

**Ballymoney Borough Council  
Council Meeting No 977 – 4<sup>th</sup> March 2013**

**Table of Contents**

<b>977.1</b>	Declarations of Interest	<i>Alderman F Campbell</i>
<b>977.2</b>	Condolences	<i>Mrs F Holland Miss Lauren Minford</i>
<b>977.3</b>	Best wishes	<i>Alderman Cousley</i>
<b>977.4</b>	Minutes of Council Meeting No. 974 – 4 <sup>th</sup> February 2013	<i>Adopted</i>
<b>977.5</b>	Minutes of Council Meeting No. 975 – 5 <sup>th</sup> February 2013	<i>Adopted</i>
<b>977.6</b>	Minutes of Council Meeting No. 976 – 11 <sup>th</sup> February 2013	<i>Adopted</i>
<b>977.7</b>	Consultation Committee No 82 – 18 <sup>th</sup> February 2013	<i>Received</i>
<b>977.8</b>	Minutes of Development Committee Meeting No 244 – 20 <sup>th</sup> February 2013 8.1 Resurfacing of Townhead Street Car Park 8.2 Environmental Improvement Scheme: Charles Street/Linenhall Street 8.3 Causeway Coast & Glens Tourism Area Partnership 8.4 Adoption of Minutes	<i>For information    Adopted</i>
<b>977.9</b>	Minutes of Leisure & Amenities Meeting No 403 – 19 <sup>th</sup> February 2013 9.1 Community Centres' Lease Agreement (403.11) 9.2 Dervock Community Facilities Project  9.3 Bus Shelter & Play Area at Finvoy (403.18) 9.4 Adoption of Minutes	<i>Deferred to next meeting Accept tender from Maghera Developments Deferred to next meeting Adopted</i>
<b>977.10</b>	Minutes of Health and Environmental Services Meeting No 388 – 26 <sup>th</sup> February 2013	<i>Adopted</i>
<b>977.11</b>	Minutes of Corporate and Central Services Committee Meeting No 412 – 25 <sup>th</sup> February 2013 11.1 NILGA Annual Business Plan & Subscription Request (412.4) 11.2 Adoption of Minutes	<i>Adopted</i>

<b>977.12</b>	Seal Documents – Grave Certificates	<i>Affix Seal of Council</i>
<b>977.13</b>	Mayor's Business	<i>For information</i>
<b>977.14</b>	Department of the Environment – Local Government Reform	<i>For information</i>
<b>977.15</b>	NIPSA – Abolition of the Northern Ireland Housing Executive (NIHE)	<i>Invite to Council</i>
<b>977.16</b>	Northern Ireland Housing Executive – District Housing Plan	<i>Accept electronic copy</i>
<b>977.17</b>	Northern Ireland Assembly – Planning Bill	<i>For information</i>
<b>977.18</b>	Roads Service Private Streets – Edenmore, Bendooragh Stage 3 Developer JG Bradley Limited	<i>For information</i>
<b>977.19</b>	Ballymoney Post Office – Proposed Move to New Premises	<i>No further comments</i>
<b>977.20</b>	Roads Service Licence Renewals	<i>For information</i>
<b>977.21</b>	Reports	<i>For information</i>

**BALLYMONEY BOROUGH COUNCIL**

Minutes of Council Meeting No 977 held in the Council Chamber, Riada House, Ballymoney on Monday 4<sup>th</sup> March 2013 at 7.00 pm.

**IN THE CHAIR:** Councillor E Robinson, Mayor

**PRESENT:**

**Aldermen**  
F Campbell  
H Connolly

**Councillors**  
J Atkinson  
W Blair  
A Cavlan  
J Finlay  
R Halliday  
T McKeown  
C McLaughlin  
I Stevenson

**APOLOGIES:**

**Aldermen:**  
C Cousley, MBE, Deputy Mayor  
B Kennedy

**Councillors**  
R McAfee

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

Press x 2

**977.1 DECLARATIONS OF INTEREST**

Alderman Campbell declared an interest in Leisure & Amenities Committee minutes item 403.15 advising members that his son had made the request for surplus play equipment.

**977.2 CONDOLENCES**

The Mayor recorded the death of Mrs Faye Holland, first Mayoress of the Council and wife of Mr Fred Holland, first Mayor of the Borough. She expressed Council's condolences to Mrs Holland's family circle.

