

**Ballymoney Borough Council  
Council Meeting No 983 – 5<sup>th</sup> August 2013**

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## BALLYMONEY BOROUGH COUNCIL

Minutes of Council Meeting No 983 held in the Council Chamber, Riada House, Ballymoney on Monday 5<sup>th</sup> August 2013 at 7.00 pm.

**IN THE CHAIR:** Councillor J Finlay, Mayor (Items 1 – 9)  
Councillor I Stevenson, Deputy Mayor (Items 10 – 22)

**PRESENT:**

**Aldermen**  
C Cousley, MBE  
B Kennedy

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

**APOLOGIES:**

**Alderman**  
F Campbell

**Councillor**  
A Cavlan

**IN ATTENDANCE:** Chief Executive  
Director of Borough Services  
Head of Corporate & Development Services  
Head of Leisure Services  
Corporate Services Officer

Press x 2

### 983.1 MAYOR'S REMARKS

The Mayor, on behalf of the citizens of the Borough of Ballymoney extended congratulations to Their Royal Highness the Duke and Duchess of Cambridge on the birth of their son, HRH Prince George and offered best wishes for the future.

He extended congratulations to Ballymoney United's Youth Academy U-11's who won the prestigious Foyle Cup, beating Derry Colts 1-0. He also congratulated the Clerk of the Course, Alderman Kennedy, and all involved in the hugely

successful Armoy Road Races. He thanked Alderman Kennedy for his work in putting together the “biking legends gathering” in Ballymoney ahead of the Armoy Races. This event was highlighted by an early morning live radio interview on the day and attracted many visitors to the town to see motorcycles and film footage from the Armoy Armada era and chat to the legends.

The Mayor also spoke of the successful Milk Cup tournament, with matches staged at Riada Stadium, and recorded appreciation to the local support team for all the work done to prepare for the matches.

In closing, the Mayor extended good wishes to Alderman Campbell for a swift recovery from his recent illness.

### **983.2 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **983.3 MINUTES OF COUNCIL MEETING NO 982 – 1<sup>ST</sup> JULY 2013**

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

*that the minutes of Council Meeting No 982 1<sup>st</sup> July 2013, as circulated, be confirmed as a correct record.*

### **983.4 MINUTES OF DEVELOPMENT COMMITTEE NO 250 – 1<sup>ST</sup> JULY 2013**

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

*that the minutes of Development Committee meeting No 250 held on 1<sup>st</sup> July 2013, be adopted and the recommendations therein approved.*

### **983.5 MINUTES OF CONSULTATION COMMITTEE NO 87 – 1<sup>ST</sup> JULY 2013**

*The minutes of Consultation Committee Meeting No 87 – 1<sup>st</sup> July 2013, as circulated, were received.*

### **983.6 MINUTES OF LEISURE & AMENITIES COMMITTEE NO 408 – 1<sup>ST</sup> JULY 2013**

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

*that the minutes of Leisure & Amenities Committee Meeting No 408 – 1<sup>st</sup> July 2013 be adopted and the recommendations therein approved.*

### 983.7 SEAL DOCUMENTS

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

*that the Seal of the Council be affixed to:*

1. *Lease from Ballymoney Borough Council to NIE, Riverside Park Dervock*
2. *Grave registration certificate numbers 1332; 1333; 1334; 1335*

### 983.8 STATUTORY TRANSITION COMMITTEE

The Chief Executive presented his report, previously circulated to members.

#### 8.1 Establishment of STC and Nominations

The Local Government (Statutory Transition Committee) Regulations (Northern Ireland) 2013 (“the Regulations”) were made on 2<sup>nd</sup> July 2013 and came into operation on that day. The DoE also issued guidance to the STCs last week as provided for in the Local Government (Miscellaneous Provisions Act (Northern Ireland) 2010:

Guidance to statutory transition committees

18-(1) The Department may issue guidance to statutory transition committees as to the exercise of their functions.

18-(2) It is the duty of a statutory transition committee to have regard to any guidance issued by the Department.

Both documents have been issued electronically to all members and a copy placed in the members’ room.

Among other provisions, the Regulations stipulate that:

- An STC be established for each new council;
- Its first meeting shall be held within 35 days of the Regulations coming into operation;
- The Causeway Coast & Glens district STC shall have not more than 20 members with equal representation from its predecessor councils;
- An existing council may make a payment to a member who is also an STC member. The amount shall be the same for each STC member from that council and shall not exceed £2700 per annum. (The

Department has advised that it will shortly issue a financial guidance circular in respect of the allowances to be paid to STC members);

- The STC shall cease to exist 28 days after the local government elections in 2014.

