Ballymoney Borough Council Council Meeting No 971 – 3rd December 2012

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971.11	 Seal Documents 1. Grave Registration Certificates 2. Engrossments – Right of Way at Cherry Gardens and Shandon Park, Ballymoney 	Affix seal of Council
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BALLYMONEY BOROUGH COUNCIL

Minutes of Council Meeting No 971 held in the Council Chamber, Riada House, Ballymoney on Monday 3rd December 2012 at 7.00 pm.

IN THE CHAIR:	Councillor E Robinson, Mayor
PRESENT:	Aldermen F Campbell C Cousley, MBE, Deputy Mayor B Kennedy
	Councillors J Atkinson W Blair A Cavlan R Halliday R McAfee P McGuigan T McKeown C McLaughlin I Stevenson
APOLOGIES:	Alderman H Connolly Councillors J Finlay M Storey, MLA
IN ATTENDANCE:	Chief Executive Director of Borough Services Director of Central and Leisure Services Head of Corporate & Development Services Committee Clerk Press x 2

971.1 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

971.2 MINUTES OF COUNCIL MEETING NO 969 – 5TH NOVEMBER 2012

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

that the minutes of Meeting No $969 - 5^{th}$ November 2012, as circulated, be confirmed as a correct record.

971.3 MINUTES OF COUNCIL MEETING NO 970 – 19TH NOVEMBER 2012

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

that the minutes of Meeting No 970 – 19th November 2012, as circulated, be confirmed as a correct record.

971.4 CONSULTATION COMMITTEE MEETING NO 79 – 19TH NOVEMBER 2012

the minutes of Consultation Committee Meeting No 79 – 19th November 2012, as circulated, were received.

971.5 MINUTES OF DEVELOPMENT COMMITTEE MEETING NO 240 – 21ST NOVEMBER 2012

Alderman Kennedy presented the report including addendum as set out at 5.1 and 5.2.

5.1 Social Investment Fund

Following on from the discussion on this matter at committee and subsequent discussion at Leisure & Amenities Committee on potential projects, after the workshop in Ballymoney Social Centre on 15th November, facilitated by RSM McClure Watters on behalf of OFMDFM, expressions of interest pro-forma, based on members suggestions will be submitted by the deadline of 3rd December, as follows:-

- 1) Community Recreational Facilities Glebeside MUGA, small pitch and children's play area estimated £220,000.
- 2) Community Hall Infrastructure Development Upgrading Killyrammer and Rasharkin Community Centres and the Social Centre in Ballymoney estimated £700,000.
- Community Management Development Programme Developing business management skills in groups undertaking the management of council facilities, e.g. community halls – estimated £50,000.

Following assessment of the projects by the Steering Group a decision is expected by 31st December 2012, following which an economic appraisal for each of the 10 projects will be compiled by RSM McClure Waters for submission by 31st January 2013. It is projected that money will be on the ground by June 2013 and spend will have to be completed by the end of March 2014.

Members are invited to approve the action taken.

The funding of \pounds 80 million available under the fund is to be divided 50/50 between capital projects and revenue projects that will help alleviate deprivation and dereliction through strategic area-based interventions. The four themes are: -

- Pathways to employment:
- Systemic issues linked to deprivation;
- Increase in community services and
- Dereliction in areas of deprivation.

The Northern SIF Zone covers the council areas of Antrim, Ballymena, Ballymoney, Carrickfergus, Coleraine, Cookstown, Larne, Magherafelt, Moyle and Newtownabbey. The Northern Zone Action Plan will have a maximum of 10 projects. Projects should be a minimum of £500,000 but smaller projects can be aggregated; there is no upper limit on the budget.

The Head of Corporate & Development Services advised members that projects are being submitted for initial assessment and may be amalgamated with similar type projects across the northern zone. Cloughmills Action Team will be submitting a proposal for the restoration of the police station in Cloughmills, currently on the market, and have approached Council to provide a letter of support. It is **recommended** that Council approves the action taken in providing a letter to Cloughmills supporting their proposal, Council having agreed previously to explore the proposal.