The Mayor also extended condolences to Mr Jackson Minford on the loss of his daughter Lauren in a recent road accident. Other Councillors extended deepest sympathy to the family and agreed a letter of condolence will be sent to Mr Minford.

\* **Councillor McKeown joined the meeting at 7.10 pm.**

**977.3 BEST WISHES**

The Mayor conveyed best wishes to Alderman Cousley for a speedy recovery following his recent hospitalisation. A card expressing Council's best wishes will be sent to Alderman Cousley.

**977.4 MINUTES OF COUNCIL MEETING NO 974 – 4<sup>th</sup> FEBRUARY 2013**

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

*that the minutes of Meeting No 974 – 4<sup>th</sup> February 2013, as circulated, be confirmed as a correct record.*

**977.5 MINUTES OF COUNCIL MEETING NO 975 – 5<sup>h</sup> FEBRUARY 2013**

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

*that the minutes of Meeting No 975 – 5<sup>th</sup> February 2013, as circulated, be confirmed as a correct record.*

**977.6 MINUTES OF COUNCIL MEETING NO 976 – 11<sup>th</sup> FEBRUARY 2013**

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

*that the minutes of Meeting No 976 – 11<sup>th</sup> February 2013, as circulated, be confirmed as a correct record.*

**977.7 CONSULTATION COMMITTEE MEETING NO 82 – 18<sup>TH</sup> FEBRUARY 2013**

Councillor Finlay presented the report.

*that the minutes of Consultation Committee Meeting No 82 – 18<sup>th</sup> February 2013, as circulated, were received.*

**977.8 MINUTES OF DEVELOPMENT COMMITTEE MEETING NO 244 – 20<sup>TH</sup> FEBRUARY 2013**

The Head of Corporate & Development Services presented the report including addendum at 8.1 – 8.3

**8.1 Resurfacing of Townhead Street Car Park (244.22)**

DRD Roads Service has advised of revised dates, as follows, when the car park will be closed for resurfacing works.

Thursday 28<sup>th</sup> February – 6 pm – 6 am

Friday 1<sup>st</sup> March – 6 pm – 6 am

Sunday 3<sup>rd</sup> March – 7 am – 5 pm

Sun 10<sup>th</sup> March - 7am to 5pm

**8.2 Environmental Improvement Scheme: Charles Street / Linenhall Street**

The structural survey of the properties which are the subject of the scheme has been completed on behalf of the property owner. Notification has been received that nos. 6-8 Charles Street are to be demolished on Sunday, 3<sup>rd</sup> March and frontage bricked up. The wooden gate at the adjoining property was removed last Saturday and frontage bricked up.

**8.3 Causeway Coast & Glens Tourism Area Partnership**

The six local authorities in the Causeway Coast & Glens Tourism Area Partnership (Ballymoney, Ballymena, Coleraine, Larne, Limavady and Moyle) have developed a Service Level Agreement (SLA) between the individual Councils and the Partnership Board covering the three year period ending 2014/15. This provides for the delivery and monitoring of the agreed action plan, with actions under seven themes:

1. Visitor Management and Dispersal
2. Develop the Landscape, Cultural and Heritage
3. Build the region's image and identity
4. Create and build an exceptional visitor experience
5. Improve tourism access to and use of technology
6. Improve transport infrastructure and links

7. Develop strong partnerships and networks

The SLA is in line with the review report approved by Council and has been signed on behalf of Council.

**8.4 Adoption of Minutes**

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

***that the minutes of Development Committee Meeting No 244 – 20<sup>th</sup> February 2013 be adopted and the recommendations therein approved including addenda as set out at 5.1 - 5.3***

**977.9 MINUTES OF LEISURE & AMENITIES COMMITTEE MEETING NO 403 – 19<sup>TH</sup> FEBRUARY 2013**

Alderman Campbell presented the report. The Deputy Director of Borough Services presented an addendum as set out at 9.2.

**9.1 Community Centre's Lease Agreement (403.11)**

In the absence of the Director of Borough Services when this matter was considered at Leisure section, Alderman Campbell requested that this matter be deferred to the next meeting of Committee to allow the Director to comment on the waste collection matter, which falls within his remit.