The Guidance stipulates that:

- Membership of the STCs will consist only of elected members from constituent councils and should proportionately reflect the political composition of the existing councils immediately after the 2011 local government elections;
- One of three recognised methods of achieving proportionality should be used by councils to nominate – d’Hondt, Sainte-Laguë or Single Transferable Vote (STV). If a council wishes to use a different method it will be subject to agreement by DoE. D’Hondt is the default mechanism;
- When nominating to STCs “parties should have regard to female representation and take into account how its (sic) nomination may improve the gender balance on the STC”;
- The STC must elect a chair and vice chair from among its members at its first meeting;
- The role of chair and vice chair may rotate (as in VTC) or the STC may appoint for life of STC.

With regard to the three recommended options for nominating the 5 members to the STC, the d-Hondt and Sainte – Laguë formulae produce the same result: DUP – 3 places; SF – 1 place and UUP – 1 place. If STV is used the guidance specifies how the votes will be counted and the quota determined. If 16 valid votes were cast the quota would be 3.

It is **RECOMMENDED** that Council:

agrees the Causeway Coast & Glens STC shall have 20 members, with 5 nominated from Ballymoney BC; notes the provision for payment of an allowance and awaits further guidance from DoE; notes that the first meeting of the STC is likely to be held in the offices of Moyle DC at 16:45 on 8<sup>th</sup> August 2013; agrees one of the three specified methods to nominate its 5 members to the STC (d’Hondt, Sainte-Laguë or STV); and confirms at the meeting the names of those nominated (if required).

It was proposed by Councillor Storey, seconded by Councillor Robinson:

***that Council agrees the Causeway Coast & Glens STC shall have 20 members, with 5 nominated from Ballymoney BC; notes the provision for payment of an allowance and awaits further guidance from DoE; notes that the first meeting of the STC is***

***likely to be held in the offices of Moyle DC at 16:45 on 8<sup>th</sup> August 2013; that Council nominate members to the STC using d'Hondt, on the basis of the current composition of Council and notifies DoE of the decision made.***

The Chief Executive advised that application of d'Hondt formula produced 4 DUP and 1 SF. In response to a question from Councillor McKeown, the Chief Executive confirmed that the guidance stipulates that membership of the STCs should proportionately reflect the political composition of the existing councils immediately after the 2011 local government elections. However, it was guidance with no statutory power to enforce. If Council wishes to use a method other than recommended it is subject to agreement by DoE and the motion put covers that aspect.

Councillor McGuigan concurred with Councillor McKeown's remarks that the persons nominated should proportionately reflect the political composition of the Council after the 2011 elections.

Councillor McKeown proposed an amendment to the original proposal as follows:

***...;that Council nominate members to the STC using d'Hondt to nominate its 5 members to the STC, reflecting the political composition of the Council immediately after the 2011 local government election.***

This was seconded by Councillor Blair.

The Mayor put the amendment to the meeting. 6 members voted in favour and 7 members voted against. The Mayor declared the amendment lost.

The Mayor put the motion to the meeting. 7 members voted in favour and 4 members voted against. The Mayor declared the motion carried.

The Chief Executive asked that parties give him their nominations for the STC immediately following the meeting.

## **8.2 Councillors Allowances for Statutory Transition Committees (STC)**

The Department of the Environment has determined new maximum rates of allowances payable under the Local Government (Statutory Transition Committee) Regulations (Northern Ireland) 2013.

The Regulations provide for an allowance to be paid to Council Members who will also be a member of a Statutory Transition Committee. The amount of the allowance shall be the same for each Councillor of an existing Council who is a member of a Statutory Transition Committee and shall not exceed £2,700 per annum.

At a meeting of the Voluntary Transition Committee on the 4<sup>th</sup> July 2013 it was agreed to recommend to the 4 existing Council that the maximum level of allowance be paid, i.e. £2,700 per annum per member serving on the Statutory Transition Committee.

In a guidance circular LG 18/2013 dated 22<sup>nd</sup> July 2013 the Department indicates that:-

**Allowances are to be paid on a pro rata basis for the year.**

**Payment of allowances is to commence from the date of the first meeting of the Statutory Transition Committee.**

As the allowances payable are a special responsibility allowance the STC Regulations relaxes the restriction placed on the payment of special responsibility allowance payable under the Local Government (Payment to Councillors) Regulations (Northern Ireland) 2012 (special responsibility allowance) thus permitting

**A council to pay more than one special responsibility allowance to a Councillor.**

**A special responsibility allowance to be paid to more than fifty per cent of the Councillors of the Council.**

It is **RECOMMENDED** that Council agrees to pay the maximum level of allowance per annum, on a pro-rata basis, commencing from the date of the first meeting of the Statutory Transition Committee, i.e. £225 per month from August 2013, assuming the first meeting takes place on 8<sup>th</sup> August 2013.