The Mayor extended thanks to the Officer and commended her on the work undertaken in submission of bids. The Head of Corporate & Development Services thanked the Mayor for her kind remarks and stated that she was indebted to the Development Officer and Director of Borough Services for their input in preparing the bids.

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

that Council approves the action taken and endorses the bids submitted on Council's behalf and provides a letter to Cloughmills supporting their proposal.

5.2 Dereliction Intervention Funding

The DoE Minister wishes to scope the potential for further work to be carried out by councils to tackle the problems of dereliction in towns and cities. The Department has dealt with a number of enquiries from councils about what sort of interventions could be supported, what selection criteria would be used, how funding would be administered and the timescales involved.

In light of this, a seminar was held on Friday 30th November to provide Councils with the information required should they be considering preparing a proposal for dereliction funding in their council area.

The Minister is proposing a mechanism whereby Councils can obtain funding for schemes to enhance and improve the appearance of an area, whether a city or town. Any scheme must strengthen and reinforce the existing co-operation and collaboration between departments, councils, other parts of the public sector and voluntary bodies, exploring synergies to the maximum benefit of the area.

In terms of funding, the Minister is seeking agreement from the Executive that funding that becomes available during the financial year can be allocated for this purpose. The next opportunity for this is in January 2013, which presents substantial logical difficulties because the department cannot be assured that funding will become available until very late in the financial year but will need to be spent by 31 March 2013.

Councils are invited, on a without prejudice basis, to develop and submit proposals for interventions in their area, presented against criteria set down by the department, which will be used to assess applications.

Councils must give assurance that their schemes can be completed and expenditure incurred by 31 March 2013. Deadline for submission of proposals is 14th December 2012.

It is **recommended** that Council submit proposals to address derelict sites on key access routes to the town centre and key arrival points. Council may wish to apply some match funding to support the proposal and this can be considered at next stage.

It is stressed, at this stage, there is no guarantee of funding, but DoE will know in January if there is funding available to be spent this financial year.

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

that Council submit proposals to address derelict sites on key access routes to the town centre and key arrival points.

5.2 Adoption of Minutes

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

that the minutes of Development Committee Meeting No 240 – 21st November 2012 be adopted and the recommendations therein approved including recommendation as set out at 5.1 and 5.2.

971.6 MINUTES OF DEVELOPMENT COMMITTEE MEETING NO 241 – 3RD DECEMBER 2012

The Head of Corporate & Development Services presented a report on the Ecar project following the Committee meeting earlier, attached as Appendix A.

It was proposed by Alderman Kennedy, seconded by Alderman Campbell and AGREED:

that Council participate in the DRD/DOE Ecar project and commit to contributing £10,000 for five or more fixed cable charging points in Ballymoney in the year 2012/13.

971.7 MINUTES OF LEISURE & AMENITIES COMMITTEE MEETING NO 300 – 20^{TH} NOVEMBER 2012

Alderman Campbell presented the report including addendums as set out at 7.1. The Director of Borough Services presented an addendum at 7.2.

7.1 Good Relations Grants

The following application for a grant has been received -

(i) FabFemme for assistance towards The Ghosts of Christmas Past and Christmas Present event.

The application satisfies the criteria for funding under the Good Relations Small Grants Scheme.

It is **recommended** that FabFemme is granted £350.00.

7.2 Drumaheglis Multi-Purpose Building and Access Improvement Project

The tenders submitted by the Councils select list contractors for this project, for which funding has been secured from both INTERREG and

NITB, were opened on 27th November 2012 by the Committee Chair, Alderman Campbell and the Head of Amenities and then passed to the Council's consultants.