This was **AGREED.**

**9.2 Dervock Community Facilities Project**

The tenders submitted by the Council's select list contractors for this project (see LAC 396), were opened on 8<sup>th</sup> February 2013 by the Committee Chair, Alderman Campbell and the Head of Amenities and then passed to the Council's consultants for evaluation and report. The tender report received from Council's consultants was circulated.

***IT IS RECOMMENDED*** that Council accepts the tender by Maghera Developments Ltd in the sum of £1,000,000.

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

***that Council 'move into Committee' to discuss the report.***

\* **Members of the press left the meeting at 7.25 pm.**

In Committee, the Deputy Director of Borough Services and the Chief Executive clarified the criteria used in the tender process and the advice by Council's consultant that the tender recommended was the lowest compliant tender received.

Councillor Finlay, Councillor Atkinson and the Mayor recorded their concern at Council not accepting the lowest priced tender.

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

***that Council accept the tender by Maghera Developments Ltd, the lowest compliant tender received, in the sum of £1,000,000 as recommended by the Consultant.***

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

***that Council 'move out of Committee' to continue the business of the meeting.***

\* **Members of the press returned to the meeting at 7.40 pm.**

### **9.3 Bus Shelter & Play Area at Finvoy (403.18)**

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

***that this matter be placed on the agenda for discussion at the next meeting of Committee.***

### **9.4 Adoption of Minutes**

It was proposed by, seconded by and **AGREED:**

***that the minutes of Leisure & Amenities Committee Meeting No 403 – 19<sup>th</sup> February 2013 be adopted and the recommendations therein approved including the recommendation as set out at item 9.2.***

## **977.10 MINUTES OF HEALTH & ENVIRONMENTAL SERVICES COMMITTEE MEETING NO 389 – 22TH FEBRUARY 2013**

Alderman Connolly presented the report.

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

*that the minutes of Health & Environmental Services Committee Meeting No 389 – 22<sup>nd</sup> February 2013 be adopted and the recommendations therein approved.*

#### **977.11 MINUTES OF CORPORATE AND CENTRAL SERVICES COMMITTEE MEETING NO 411 – 28<sup>TH</sup> FEBRUARY 2013**

Councillor Stevenson presented the report.

##### **11.1 NILGA Annual Business Plan & Request for Subscription 2013/14 (412.4)**

The Mayor updated members on the work of NILGA over the last few months in relation to severance, rates convergence, case for funding Local Government Reform etc. She stated that she would circulate her statement to members for their information.

##### **11.2 Adoption of Minutes**

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

*that the minutes of Corporate & Central Services Committee Meeting No 411 – 28<sup>th</sup> February 2013 be adopted and the recommendations therein.*

- \* **The Director of Central & Leisure Services and the Deputy Director of Borough Services left the meeting at 7.50 pm.**

#### **977.12 SEAL DOCUMENTS**

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

*that the Seal of the Council be affixed to Grave Registration certificates 1310, 1311, 1312, 1313.*

#### **977.13 MAYOR'S BUSINESS**

The Mayor commented on recent events attended; opening of facility in Dervock for disabled anglers including a new path to the river and platform for ease of



access to wheelchair users and DCAL's disappointment at poor attendance; Ulster Special Constabulary Association Annual Banquet when the previous Chairman of the Association had been honoured; the first meeting of the Elected Members' Liaison meeting on 4<sup>th</sup> March 2013.

Arising from comments about support for opening event at Dervock angling facility, it was proposed by Councillor Finlay, seconded by Councillor Cavlan and **AGREED:**

*that Council write to DCAL to clarify that members would have been pleased to support the event had invitations to attend been received.*

\* **Councillor Finlay left the meeting at 7.55 pm.**

#### **977.14 LOCAL GOVERNMENT REFORM - DEPARTMENT OF THE ENVIRONMENT**

The Local Government Minister has written to advise that the Executive is expected to announce shortly a funding package of £47.8 million to support the implementation of the local government reform programme. He advises that this is the result of extensive negotiations and he argued for a greater sum but welcomed this progress and endorsed the decision.