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

***that Council agrees to pay the maximum level of allowance per annum, on a pro-rata basis, commencing from the date of the first meeting of the Statutory Transition Committee, i.e. £225 per month from August 2013, assuming the first meeting takes place on 8<sup>th</sup> August 2013.***

### 983.9 ONSHORE WIND PLANNING SEMINAR

Councillor McKeown requested Council's approval to attend an onshore wind planning seminar on 12<sup>th</sup> September. Attendance at the seminar is free of charge.

It was **AGREED**:

*that Councillor McKeown attend the onshore wind planning seminar in Strabane on 12<sup>th</sup> September 2013.*

Councillor Finlay left the meeting at 7.25pm

Councillor Stevenson took the Chair.

### 983.10 LEISURE & AMENITIES REPORT

The Director of Borough Services presented the Amenities section of the report.

#### 10.1 DCAL 2013/14 WATER RECREATION GRANT PROGRAMME

DCAL has advised that the Council's application under the above programme to provide a pontoon jetty incorporating canoe access etc. at Drumheglis has been successful, in that the Department will contribute a maximum of £20,000 in grant aid to the project. As the time limit for this DCAL Programme is that grant-aided works are complete and grant claimed by 31<sup>st</sup> March 2013 work is on-going with Waterways Ireland, etc. in respect of the facilities to be provided.

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

*that Council note the grant award.*

#### 10.2 GLEBESIDE OUTDOOR RECREATIONAL FACILITIES PROJECT

Although this Council project passed the initial SIF assessment process, indications presently suggest that the likelihood of securing any funding is not that great. Coupled with this is the continuing lack of clarity as to both the level of any possible funding and the date by which any definitive decisions will be made as to this particular funding round. In such circumstances **IT IS RECOMMENDED** that Council now tender the project, funding the scheme from its own resources.

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

***that Council tender the project, funding the scheme from its own resources.***

Councillor McAfee welcomed the progression of this project. She also referred to complaints about other play parks and suggested resources be found to more regularly assess and maintain to higher standard. Councillor Stevenson also welcomed the progression of this project.

### **10.3 CELEBRATING THE COMPLETION OF CONNECT2: PEDAL ON UK**

Sustrans is celebrating the completion of Connect2 UK wide with a Pedal On UK event. It is pleasing to report that the Northern Ireland leg of the PedalOnUK event will begin in Ballymoney.

It is **RECOMMENDED** that Council note that the PedalOnUK event will begin in Ballymoney at the new bridge at the railway station at 8.00am on Friday, 30<sup>th</sup> August 2013.

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

***that Council note that the PedalOnUK event will begin in Ballymoney at the new bridge at the railway station at 8.00am on Friday, 30<sup>th</sup> August 2013.***

### **10.4 DRUMAHEGLIS MARINA & CARAVAN PARK**

It is **RECOMMENDED** that Council note that its Drumaheglis Marina & Caravan Park has attained the AA 5 Pennant (the highest possible) for the present season.

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

***that Council note that Drumaheglis Marina & Caravan Park has attained the AA 5 Pennant.***

### **10.5 NEW AMENITIES FACILITIES TOUR**

It is **RECOMMENDED** that Council note that the undernoted amenities projects have been completed -

Ballybogey MUGA  
 Drumaheglis Multi-Purpose Building etc.  
 Drumbolcan Park, Rasharkin – Groundwork Scheme  
 Cloughmills Bio Park

It is proposed that within the next month or so that a tour of the new facilities will be arranged for members so that they can fully appreciate what has been provided at the various locations.

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

***that Council note completion of Ballybogey MUGA, Drumaheglis Multi-Purpose Building etc., Drumbolcan Park, Rasharkin Groundwork Scheme and Cloughmills Bio Park.***

The Director advised that members will be contacted to arrange a suitable date for a tour of the completed facilities.

#### **10.6 BALLYMONEY FESTIVE LIGHTING SCHEME 2013**

The Director presented the Festive Lighting Tender Report, which was circulated to members at the meeting.

Following the Council's decision on 1<sup>st</sup> July 2013 regarding a new festive lighting scheme for Ballymoney, tenders were sought by public advertisement for the work, that is, the supply of L.E.D. rope lighting and pole mounted motifs. 5 no. companies requested documentation and by the tender return deadline 2 no. tenders were received. These were opened on 26<sup>th</sup> July by the Vice Chair of the Council's Leisure & Amenities Committee together with the Head of Amenities and passed to the Council's consultants: Cogan & Shackleton for evaluation.

It is **RECOMMENDED** that Council accept the tender from the Festive Lighting Company, Blackmoor, West Buckland, Wellington, Somerset in the sum of £60,790.83 for the supply of L.E.D. rope lighting and pole mounted motifs.

In response to a question from Councillor Robinson, the Director of Borough Services confirmed budgetary provision for the festive lighting scheme.

