.

6.2 Adoption of Minutes

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

that the minutes of Leisure & Amenities Meeting No 388 - 15th November, as circulated, be adopted and the recommendations therein approved.

950.6 LEISURE & AMENITIES COMMITTEE MEETING NO 389 – 17TH NOVEMBER 2011

Alderman Campbell presented the report.

Matters Arising:**6.1 Armoy Motorcycle Road Racing Club – Request for Assistance (389.7)**

At the request of Alderman Kennedy, the Director of Central & Leisure Services advised that the matter of potential sponsorship for the NW200 was tabled in appendix B of LAC 389 (389.9) but to date, no formal request for assistance has been received.

6.2 Adoption of Minutes

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

that the minutes of Leisure & Amenities Meeting No 388 - 17th November, as circulated, be adopted and the recommendations therein approved.

950.7 HEALTH & ENVIRONMENT SERVICES COMMITTEE MEETING NO 375 – 22ND NOVEMBER 2011

Councillor Robinson presented the report including tender report attached as Appendix 1.

7.1 Disposal of Wheeled Loading Shovel (375.3)

The Head of Environmental Services clarified the differences between the various types of vehicles and the decision to retain the bucket as a spare.

7.2 Adoption of Minutes

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

that the minutes of Health & Environmental Services Meeting No 375 - 22nd November, as circulated, be adopted including the tender report circulated and the recommendations made therein.

950.8 CORPORATE & CENTRAL SERVICES COMMITTEE MEETING NO 399 – 28TH NOVEMBER 2011

Alderman Cousley presented the report.

Matters Arising:**8.1 Arrangements for Clearance of Snow & Ice (399.3b)**

Councillor Finlay and Councillor McKeown expressed disappointment that the matter remains unresolved and reinstated their opposition to the Committee's recommendation. Councillor Storey concurred with their remarks stating that DRD has not given any conclusive help or definitive advice regarding this issue and he hoped Council would not have to revisit the issue.

8.2 Adoption of Minutes

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

that the minutes of Corporate & Central Services Meeting No 399 – 28th November 2011, as circulated, be adopted and the recommendations therein approved.

950.9 RESOURCES TASK GROUP MEETING NO 38 – 28TH NOVEMBER 2011

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

that the minutes of Resources Task Group Meeting No 38 – 28th November 2011, as circulated, be adopted and the recommendations therein approved.

At the request of Councillor Storey, the Chief Executive advised that he will be providing a full report to the relevant Committee relating to the impact and cost to Council of the strike action taken on Wednesday 30th November. He indicated that the Leisure Centre was closed which would result in loss of revenue. A full refuse collection service was not available but service would be provided within the working week through redeployment and use of additional vehicle.

* **The Director of Central & Leisure Services and the Head of Environmental Services left the meeting at 7.40 pm.**

950.10 SEAL DOCUMENTS

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

that the Seal of Council be affixed to:

1. *Grave registration certificate numbers 1270 and 1271*
2. *Indenture – Department for Regional Development & Ballymoney Borough Council – Traffic Calming Scheme at Armour Avenue*

950.11 ROADS SERVICE – PRIVATE STREETS ORDER

Notice has been received from Roads Service that development at Greenshields View, Ballymoney, Stage 1 (Developer: Sheerin Homes Limited) has been adopted by Roads Service.

950.12 UPPER AGE LIMIT JURY SERVICE – CONSULTATION

The Department of Justice has published, on 21st November, a consultation on the upper age limit for jury service. The document is available on the Department's website www.dojni.gov.uk or on request from the Office of the Chief Executive. Currently under the Juries (NI) Order 1996, a person who has reached the age of 70 years may no longer serve as a juror, while persons aged between 65 and 69 may choose not to serve. The consultation main questions are:

- Should there be an upper age limit for jury service?
- If so, at what age should an upper age limit be set?
- Should there be an age-related right to excusal?

The closing date for comments is 10th February 2012.