While the council mergers from 26 Councils to 11 in April 2015 will generate savings, Council have contended that there will be costs incurred in the short term which will not yield longer term savings. The Minister listened carefully to these views and agreed that is important to ensure that any such costs are not passed on to ratepayers. Therefore, over the past number of months he argued the case during intense discussions with his Executive colleagues that, as reform of local government is an Executive commitment, it is reasonable to expect that certain significant costs, especially those that do not produce obvious savings, should be funded by the Executive.

The Executive has now agreed to fund the following transition elements of the programme:

#### **Transitional Support Package**

£13.8 million over the next two financial years to fund the new councils working in shadow form, a councillor severance scheme, capacity building (i.e. preparing local and central government staff and councillors for their new roles), change management, staff induction and the winding up of the current 26 councils.

As regards the Councillor Severance Package, this will shortly go out to consultation on a draft scheme and Council is invited to participate in that process.

The Executive has also committed up to £4 million to cover the cost of council borrowing in relation to ICT costs and systems convergence for the next two financial years.

There is also a further commitment of an estimated £30 million for rates convergence following the creation of the 11 new councils in April 2015. Essentially this will protect those whose rates bills may have experienced a significant increase as a result of merging with councils where rates are currently at a higher level.

There has always been the fear that these costs may have been passed onto the ratepayer in the form of an unacceptable increase in rates. That has now been avoided.

While the Minister did not secure as much as he had sought, he welcomes the time taken by his Executive colleagues to consider this matter, analyse it in detail, back central government funding and produce a package which will make a real difference to local councils and protect the interests of ratepayers. In addition the final agreement, signed off by the Executive, indicates that further resources may be available in future monitoring rounds.

Looking forward the Minister believes it is now important for Councils, and individual councillors to join with him in getting fresh momentum behind this ambitious RPA programme of work. The transition phase is critical to the success of effective local government. He has circulated a detailed workplan which sets out the many tasks to be completed between now and April 2015. Time is adequate, but nonetheless short – 750 days remain until the 11 Councils go live with greatly enhanced functions.

The Minister concludes by inviting councillors, officials and Transition Committees, as well as members of all other RPA delivery groups to now push ahead with the implementation workstreams, with the help of the significant funding package that has just been delivered.

#### **977.15 NIPSA - ABOLITION OF THE NORTHERN IRELAND HOUSING EXECUTIVE (NIHE)**

NIPSA has requested the opportunity to address Council on the proposals to abolish the NIHE and replace it with a Regional Housing Body and a separate landlord function(s) outside of the public sector, which will impact on the many families within Council's area. To date tenants have not been consulted on the proposals and as locally elected representatives NIPSA feels it is important that Council has all the facts and alternative models to represent the interests of its constituents.

NIHE as an integrated housing body has served NIHE tenants and prospective tenants well over the past 40+ years ensuring that social housing was allocated on

the basis of objective need. The NIHE is much more than a provider of social housing and has been involved in many initiatives over the past 40 years that have developed communities rather than just a collection of houses.

The main driver for the proposals, announced by the Minister, stems from the lack of investment in the provision of public housing over the past 2 decades. NIPSA believes the provision of social housing should be provided by the state and the handing over of 90,000 tenants and properties to one or a number of housing associations to allow for private money to be used to build and maintain the 90,000 properties is not acceptable.

NIPSA do not believe these proposals are in the best interests of tenants, particularly at a time of uncertainty through Welfare Reform changes which are due to come into effect over the next number of months. Many families could find themselves paying higher rents which may not be covered by Housing Benefit with the fear of evictions, arrears etc.

The Minister has also proposed that the Housing Council be abolished. The Minister has indicated that he will engage with local government on this proposal as this is something that Councils will have a view on. However, it does seem strange that the Minister has announced the abolition of the Housing Council before engaging with the sector.

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

***that Council extend an invitation to representatives from NIPSA to address Council on the proposals to abolish the NIHE.***

\* **Members of the press left the meeting at 7.55 pm.**

#### **977.16 NORTHERN IRELAND HOUSING EXECUTIVE – DISTRICT HOUSING PLAN**

Each year the Housing Executive publishes a District Housing Plan for each Council area in Northern Ireland. Its purpose is to set the strategic framework for the planned housing programmes, and to inform and consult Councillors on these and any other issues of concern.