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

***that Council accept the tender from the Festive Lighting Company, Blackmoor, West Buckland, Wellington, Somerset in the sum of £60,790.83 for the supply of L.E.D. rope lighting and pole mounted motifs.***

## 10.7 AMENITIES PLANT & VEHICLES – TENDER EVALUATION REPORT

### UTILITY VEHICLE

The Director of Borough Services presented the tender evaluation report for amenities vehicles, which was previously circulated to members.

Tenders were invited, by public advertisement, for the supply and delivery of 1 no. Utility Vehicle. The closing date for tenders was 12.00 noon, Thursday 4<sup>th</sup> July 2013. The 1 no. tender received was opened by the Chair of Leisure & Amenities and Head of Amenities, on Thursday 4<sup>th</sup> July 2013 at 12.15pm.

It is **RECOMMENDED** that the Borough Council accept the tender from Essener Equipment in the sum of £33,550 for the supply and delivery of an Avant 640.

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

***that Council accept the tender from Essener Equipment in the sum of £33,550 for the supply and delivery of an Avant 640.***

### 3.5 TONNE EXCAVATOR

Tenders were invited, by public advertisement, for the supply and delivery of 1 no. 3.5t excavator. The closing date for tenders was 12.00 noon, Thursday 4<sup>th</sup> July 2013. The 4 tenders received were opened by the Chair of Leisure & Amenities and Head of Amenities, on Thursday 4<sup>th</sup> July 2013 at 12.15pm.

It is **RECOMMENDED** that the Borough Council accept the tender from TBF Thompson in the sum of £27,896 for the supply and delivery of 1 no. Hitachi 3.5t excavator. The additional expenditure (£696) is offset by the auto idle feature and the shorter delivery period.

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

***that Council accept the tender from TBF Thompson in the sum of £27,896 for the supply and delivery of 1 no. Hitachi 3.5t excavator. The additional expenditure (£696) is offset by the auto idle feature and the shorter delivery period.***

The Head of Leisure Services presented the Leisure Services section of the Leisure & Amenities Report.

## 10.8 REFURBISHMENT OF CHANGING ROOMS AND TOILETS AT JOEY DUNLOP LEISURE CENTRE

Council, at its meeting on 1 July 2013 approved the undernoted 6 companies form the Select List of contractors to be invited to tender for the Refurbishment of Changing Rooms and Toilets project.

Dixons Contractors  
J S Dunlop  
Martin & Hamilton  
TAL Ltd  
Wilson Group  
Wilson & Mawhinney

All six companies returned tenders by the closing date. The tenders were opened by the Vice chairman of committee and the Director of Central & Leisure Services on 26<sup>th</sup> July 2013 and passed to the council's consultants R Robinson & Sons for evaluation.

The Head of Leisure Services presented the tender evaluation report for the refurbishment of changing rooms at the Joey Dunlop Leisure Centre, circulated to members at the meeting.

It is **RECOMMENDED** that the Borough Council accept the lowest tender from TAL Limited, Lisburn in the sum of £333,000.00 for the refurbishment of changing rooms and toilets at the Joey Dunlop Leisure Centre.

In response to a question from Councillor Robinson, the Head of Leisure Services advised that the tender sum is over budgetary provision made, but the Director of Central & Leisure Services intended to present to next Leisure & Amenities Committee meeting proposals for reductions.

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

***that the Borough Council accept the lowest tender from TAL Limited, Lisburn in the sum of £333,000.00 for the refurbishment of changing rooms and toilets at the Joey Dunlop Leisure Centre.***

## 10.9 GOOD RELATIONS GRANTS

The following applications for grants have been received -

- (i) Bendooragh Apprentice Boys Cultural Society for assistance towards Cultural Workshops.
- (ii) Castle Youth Club for assistance towards a Youth event

- (iii) Derrykeighan & District Community Association for assistance towards a Summer Fun Day event
- (iv) Topp Star of the North Pipe Band for assistance towards a Cultural Evening.
- (v) Glengad Vintage Club for assistance towards a Community Open Day
- (vi) Ballymacconnelly Renewal Group for assistance towards a Senior Citizens Christmas Cultural event
- (vii) Ballymacconnelly Renewal Group for assistance towards Community Workshops
- (viii) Glebe-B-Tots for assistance towards a Summer Club
- (ix) Rasharkin Women's Group for assistance towards a Community Sport & Health event

All the applications satisfy the criteria for funding under the Good Relations Small Grants Scheme.

It is **RECOMMENDED** that the above 9 applications are granted £350.00 each.

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

***that the following each receive £350.00 funding under the Good Relations Small Grants Scheme:***

- i. Bendooragh Apprentice Boys Cultural Society for assistance towards Cultural Workshops.***
- ii. Castle Youth Club for assistance towards a Youth event***
- iii. Derrykeighan & District Community Association for assistance towards a Summer Fun Day event***
- iv. Topp Star of the North Pipe Band for assistance towards a Cultural Evening.***
- v. Glengad Vintage Club for assistance towards a Community Open Day***
- vi. Ballymacconnelly Renewal Group for assistance towards a Senior Citizens Christmas Cultural event***
- vii. Ballymacconnelly Renewal Group for assistance towards Community Workshops***
- viii. Glebe-B-Tots for assistance towards a Summer Club***
- ix. Rasharkin Women's Group for assistance towards a Community Sport & Health event***

## **983.11HEALTH & ENVIRONMENTAL SERVICES REPORT**

The Director of Borough Services presented the report.

