

**Ballymoney Borough Council
Council Meeting No 982 – 1st July 2013**

Table of Contents

982.1	Mayor's Remarks	
982.2	Declarations of Interest	<i>None</i>
982.3	Minutes of Council Meeting No 980 – 3 rd June 2013	<i>Adopted</i>
982.4	Minutes of Council Meeting No 981 (AGM) - 20 th June 2013	<i>Adopted</i>
982.5	Minutes of Development Committee Meeting No 248 – 13 th June 2013	<i>Adopted</i>
982.6	Minutes of Development Committee Meeting No 249 – 19 th June 2013	
	6.1 Events Plan – Halloween Event (249.7)	<i>Established working group to progress</i>
	6.2 A26 Frosses Road (249.9)	<i>Write to Minister</i>
	6.3 Broadband (Rural Areas) (249.10)	<i>Conduct scoping exercise & write to operators</i>
	6.4 Adoption of Minutes	<i>Adopted</i>
982.7	Consultation Committee No 86 – 17 th June 2013	<i>Received</i>
982.8	Minutes of Leisure & Amenities Meeting No 407 – 18 th June 2013	
	8.1 Good Relations Grant – Dervock & District CA	<i>Approved</i>
	8.2 Community Infrastructural Projects Meeting (407.16)	<i>Agreed</i>
	8.3 Festive lighting scheme (407.16/ 406.3)	<i>Option 2 selected</i>
	8.4 Rasharkin Cemetery Fence (407.18)	
	8.5 Grass Cutting (407.19)	<i>Write DRD</i>
	8.6 Adoption of Minutes	<i>Adopted</i>
982.9	Minutes of Health and Environmental Services Committee Meeting No 393 – 25 th June 2013	<i>Adopted</i>
982.10	Minutes of Corporate and Central Services Committee Meeting No 416 – 18 th June 2013	<i>Adopted</i>
982.11	Minutes of Corporate and Central Services Committee Meeting No 417 – 24 th June 2013	<i>Adopted</i>

982.12	Minutes of Resource Task Group Meeting No 50 -1 st July 2013	<i>Adopted</i>
982.13	Minutes of Audit Meeting No 27 – 17 th June 2013	<i>Adopted</i>
982.14	Seal Documents	<i>Affix Seal of Council</i>
982.15	Local Government Reform	<i>For information</i>
982.16	Felling Licences	<i>For information</i>
982.17	Notice of Motion - Louth County Council	<i>Noted</i>
982.18	Reports/NILGA Reports/Licence Applications & Renewals	<i>For information</i>

BALLYMONEY BOROUGH COUNCIL

Minutes of Council Meeting No 982 held in the Council Chamber, Riada House, Ballymoney on Monday 1st July 2013 at 7.00 pm.

IN THE CHAIR: Councillor J Finlay, Mayor

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

Councillors
J Atkinson
W Blair
A Cavlan
R Halliday
R McAfee
T McKeown
P McGuigan
C McLaughlin
E Robinson, MBE
I Stevenson, Deputy Mayor
M Storey, MLA

APOLOGIES: **Alderman**
H Connolly

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

Press x 2

982.1 MAYOR'S REMARKS

The Mayor said on this day, 1st July, the Somme Anniversary, we remember those, from the 36th Ulster and 16th Irish Division, who fought so bravely and gave so much in the Battle of the Somme, remembering that the freedom enjoyed today is because of their dedication to duty and sacrifice. Councillor Robinson concurred with the Mayor's remarks.

982.2 DECLARATIONS OF INTEREST

There were no declarations of interest.

982.3 MINUTES OF COUNCIL MEETING NO 980 – 3RD JUNE 2013

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

that the minutes of Meeting No 980 – 3rd June 2013, as circulated, be confirmed as a correct record.

982.4 MINUTES OF COUNCIL MEETING NO 981 (AGM) – 20TH JUNE 2013

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

that the minutes of Meeting No 981 (AGM) – 20th June 2013, as circulated, be confirmed as a correct record.

982.5 MINUTES OF DEVELOPMENT COMMITTEE MEETING NO 248 – 13TH JUNE 2013

Alderman Kennedy presented the report and referring to the publication of the Town Masterplan, he urged everyone to view the draft plan and have their say on the proposals.

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

that the minutes of Development Committee Meeting No 248 – 13th June 2013 be adopted and the recommendations therein approved.

* **The Director of Central & Leisure Services joined the meeting at 7.03 pm.**

982.6 MINUTES OF DEVELOPMENT COMMITTEE MEETING NO 249 – 19TH JUNE 2013

Alderman Kennedy presented the report.

Matters Arising:

6.1 Events Plan – Halloween Event (249.7)

The Chair referred to the Halloween activity ideas discussed at the May meeting and deferred to get further information on costs for fireworks. He suggested that given the estimated cost for fireworks, the difficulties being experienced with regard to a suitable venue in or around town centre and additional resource costs necessary for stewarding etc., these should not be progressed, but that Council give consideration to a programme of fun events for children in the town centre, as discussed at committee, including in the programme any events organised by other groups or businesses in the town. The town centre location for the fun day activity would also have the benefit of economic spin off for local businesses. Councillor McAfee supported this which was in line with the original proposal and suggested events be focused on pre and primary school children.