The tender report received on 3rd December from Council's Consultants follows:-

1.0 <u>TENDERS</u>

- 1.1 Six contractors were invited to Tender on a NEC3 Engineering and Construction Short Contract (ECSC) for a fixed price tender.
- 1.2 The Construction Period is to be 23 weeks (including holidays) from date of Possession.
- 1.3 The Date of Possession is to be 7th January 2013
- 1.4 The Date of Completion is to be 14th June 2013
- 1.5 Tenders were received on Tuesday 27th November 2012 from six Contractors as follows:-

<u>CONTRACTOR</u>

TENDER FIGURE

Martin & Hamilton Ltd.	£534,445.00
Lowry Brothers Ltd.	£542,000.00
PRH Construction	£554,780.00
P & K McKaigue Ltd	£574,350.00
GEDA Construction	£582,000.00
McLaughlin & Harvey	£710,019.03

1.6 The Tender of Martin & Hamilton Ltd. was forwarded to Earl Lewis Ltd. Chartered Quantity Surveyors for examination.

2.0 TENDER MARTIN & HAMILTON

- 2.1 The Tender of Martin & Hamilton Ltd. together with the Price List was examined.
- 2.2 An arithmetical check revealed no errors.
- 2.3 A check of the Price List and accompanying information has confirmed that no pages are missing and all revisions have been included.

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- 2.4 Generally the individual rates within the measured sections of the Price List are considered to be extremely competitive in the current market conditions.
- 2.5 The competitiveness of the tender has been brought to Martin & Hamilton Ltd. attention. Earl Lewis Ltd. requested they re-examine individual rates together with their overall submitted tender. Martin & Hamilton Ltd. has confirmed that they will stand by their tender.
- 2.6 The Preliminaries section of the Price List represents 7.41% which is higher than you would expect considering the current market conditions
- 2.7 The Named Sub-Contractor for the Mechanical Installation submitted by Martin & Hamilton Ltd. is Michael Nugent Ltd:

Mechanical Installation Value £	52,312.00
General attendance and facilities	0%
Special attendance	0%
Temporary Power	0%
Profit	0%

2.8 The Named Sub-Contractor for the Electrical Installation submitted by Martin & Hamilton Ltd. is James Haughey & Co:

Electrical Installation Value	£109,779.00
General attendance and facilities	0%
Special attendance	0%
Temporary Power	0%
Profit	0%

- 2.9 The Elemental Breakdown for the Mechanical & Electrical Installation was forwarded to Cogan & Shackleton Consulting Engineers. They have confirmed that both Tenders are fair and reasonable reflecting a competitive tender and that the tenders should be accepted and appointed in accordance with the Conditions of Contract.
- 2.10 The day work percentages submitted by Martin & Hamilton Ltd. are as follows:

Labour	0%
Materials	0%
Plant	0%

3.0 CONCLUSION

- 3.1 The Tender by Martin & Hamilton Ltd. in the sum of £534,455.00 and the supporting Price List can be used for valuations and adjustment of variations.
- 3.2 We await client approval and instruction.

It is **recommended** that Council accept the tender by Martin & Hamilton Limited, Ballymena, (the lowest tender received) in the sum of £534,455.

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

that Council accept the tender by Martin & Hamilton Limited, Ballymena, (the lowest tender received) in the sum of £534,455.

7.3 Adoption of Minutes

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

that the minutes of Leisure & Amenities Committee Meeting No 399 – 16th November 2012 be adopted and the recommendations therein approved including addenda as set out at 7.1 and 7.2.

971.8 MINUTES OF HEALTH & ENVIRONMENTAL SERVICES COMMITTEE MEETING NO 386 – 27TH NOVEMBER 2012

Councillor Atkinson presented the report.

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

that the minutes of Health & Environmental Services Committee Meeting No 386 – 27th November 2012 be adopted and the recommendations therein approved.

971.9 MINUTES OF CORPORATE AND CENTRAL SERVICES COMMITTEE MEETING NO 409 – 26^{TH} NOVEMBER 2012

Councillor Stevenson presented the report. Councillor Robinson indicated that she wished to attend the planning conference on 10th January 2013 (Min 409.9.1).

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

that the minutes of Corporate & Central Services Committee Meeting No $409 - 26^{th}$ November 2012 be adopted and the recommendations therein approved, including appointment of Councillor Robinson to the Planning conference on 10^{th} January 2013.