### 11.1 NAMING OF HOUSING DEVELOPMENT

The developers (NK Construction Limited, 93 Largy Road, Portglenone) have written to Council requesting that it name a small courtyard style private development of dwellings and apartments (8 no. homes) located on land adjoining 25 Bamford Park, Rasharkin.

The names suggested by the developer, in order of preference, are –

- Bamford Court
- Bamford Crescent
- Bamford Close

As Bamford Park is an established street name and given the adjoining location of the new development it may be construed that the developer is only requesting Council approval for a subname. The nature of the development would indicate that “Bamford Court” is the most appropriate name in this instance.

It is **RECOMMENDED** that Council approve the name “Bamford Court” for the development.

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

***that Council approve the name “Bamford Court” for the development.***

### 11.2 LANDFILL ALLOWANCE SCHEME (NI) REGULATIONS 2004 8<sup>TH</sup> SCHEME YEAR 2012-2013: DRAFT RECONCILIATION

Through WasteDataFlow Council has submitted quarterly returns for the scheme year 2012-13. From these returns NIEA has calculated the amount of Biodegradable Local Authority Collected Municipal Waste (BLACMW) sent to landfill by this authority in 2012-2013 – a crucial ‘landfill directive’ year. It should be noted that NIEA also advise that as it is continuing its audit relating to the scheme, the Council’s draft reconciliation figures may be subject to change.

It is **RECOMMENDED** that the NIEA draft reconciliation indicates that the total amount of BLACMW sent to landfill by Ballymoney Borough Council, for the scheme year 2012-13, was 5,422 tonnes equating to 98.14% utilization of the 5,525 tonnes of allocated allowances available for that scheme year.

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

***that the NIEA draft reconciliation indicates that the total amount of BLACMW sent to landfill by Ballymoney Borough Council, for the scheme year 2012-13, was 5,422 tonnes equating to 98.14% utilization of the 5,525 tonnes of allocated allowances available for that scheme year.***

### 11.3 NWRWMG WASTE INFRASTRUCTURE PROJECT

It is **RECOMMENDED** that Council note that the writs served in respect of the North West Region Waste Management Waste Infrastructure Project have been discontinued.

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

***that Council note that the writs served in respect of the North West Region Waste Management Waste Infrastructure Project have been discontinued.***

### 11.4 ENVIRONMENTAL SERVICES VEHICLES – TENDER EVALUATION REPORT

In accordance with the Council's procurement policy, fixed price tenders were sought for the supply and delivery of 1 no. 26t GVW Rear Loading Refuse Collection Vehicle, 1 no. 15t GVW Mechanical Road Sweeper and 1 no. 3.5t GVW Tipper Lorry by 12.00 noon, Monday 22<sup>nd</sup> July 2013.

The tenders received were opened by the Committee Chair and Head of Environmental Services on Monday 22<sup>nd</sup> July 2013 and schedules detailing the tenderers and products offered were circulated to members.

#### **26t GVW Rear Loading Refuse Collection Vehicle**

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

Number of tenders received: 2

It is **RECOMMENDED** that the Borough Council accept the tender from Castlereaugh Motors Limited in the sum of £146,355 for a Mercedes-Benz Econic 2630L chassis fitted with a Farid T1M body and Zoeller Euro Delta bin lift.

In response to a question from Councillor Robinson the Director advised that the cost of the 3 vehicles as a total figure had not exceeded budgetary provision.

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

***that Council accept the tender from Castlereagh Motors Limited in the sum of £146,355 for a Mercedes-Benz Econic 2630L chassis fitted with a Farid T1M body and Zoeller Euro Delta bin lift.***

### **15t GVW Mechanical Road Sweeper**

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

Number of tenders received : 2

It is **RECOMMENDED** that the Borough Council accept the tender from McCreath Taylor Limited in the sum of £109,972 for a MAN TGM chassis fitted with a Scarab Mistral body.

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

***that Council accept the tender from McCreath Taylor Limited in the sum of £109,972 for a MAN TGM chassis fitted with a Scarab Mistral body.***

### **3.5t Tipper Lorry (August 2013)**

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

Number of tenders received : 5

It is **RECOMMENDED** that the Borough Council accept the tender from NI Trucks Limited in the sum of £31,571 for an Iveco Daily chassis cab fitted with body and bin lift. The additional expenditure (£56) for this vehicle is offset by an extra payload of 0.12 tonnes.