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

that a Halloween fun day event for children be held in the Town Centre and that a working group be established to progress the event.

The following members were appointed to the working group:

<i>Alderman Campbell</i>	<i>Councillor Finlay</i>
<i>Alderman Cousley</i>	<i>Councillor McAfee</i>
<i>Alderman Kennedy</i>	<i>Councillor Stevenson</i>

6.2 A26 Frosses Road (249.9)

Alderman Kennedy referred to the announcement that money was to be allocated to a by-pass scheme at Magherafelt from the reallocated A5 monies and voiced disappointment that the A26 did not secure an allocation of funding. He expressed the view that Council should put more pressure on the Department of Finance and Regional Development for funding for and implementation of the dualling of the A26, which is one of most dangerous roads as well as the busiest in the Province, particularly over the tourism season. He asked that Council write to the DRD Minister requesting that serious consideration is given to providing funding to allow the A26 upgrading to proceed without further delay.

Councillor Storey concurred with Alderman Kennedy stating that DRD Minister should prioritise this project. He said that it was difficult to understand why the Magherafelt scheme could be further down the road and be selected in preference to the A26, a key transport route to the northern part of the province, and in respect of which Council had been lobbying the Department, Ministers, Secretary of State for upgrading as far back as the early 1990's. Given that it had gone through the statutory process and it was being prepared for procurement how it was now accepted as "shovel ready". He asked that Council seek information on the

criteria used in the selection of schemes to receive the reallocated A5 monies and how the A26 had failed in this regard.

Councillor Stevenson and Councillor Finlay concurred with the comments.

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

that Council write to the DRD Minister to request an explanation for the delay in commencing work on the A26 and that this matter be prioritized as a matter of urgency.

6.3 Broadband (Rural Areas) (249.10)

Councillor McGuigan expressed the view that Council should undertake a scoping study or mapping exercise of the areas that have poor broadband reception and mobile phone coverage.

Members discussed the issue with Councillor Storey expressing the view that Council should write to the Operators asking what they are doing to ensure appropriate mobile coverage is available. He pointed to the Ofcom website which gives expected outcome of coverage in postcode areas.

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

that Council undertake a mapping exercise of the areas that have poor broadband reception and mobile phone coverage and that Council write to the operators, requesting advice as to what they are doing to ensure appropriate coverage.

6.4 Adoption of Minutes

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

that the minutes of Development Committee Meeting No 249 – 19th June 2013 be adopted and the recommendations therein approved, including the amendments at 6.1 and 6.2 and 6.3.

982.7 CONSULTATION COMMITTEE MEETING NO 86 – 17TH JUNE 2013

Alderman Cousley presented the report:

The minutes of Consultation Committee Meeting No 86 – 17th June 2013, as circulated were received.

982.8 MINUTES OF LEISURE & AMENITIES COMMITTEE MEETING NO 407 – 18TH JUNE 2013

The report was presented by Alderman Campbell including addendum as set out at item 8.1.

8.1 Good Relations Grants

An application has been received from

- (i) Dervock & District Community Association for assistance towards a City of Culture Cohesion Event

The application satisfies the criteria for funding under the Good Relations Small Grants Scheme and it is **RECOMMENDED** that the Association be granted £350.00

Matters Arising**8.2 Community Infrastructure Projects (407.16)**

The Chair **RECOMMENDED** that he with Chair of Development and Mayor meet to deal with issues relating to taking forward village renewal and community infrastructural projects involving both committees and the representations to the Minister regarding the naming of the bridge.

8.3 Festive lighting scheme (407.16/406.3)

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

that option 2 be Council's agreed choice for festive lighting.

8.4 Rasharkin Cemetery Fence (407.18)

At the request of Councillor McLaughlin for an update on this issue, The Director of Borough Services will update Councillor McLaughlin directly.

8.5 Grass Cutting (407.19)

Councillor Finlay requested clarification on responsibility for grass cutting at the Beechcroft Development and other private developments where developers might have gone into liquidation. It was agreed that names of sites would be given to the Officer and the matter pursued with DRD to try and get a solution to the problem.

8.6 Adoption of Minutes

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

that the minutes of Leisure & Amenities Committee Meeting No 407 – 18th June 2013 be adopted and the recommendations therein approved including recommendation as set out at 8.1, 8.2 and 8.3.

982.9 MINUTES OF HEALTH & ENVIRONMENTAL SERVICES COMMITTEE MEETING NO 393 – 25TH JUNE 2013

Councillor Atkinson presented the report.

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

that the minutes of Health & Environmental Services Committee Meeting No 393 – 25th June 2013 be adopted and the recommendations therein approved.