971.10 MINUTES OF RESOURCES TASK GROUP MEETING NO 45 – 26^{TH} NOVEMBER 2012

Councillor Stevenson presented the report.

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

that the minutes of the Resources Task Group Meeting No $45 - 26^{th}$ November 2012, be adopted and the recommendations therein approved.

971.11 SEAL DOCUMENTS

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

that the Seal of Council be affixed to

- 1. Grave Registration Certificates 1305 and 1306.
- 2. Ballymoney Connect2 Project Right of Way at Cherry Gardens and Shandon Park, Ballymoney – Ballymoney Borough Council - NIHE

971.12 MAYOR'S BUSINESS

The Mayor congratulated Model School on its Shared Education Project event which took place recently when children from Coleraine and the Model School joined together to build bridges with the assistance of a construction company involved in the work carried out on the bridge at Ballymoney Railway Station. She stated that the children thoroughly enjoyed the event. She also commended the work of Drop Inn Ministries in their annual Shoebox Appeal.

* The Director of Borough Services and the Director of Central & Leisure Services left the meeting at 7.35 pm.

971.13 NOTICE OF MOTION - COMMUNITY COVENANT – ARMED FORCES COMMUNITY

Councillor McKeown proposed the following motion, in accordance with the notice given and as set out on agenda paper.

"We the undersigned hereby propose that Ballymoney Borough Council recognises the sacrifice of the many fallen and injured service personnel of the Borough serving in recent international conflicts; realises the potential for this Council and other statutory bodies to provide practical and moral support to service personnel, veterans and their families; and commits to give meaning to its support for our service personnel and veterans by signing the Community Covenant, as a voluntary statement of our support for the local Armed Forces Community."

The motion was seconded by Councillor McAfee.

Speaking on behalf of his party, Councillor McGuigan said that Sinn Fein would not be supporting the motion because it believes that Council and statutory bodies should provide support to all its citizens. Councillor Cavlan also recorded that she would not be supporting the motion.

In his response to Councillor McGuigan, Councillor McKeown said that many servicemen and women returning from war suffer trauma or injury and that some do not come back at all. He expressed the view that this Council should recognise the work of the armed forces personnel and provide support to them. Councillor Kennedy, Councillor Atkinson, Councillor Stevenson, Alderman Campbell and Councillor Blair supported Councillor McKeown's remarks.

A vote was taken with 10 members voting in favour of the motion and three members voting against.

The Mayor declared the motion carried.

971.14 NOTICE OF MOTION - WELFARE REFORM

Councillor McGuigan proposed the following motion, in accordance with the notice given and as set out on agenda paper.

"That this Council

• Rejects the welfare cuts agenda and austerity policies being pursued at Westminster which are targeted at the most vulnerable and disadvantaged in our society and which will create significant hardship and difficulties for many individuals and families.

 Calls on the Assembly to amend the Welfare Reform Bill consistent with the specific circumstances and needs of people living in the north of Ireland and to work together to ensure that the most vulnerable in our society are protected."

The motion was seconded by Councillor McLaughlin.

Councillor Cavlan said she dealt with benefit issues and appeals on a daily basis and saw at first hand the unfairness of the system and the impact on those where benefits had been discontinued.

Councillor McGuigan pointed to the impact on Disability Living Allowance (DLA), working tax credits, housing and other benefits including social security benefits, stating it would take some £1.5B from the local economy in the next five years, punishing the unemployed and most vulnerable in society and restricting access to sickness and disability benefits. He indicated his support for simplifying the benefits system.

Alderman Kennedy expressed the view that the government will not be able to sustain the welfare system. He supported welfare reform but not at the expense of those most vulnerable and in most need.

Councillor Stevenson and the Mayor referred to the terminology used in the motion stating their support for it but not to the wording ... "needs of people living in the north of Ireland." Their view was that the motion should state,"needs of people living in Northern Ireland." Councillor McAfee and Councillor McKeown spoke in favour of the terms of the motion.