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

***that Council accept the tender from NI Trucks Limited in the sum of £31,571 for an Iveco Daily chassis cab fitted with body***

***and bin lift. The additional expenditure (£56) for this vehicle is offset by an extra payload of 0.12 tonnes.***

In response to a question by Councillor Robinson the Director Borough Services confirmed that the total cost of tenders was within the budget provision made.

#### **11.5 THE DETERGENTS (AMENDMENT) REGULATIONS 2013**

It is **RECOMMENDED** that Council note that the above Regulations amended the UK-wide Detergents Regulations 2010 from 30<sup>th</sup> June 2013. The Regulations give effect to EU Regulation 259/2012 as regards the use of phosphates and other phosphorus compounds in consumer laundry detergents and consumer automatic dishwasher detergents.

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

***that Council note that the above Regulations amended the UK-wide Detergents Regulations 2010 from 30<sup>th</sup> June 2013. The Regulations give effect to EU Regulation 259/2012 as regards the use of phosphates and other phosphorus compounds in consumer laundry detergents and consumer automatic dishwasher detergents.***

#### **11.6 THE SPECIFIED PRODUCTS FROM CHINA (RESTRICTION ON FIRST PLACING ON THE MARKET) (AMENDMENT) REGULATIONS (NI) 2013**

The above Regulations, which came into operation on 4<sup>th</sup> July 2013, implement Commission Implementing Decision 2013/287/EU on emergency measures regarding unauthorised genetically modified rice in rice products originating from China.

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

***that Council note the above Regulations.***

#### **11.7 PETROLEUM (REGULATION) ACTS (NORTHERN IRELAND) 1929 AND 1937 PETROLEUM SPIRIT LICENCE (RENEWAL)**

Application has been received for the renewal of petroleum spirit licence as follows: -

**Premises**

Coolmar Ltd.  
Supervalu Ballymoney  
2 Ballymena Road  
BALLYMONEY BT53 7AB

**Applicant**

Mr. Peter McCool

The renewal of the licence as detailed above is **RECOMMENDED**.

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

*that the renewal of the licence as detailed above be approved.*

**11.8 DRINKING WATER QUALITY REPORT 2012: BALLYMONEY BOROUGH COUNCIL**

It is **RECOMMENDED** that Council note that a copy of the NI Water Drinking Water Quality Report for Ballymoney Borough Council received on 28<sup>th</sup> June has been copied and is available in the Members' Room.

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

*that Council note that a copy of the NI Water Drinking Water Quality Report has been copied and is available in the Members' Room.*

**11.9 THE BUSINESS OF TATTOOING, EAR PIERCING AND ELECTROLYSIS – REGISTRATION OF PERSONS AND PREMISES – PART V PROVISIONS**

**Applicant**

Angela Anderson-Simpson  
(Tattooing/Piercing)

**Premises**

Inkwell Tattoos  
3a Main Street  
BALLYMONEY  
BT53 6AN

It is **RECOMMENDED** that the above person and premises be registered.

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

*that the above person and premises be registered.*

**11.10 STREET TRADING ACT (NI) 2001  
MOBILE STREET TRADING LICENCES - RENEWAL**

Application for renewal of Mobile Street Trading Licences have been made to this Directorate as follows:-

<b><u>Purpose</u></b>	<b><u>Applicant</u></b>
Ice Cream Van	Mrs. Drina Stewart 44 Margaret Avenue BALLYMONEY BT53 6BY
Hot Food Trailer	Mr. Stephen James Laverty 9 Royal Terrace Balnamore BALLYMONEY BT53 7QD

It is **RECOMMENDED** that the Mobile Street Trading Licences as applied for be renewed.

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

***that the Mobile Street Trading Licences as applied for be renewed.***

Councillor McAfee raised the issue of unlicensed street traders continuing to trade at events and representations from local licensed traders. The Director advised that he had responded, in writing, to the member on this issue siting resource limitations on deploying officers to attend events out of hours on a regular basis, which is in line with Council's current policy. He advised that if Council agreed, the matter would be best referred to Committee for further discussion and if necessary a review of Council's policy.

**11.11 STREET TRADING ACT (NI) 2001  
TEMPORARY STREET TRADING LICENCES**

Application for the grant of Temporary Street Trading Licences have been made as follows:-

<b><u>Purpose</u></b>	<b><u>Applicant</u></b>
Hot Food Catering Trailer in High Street on 24 <sup>th</sup> and 27 <sup>th</sup> July 2013	Mr. Darryl Wilson
Dinky Doughnuts Trailer in High Street, Ballymoney beside Danske Bank on 27 <sup>th</sup> July 2013.	Mr. Carson Skelton
2 x BBQ's and 6ft table Corner of High Street & Charlotte Street on 31 <sup>st</sup> August 2013	Heather Anderson obo Glebeside Community Association Women's Group

***IT IS RECOMMENDED*** that the Borough Council grant the Temporary Street Trading Licences as detailed above and in the case of the first two applications retrospectively.