This year it is anticipated that the District Housing Plans will be published in early June, and as in previous years the NIHE would like to present the Plan before the end of the summer. In the current economic climate NIHE is seeking to reduce its overheads in terms of printing costs and to reduce its impact on the environment by cutting down on the number of District Housing Plans printed. To do this it is asking customers to reconsider their hard copy requirements. As an alternative to hard copies a CD version of the District Housing Plan for each Council area is produced.

NIHE is asking Councils to consider reducing their requirements for hard copy Plans and explore the use of an electronic version and advise NIHE as soon as possible. Electronic versions can be forwarded in advance of the meeting to present the Plan to Council.

The Chief Executive advised that a hard copy of the plan could be made available to those members wishing to receive one.

Members present, apart from Councillor Atkinson, indicated they were content to receive electronic versions of the plan. Councillor Stevenson expressed his disappointment that members had not been advised of the transfer of the local Housing Manager to Ballymena office.

### **977.17 NORTHERN IRELAND ASSEMBLY - PLANNING BILL**

The Northern Ireland Assembly Committee for the Environment is currently scrutinising the Planning Bill. The primary objective of the Bill is to accelerate the implementation of reforms contained within the Planning Act (Northern Ireland) 2011. The Bill also brings forward amendments to the Planning (Northern Ireland) Order 1991.

The aims of the Bill and its 28 clauses include: faster processing of planning applications; simpler and tougher enforcement of planning offences; enhancing the environmental aspects of planning; fairer and faster consideration of planning appeals and enhanced community involvement in the planning process.

The Bill introduces two new reforms: promoting economic development and promoting good design.

These provisions were not included as part of the consultation on the Planning Act 2011, so this is the first time the public will be able to submit views on these particular clauses. As such, the Committee will pay special attention to these clauses and is keen for people to get involved.

The Committee is inviting anyone with an interest in planning issues to make a written submission to the Committee, structured to address the clauses in the Bill. The deadline for written submissions is Friday, 15 March 2013.

Following analysis of the responses, the Committee will invite those stakeholders and organisations that have made a submission to a stakeholder event at Parliament Buildings on 18 April 2013. The event will include a panel discussion and will give people the chance to meet Committee members and Departmental officials to discuss the provisions in the Bill. It is an opportunity for people to contribute to the legislative process and have their voice heard. Full details on how you can submit your views on the Bill are at <http://nia1.me/1a9>.

The Chief Executive drew attention to memorandum dated 1<sup>st</sup> March 2013 to members, circulated, providing a synopsis of the Planning Bill currently going

through the Assembly forwarded by the Divisional Planning Manager. While this is being shared with members it is emphasised that the final act may potentially differ in content after the Bill has passed through the committee stage. It is hoped that it will have Royal assent either June or at the latest in the either June or at the latest in the autumn.

Also circulated was a copy of the explanatory notes for the 2011 Act. This is the final version as it relates to the Act and is more detailed but it may serve as a starting point for discussion and consideration by the elected members and officers.

Members may feel that this matter could beneficially be explored and discussed in some forum or other as part of the capacity building/training programme currently being considered and about which, views have been sought in a recent letter on behalf of the Department.

#### **977.18 ROADS SERVICE PRIVATE STREETS**

##### **EDENMORE, BENDOORAGH STAGE 3 DEVELOPER J G Bradley Limited**

Roads Service has given notice that streets at the above development have now been adopted.

#### **977.19 BALLYMONEY POST OFFICE - PROPOSED MOVE TO NEW PREMISES**

Members were advised in memorandum from the Head of Corporate & Development Services that while the public consultation on the proposed move ended on 14<sup>th</sup> February and Council had lent its support to the move, the Post Office had incorrectly stated in their consultation document that the proposed new premises were served by a frequent bus service. Unfortunately, a bus service does not operate to the proposed new location. Post Office has offered their apologies for this error and has invited further comments on this matter which should be submitted by 5<sup>th</sup> March.

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

***that Council write to the Post Office expressing the view that a crossing to Café Lane would be beneficial to residents using the proposed new location.***

#### **977.20 ROADS SERVICE LICENCE RENEWALS**

A schedule of licence applications/renewals was circulated for members' information.

**977.21 REPORTS/NILGA REPORTS**

A schedule of reports was circulated for members' information.

**This being all the business the meeting closed at 8.10 pm.**