Councillor Cavlan appealed to members to consider the effects of welfare reform on those already in vulnerable situations and not reject on the grounds of the terminology used.

In his response, Councillor McGuigan stated that the motion had been proposed to put pressure on those at Stormont and Westminster who make decisions on behalf of its citizens to take the concerns at the consequences of the cuts seriously. He proposed an amendment to the terminology of the motion to read:

- Rejects the welfare cuts agenda and austerity policies being pursued at Westminster which are targeted at the most vulnerable and disadvantaged in our society and which will create significant hardship and difficulties for many individuals and families.
- Calls on the Assembly to amend the Welfare Reform Bill consistent with the specific circumstances and needs of people living **here** and and to work together to ensure that the most vulnerable in our society are protected."

This was seconded by Councillor McLaughlin.

A vote on the amended motion was taken and passed unanimously, with 13 members voting in favour.

The amendment was then put as a substantive motion and on a vote being taken was passed unanimously, 13 members voting in favour.

The Mayor declared the amended motion carried.

* Members of the press left the meeting at 8.10 pm.

971.15 LOCAL GOVERNMENT REFORM

The Mayor said that in her report on Local Government Reform she sought to ensure members of Council were up to date on what is taking place at Department of Environment and cluster. She would like to approach a senior Department officer to come to Ballymoney and give members an insight into the situation as it is at the minute.

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

that the Mayor extend an invitation to a representative from DOE to attend a meeting and update to Council on Local Government Reform issues.

971.16 PRIVATE STREETS ORDER

Roads Service has given notice that streets in development at Jubilee Court, Ballymoney, Stage 1, Developer M & I Developments Ltd, have now been adopted by Roads Service

971.17 NI HOUSING EXECUTIVE CORPORATE PLAN 2013/14

NI Housing Executive has issued an initial consultation on its 2013/14 Corporate Plan and invites comments by 14th December. A copy of its letter of 13th November 2012 was circulated.

971.18 PATIENT & CLIENT COUNCIL PLAN 2012-15

The plan sets out the role, direction and goals of the Patient and Client Council over the next three years. A copy is available from the Office of the Chief Executive on request.

Speaking in relation to concerns about the possible closure of the Causeway Hospital, the Mayor advised that she had attended a recent meeting of the Patient and Client Council in Coleraine which was well structured and provided excellent information. She expressed the view that this is a worthwhile organisation.

971.19 DIGITAL SWITCHOVER

The digital TV switchover across Northern Ireland is now complete, extending Freeview coverage to 200,000 households previously unable to receive digital television through an aerial.

Viewers across the country responded extremely well and coped with these changes without any great difficulty. Anyone still needing help with reception issues or with setting up and using digital equipment, should get in touch with Digital UK via our website (digitaluk.co.uk) or advice line (08456 50 50 50).

BBC Switchover Help Scheme would like to take this opportunity to thank everyone who has helped with switchover. Charity partners (the North Belfast Partnership Board and Rural Community Network), local authorities, housing organisations, Age NI, local retailers and installers, not to mention a huge number of good neighbours and volunteers across the region, have all played their part.

Nearly 74,000 older and disabled people across Northern Ireland have so far contacted the BBC-run Switchover Help Scheme to take up the practical help that's been offered to them. Eligible people who have not yet switched can apply for help until 24th November 2012 (one month after Northern Ireland switched to digital). If you have any questions about the BBC Help Scheme, please contact Nigel Tilson on <u>nigel.tilson@bbc.co.uk</u> or visit <u>helpscheme.co.uk</u>

971.20 REPORTS

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

971.21 CLARE TOURISM CONFERENCE, ENNISTYMON – 17TH-19TH JANUARY 2013

A request was made by Alderman Campbell to attend the above conference (Tourism in Recessionary Times) which will take place in Ennistymon from 17th – 19th January 2013. The cost of the conference is €349 including accommodation. Budget provision is available.