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

***that Council grant the Temporary Street Trading Licences as detailed above and in the case of the first two applications retrospectively.***

**11.12. BETTING, GAMING, LOTTERIES AND AMUSEMENTS  
(NORTHERN IRELAND) ORDER 1985  
ARTICLE 18(1), SCHEDULE 4 – APPLICATION FOR THE RENEWAL  
OF A BOOKMAKING OFFICE LICENCE**

The requisite notices have been received, concerning the renewal of bookmaking office licences:

<b><u>Applicant</u></b>	<b><u>Address of Premises</u></b>	<b><u>Date</u></b>
Willstan Limited	14 High Street, BALLYMONEY BT53 6AG	24/7/13
Willstan Limited	24A Main Street BALLYMONEY BT53 6AL	24/7/13

It is **RECOMMENDED** that the Borough Council note the above applications.

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

*that Council note the above applications.*

#### 11.13 LICENSING (NORTHERN IRELAND) ORDER 1996

<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Anthony O'Hanlon The Corner House Bar 2 Culcrum Road Cloughmills BALLYMENA BT44 9NH	Occasional Licence Dance & Fundraiser at Cloughmills Community Centre on 20/7/13.	24/6/13
Jacqueline Blair Imperial Bar 58 Main Street BALLYMONEY BT53 6AL	Occasional Licence - Hog Roast, BBQ & Dance at 133 Kirk Road, Stranocum on 26/7/13.	26/6/13
Sharon Lorraine McKillop Blackwater Bar & Restaurant 250-252 Castlecat Road Dervock BALLYMONEY BT53 8BP	Occasional Licence - Fund Raising Country Concert Ballybrakes Community Indoor Bowling Club on 29/8/13.	3/7/13
Shirley Anne McKinley The Scenic Inn 38 Fivey Road Armoy, BALLYMONEY BT53 8UT	Occasional Licence - Dance in Stranocum Community Hall on 3 <sup>rd</sup> August 2013.	29/7/13

It is **RECOMMENDED** that the above applications be noted.

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

*that the above applications be noted.*

Councillor Robinson recorded thanks to the staff of the Borough Services Directorate for their work in clearing up after recent events held in the Town Centre. She also congratulated local band members who have assisted in litter collection after parades and Council's Recycling Education Officer for his enthusiastic work and involvement in recent projects/initiatives held in Cloughmills.

## **983.12 DEVELOPMENT COMMITTEE REPORT**

### **12.1 INTERVENTION FUNDING**

The DoE has confirmed, following the additional £1.5M the Department received as part of the June monitoring process, a further 15 councils have been allocated dereliction funding.

Funding of £100,000 will be made available to help support our efforts to tackle the detrimental impact on amenity caused by derelict or dilapidated buildings and gap sites, particularly on the built environment, based on the Council's proposal of November 2012. There should be no substantial changes to the project as described in the submission.

The proposal is currently being reviewed and any changes in site or detail, will require prior permission of the Department. Funding has to be spent before the end of the financial year (31.3.2014).

Council is invited to consider provision of match funding.

It is **RECOMMENDED** that

[a] – tenders be invited for delivery of the intervention project, individual sites being prioritised for selection.

[b] - private sector contribution towards security/safety of site be sought as has been the case in previous intervention schemes.

[c] – standard clawback provisions to apply whereby any resultant profit or betterment to the private sector shall be subject to repayment and return to DoE.

The DoE Minister has also advised that in subsequent monitoring rounds he will be pressing for further funding, and there is now another opportunity for all councils to bid for financial resources for dereliction related funding. To ensure that the Department is in a position to bid strongly against a background of a defined and definite need, those Councils that feel they could employ funds, even beyond those just provided, on dereliction should submit written bids, against the established criteria <sup>(see note 1)</sup>. If successful the monies allocated will have to be expended by 31 March.

Council is invited to consider if it wishes to apply for further funding.

Note 1

The case should be set against the broad background that it will provide one or all of the following:

- Benefits to tourism;
- A contribution to regeneration and tackling social need;
- An impact in strengthening and reinforcing existing co-operation and collaboration between NICS departments;
- A spin-off “multiplier” effect on the local economy, both in terms of jobs created, and the positive impact on the private sector and the local community.

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

*that:*

***[a] – tenders be invited for delivery of the intervention project, individual sites being prioritised for selection.***

***[b] - private sector contribution towards security/safety of site be sought as has been the case in previous intervention schemes.***

***[c] – standard clawback provisions to apply whereby any resultant profit or betterment to the private sector shall be subject to repayment and return to DoE.***

***[d] – Council set aside match funding of £20,000 maximum.***

## **12.2 LEISURE & DEVELOPMENT COMMITTEE JOINT WORKING**

As agreed at Council’s July meeting the Chairs of the two committees and the Mayor met to deal with issues relating to taking forward village renewal and community infrastructural projects involving both committees and the case for the naming of the bridge at the railway station.