950.13 REPORTS

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

950.14 NILGA REPORTS & UPDATES

The Chief Executive referred to the schedule of reports received which was circulated for Members' information.

Councillor Robinson indicated she had a report on the Welfare of Animals which she would provide to the Chief Executive for circulation to members.

950.15 MAYOR'S CHRISTMAS MESSAGE 2012

The Mayor addressed the meeting stating "As Mayor and first citizen I want to take this opportunity, at our last meeting before Christmas, to convey seasonal greetings to members and staff and to all the citizens of Ballymoney Borough.

I was pleased to be present at the Switch-On evening on 24th November, in the company of Mrs May Dunlop. This event is the highlight of our Christmas celebrations. I hope everyone enjoyed the entertainment laid on that night and also the remainder of the town's Christmas activities in the run up to Christmas. I hope that our citizens will support local businesses this Christmas by staying local and shopping local.

As families come together to share the central theme of Christmas, peace and goodwill, we remember in our thoughts and in our prayers those who are ill or have been bereaved at this time.

Looking upon the world scene I would also ask my fellow citizens to remember in their thoughts and in their prayers those who may have been afflicted by famine and earthquake or suffered in other ways and to whom the New Year brings no joy.

We remember, too, those in the security and emergency services and the carers in hospitals and voluntary services in our community whose vital work will continue at this and at all other times.

I would take this opportunity to record Council's gratitude to all the community and voluntary groups, Government agencies, the local business community, charitable groups, police, medical and emergency services who have contributed so positively to our Borough over the past year.

As we look forward to 2012, to the Olympic games and the celebration of Her Majesty's Diamond Jubilee, I trust the economic conditions will improve and that a renewed vitality will emerge in our town, villages and rural area."

The meeting closed at 7.45 pm.

Appendices attached:

Appendix 1 Wheeled Loaded Shovel Tender Report

APPENDIX 1

Wheeled Loading Shovel (December 2011)

Tenders were invited inclusive of vehicle registration and 12 months road fund licence.

Number of tenders received : 7

Compliant tenders (4)

Tenderer	Product Offered	Shovel (£)	Bucket (£)	Road Fund Licence (£)	Total Price (£)	Warranty (months)	Delivery (weeks)
Sleator Plant 607 Antrim Road Newtownabbey	Bell L1506E	99,772	6,950	220	106,942	12	4 - 6
Cowan Bros (NI) 11 Monnaboy Road Eglinton	New Holland W170C	103,140	4,000	165	107,305	12	10 – 12
Northern Lift Trucks 1 Flush Park Knockmore Road Lisburn	Hyundai HL 757-9	119,000	7,000	220	126,220	24	16 - 18
Sleator Plant 607 Antrim Road Newtownabbey	Bell L1706E	119,452	6,950	220	126,622	12	4 – 6

Non-compliant tenders (3)

Tenderer	Product Offered	Shovel (£)	Bucket (£)	Road Fund Licence (£)	Total Price (£)	Warranty	Delivery (weeks)
Cowan Bros (NI) 11 Monnaboy Road Eglinton	New Holland W130B	90,694	4,000	165	94,859	12	10 - 12
Northern Excavators 103 Culcavey Road Hillsborough	Doosan DL250	91,600	7,000	NIL	98,600	12	4
Sleator Plant 607 Antrim Road Newtownabbey	Case 721F	101,852	6,950	220	109,022	12	4 - 6

Reason(s) for non-compliance.

1. The New Holland W130B offered by Cowan Bros (NI) does not meet the minimum gross vehicle weight or minimum bhp as specified.
2. The Doosan DL250 offered by Northern Excavators does not meet the minimum bhp as specified.
3. The Case 721F offered by Sleator Plant does not meet the minimum bhp and modular radiator requirement as specified.

IT IS RECOMMENDED that the Borough Council accept the lowest priced complaint tender, that from Sleator Plant in the sum of £106,942 for a Bell L1506E wheeled loading shovel.