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

that Alderman Campbell attend the Conference at a cost of €229.00 plus accommodation cost of €120.00

971.22 SHARED HISTORY PROJECT

Councillor McLaughlin congratulated the Good Relations Officer for arranging a successful and interesting visit to Dublin and the Boyne Heritage Centre as part of a shared history project for Councillors. Councillor Atkinson concurred with his remarks.

This being all the business the meeting closed at 8.25 pm.

Appendices attached Appendix A Development Committee Minutes 241 – 3/12/12

APPENDIX A

BALLYMONEY BOROUGH COUNCIL DEVELOPMENT COMMITTEE

Table of Contents:-

- 241.1 Declarations of Interest
- **241.2** Ecar Presentation
- 241.3 Dereliction Intervention Funding

None

Deferred to Council meeting

£10,000 agreed

BALLYMONEY BOROUGH COUNCIL DEVELOPMENT COMMITTEE

Minutes of Development Meeting No 241, held in the McKinley Room, Riada House, Ballymoney on Wednesday 3rd December 2012 at 6.00 pm.

- IN THE CHAIR: Alderman B Kennedy
- PRESENT: Aldermen F Campbell
 - **Councillors** W Blair T McKeown R Halliday I Stevenson

APOLOGIES:

- Alderman H Connolly Councillors J Finlay E Robinson M Storey, MLA
- IN ATTENDANCE: Chief Executive Head of Corporate & Development Services

Ecar Consortium Representative Mr G Kerr

241.1 DECLARATIONS OF INTEREST

There were no declarations of interest.

241.2 ECAR PRESENTATION

The Chair explained that the purpose of the meeting is to meet with Mr Gregor Kerr for further discussion on the NI DRD/DOE/ecar Consortium project, as requested by members.

As advised at a previous presentation to members, the scheme to join the Consortium runs until March 2013 with a cost to each Consortium member of $\pounds 10,000$ providing a minimum of five fixed cable charging points at identified locations, representing an investment of $\pounds 55,000$.

Minister Attwood wrote recently advising all councils of the need to confirm their intention to join the consortium by Friday 30th November. The Minister's office agreed to wait until Council had reached a decision at its meeting on 3rd December.

Copy of the previous minute setting out Council's deliberations (CM971.2) was circulated for convenience of members.

The Chair welcomed Mr Kerr to the meeting and invited members to put their questions, commenting that committee should then decide whether or not it wished to recommend that Council participate in the scheme and commitment to contribute the minimum amount of £10,000.

Mr Kerr updated members on the progress of the project indicating that the majority of NI Councils had signed up, including, in this region, Coleraine, Limavady, Ballymena, Antrim and Larne. Moyle Council had declined. The funding for the roll out of the scheme in NI was only available until March 2013 from the Department of Transport in London. During the discussion Mr Kerr responded to a variety of issues raised advising –

- that the scheme involved installation of 140 charge points in NI and the minimum contribution of £10,000 was being sought from all participants, in return for five charge points per area, an investment in infrastructure of £55,000;
- 20% of new cars by 2020 will be electric;
- Some examination of locations had been undertaken and suggestions would be considered;
- Grants were available for installation of dedicated charge points at home/work.

Some members took the view that it was unfair that smaller councils such as Ballymoney were being asked to pay the same contribution as larger areas and cities.

The Chair then put the matter to the meeting.

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

that Council participate in the DRD/DOE Ecar project and commit to contributing £10,000 for five or more fixed cable charging points in Ballymoney in the year 2012/13.

241.3 DERELICTION INTERVENTION FUNDING

The Officer advised on a recent briefing seminar to provide information to Councils on the potential for further work to be carried out by councils to tackle the problems of dereliction in towns and cities, which the DoE Minister was examining. The funding, if made available, would have to be spent by 31 March 2013.

Members lent their support to the development of a bid for interventions in the Ballymoney town centre, based on the criteria set down by the department and agreed that the matter be put to Council at its meeting later in the evening to consider.

The meeting concluded at 7.00 pm.