*** Councillor Storey left the meeting at 7.40 pm.**

In response to a question by Councillor Robinson the Director of Borough Services advised that the issue of enforcement action by NIEA (item 5) was to be addressed on a group basis. Councillor Robinson drew attention to environmental success of borough schools (item 10)

982.10 MINUTES OF CORPORATE AND CENTRAL SERVICES COMMITTEE MEETING NO 416 – 18^H JUNE 2013

Councillor Robinson presented the report.

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

that the minutes of Corporate & Central Services Committee Meeting No 416 – 18th June 2013 be adopted and the recommendations therein approved.

982.11 MINUTES OF CORPORATE AND CENTRAL SERVICES COMMITTEE MEETING NO 417 – 24TH JUNE 2013

Councillor Robinson presented the report.

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

that the minutes of Corporate & Central Services Committee Meeting No 417 – 24th June 2013 be adopted and the recommendations therein approved.

982.12 MINUTES OF RESOURCES TASK GROUP MEETING NO 50 – 1ST JULY 2013

Councillor Robinson presented the report.

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

that the minutes of Resources Task Group Meeting No 50 – 1st July 2013, as circulated, be adopted and the recommendations therein approved.

982.13 MINUTES OF AUDIT COMMITTEE NO 27 – 17TH JUNE 2013

Councillor Stevenson presented the report.

Councillor McKeown drew members' attention to internal audit recommendations (IT and Assets Register) not implemented and the risks recommended to be accepted. He said the implications of accepting the risks should be made clear to members and considered that more time should be made available to discuss these reports and such reports should, he suggested, be circulated earlier for Audit meetings.

The Chief Executive advised that a further meeting would be held at the end of August and that Committee had agreed to monitor the situation based on regular reports from the Director of Central & Leisure Services

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

that the minutes of Audit Committee Meeting No 27 – 28th June 2013 be adopted and the recommendations therein approved.

- * **The Director of Central & Leisure Services and the Head of Environmental Services left the meeting at 7.50 pm.**

982.14 SEAL DOCUMENTS

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

that the Seal of the Council be affixed to Grave Registration Certificate number 1328, 1329, 1330, 1331.

982.15 LOCAL GOVERNMENT REFORM

The Chief Executive advised that the Local Government Bill, which was intended to have been laid before the assembly today, 1st July, did not get put before the A. The Bill, to establish councils, will not now be laid before the Assembly until September and there was concern expressed that time is getting tight.

STC regulations were laid before the Assembly and agreed on a vote of 70 to 13. These will be effective from 2nd July. The Department is still working on the guidance that will help councils decide how to implement ie appointing five members to STC. The Chief Executive understands that some method of proportionality would be used, based on party strengths and first preference votes of the parties as elected in 2011, and not as currently composed. He referred to first preference votes that parties received at that stage. He will confirm this to Council when further guidance is available.

982.16 FELLING LICENCES

Forest Service has advised that the licensing of felling came into operation on 17 June. Under the new regulations most tree felling will need to be licensed by the Department. A key part of the licensing process is the consideration of proposals in a felling management plan that show how the felled area will be re-established.

Licences are not required if the woodland is less than 0.2ha, or the trees are in gardens, in city parks or churchyards; or are fruit trees, or the volume of timber to be felled is less than 5 cubic metres (roughly one very large oak tree) in any calendar quarter. In all other cases, a licence will be required for any felling taking place after 17 June.

Transitional arrangements have been provided for over the three month period 17 June 2013 to 16 September 2013 (or in exceptional circumstances up to 16 October). Where sales of timber have been agreed and, in other respects the requirements of the legislation will be met, the Department will provide a licence retrospectively. A landowner must still apply for a felling licence and will be expected to include details of his felling and re-establishment proposals in his

application and he must adhere to the Department's recommendations as to replanting/regeneration of the felled area.

Forest Service will monitor the application and licensing processes until the end of the year to see how they are working and contact Council again at that time to invite comments and discuss progress.

The application form and associated guidance may be accessed on the Department's website at www.dardni.gov.uk/forests-service/felling-licences or by contacting Felling Licence Branch, Forest Service, Inishkeen House, Killyhevlin Industrial Estate, Enniskillen, Co. Fermanagh BT47 4EJ (Telephone 028 66343034 or email Felling.Licence@dardni.gov.uk).

982.17 NOTICE OF MOTION: LOUTH COUNTY COUNCIL

At the monthly meeting of Louth County Council held on 15th April 2013 the following motion was considered and supported

This Council calls on the Minister for Environment, Community & Local Government Phil Hogan to empower and resource Local Authorities to effectively assess persons, on a case to case basis, who have left what was the family home owing to relationship breakdown, to clearly set out policy to deal with such applicants, and to set out mechanisms within this policy to allow for compassionate and psychological factors of persons to be part of the assessment processes.

The motion was noted.

982.18 REPORTS/NILGA REPORTS/ ROADS SERVICES LICENCES

A schedule of reports and licence applications were circulated for members' information.

This being all the business the meeting closed at 7.55 pm.