### **2.1 Community Infrastructural Projects**

Discussed four community infrastructural projects completed at Ballybogey (Muga); Drumaheglis Marina Multi-Purpose Building, including access improvements; Drumbolcan Park Rasharkin (Groundworks Project); Cloughmills Bio Park.

A draft programme of visits arranged, commencing afternoon and concluding with supper is **RECOMMENDED** for approval. A date to be arranged within the next month or so.

Formal opening events, to include funders, will be arranged for the Cloughmills Bio Park and Drumeheglis. Arrangements will be settled by Head of Corporate & Development Services in association with funders.

## **2.2 Cloughmills Old Mill Project**

Discussed progress as regarding funding opportunities following the completion of the feasibility study. Funding opportunities reviewed and advice and assistance to support a bid for heritage funding will be provided by Office of the Chief Executive. Leisure & Amenities Committee to consider lease to Community Action Team.

## **2.3 Refuse Collection Service – Community Buildings managed by community based companies**

Need to finalise the lease with the various groups discussed. It was reiterated that in so far as refuse collection services were concerned all premises should enjoy the same service until all are signed up to the leases.

## **2.4 Bridge at Ballymoney Railway Station**

The group further considered the matters which would have a bearing on the proposed naming and it was agreed that options would be put forward for endorsement at the Council's August meeting. Councillor Stevenson would put forward alternative option.

Introducing the matter Council Stevenson referred to the completion of the new railway bridge which marked the completion of an urban greenway, creating a promenade from Council's playing fields and leisure centre at Garryduff Road on the south side of town to the town centre, making use of the Riverside park green corridor along the way.

While the focus of the route is the new bridge over the railway, the overall project was a magnificent community and public sector partnership. The route also connects communities at Townparks and Castle Street areas.

The local community also enthusiastically engaged in selecting figures to immortalize the town's heritage in steel Three life-size steel figures stand proud behind a wooden bench in Riverside Park near the bridge, so that future generations can learn more about the heritage of the community.

The Railway Station was also the location of an historic moment in the town's history when, during the Royal Couple's Coronation tour of Northern Ireland, the Queen and Duke of Edinburgh, travelling by train, visited the town and were greeted by thousands of North Antrim People.

The greenway is also in line with the vision of the Governments Active Travel Strategy – “to put walking and cycling at the heart of local transport, public health and well-being and the wider government strategies for the benefit of society, the environment and the economy as a whole.” In conclusion he said all of this makes for a very attractive product to market our town and our heritage.

It was proposed by Councillor Stevenson, seconded by Alderman Kennedy:

***that to mark the completion of this significant greenway project completed in the Jubilee year the route through Council lands connecting 33 Garryduff Road to the new bridge at Riverside Park, Ballymoney, be named “Jubilee Way” and that appropriate signage be erected to signify this.***

Councillor McKeown stated that it should be noted that it was not the intention of the Connect 2 Steering Group to name the bridge. Councillor McGuigan concurred with Councillor McKeown's remarks.

Councillor McGuigan stated his opposition to the naming of the bridge and proposed that the bridge not be named. This was seconded by Councillor McLaughlin.

The Deputy Mayor stated that it was the naming of the greenway, not the bridge itself he was recommending.

The Deputy Mayor put the motion to the meeting. 6 members voted in favour and 4 against. The Deputy Mayor declared the motion carried.

## **2.5 BROADBAND SERVICES**

Councillor McGuigan asked for an update on the broadband scoping study. The Head of Corporate & Development Services advised that DETI are currently conducting a survey which is available on Council's website and local communities are being encouraged to respond. Council has also launched its own survey

on mobile coverage in the borough, with the support of local community groups.

Councillor McGuigan requested that the link to the DETI broadband survey be emailed to all councillors and asked for local media assistance in publicising the survey to citizens as improving broadband speed in the borough is essential for the success of small businesses. Councillor Robinson concurred with Councillor McGuigan's remarks and asked if the survey could be sent to businesses in the borough. This was supported by Alderman Kennedy.

## **2.6 ADOPTION OF DEVELOPMENT REPORT**

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

*that the recommendations contained in the Development Committee report above be approved.*

**The Director of Borough Services and Head of Leisure Services left the meeting at 8.01pm.**

### **983.13 LOCAL GOVERNMENT REFORM**

The Chief Executive advised members that the Regional Transition Committee continues to meet with the next meeting scheduled for Thursday 8<sup>th</sup> August. The new DoE Minister, Mark H Durkan has written to Chief Executives stating his intention to continue to drive the reform process forward.

**Councillor Storey left the meeting at 8.01pm.**

Papers for the Regional Transition Committee meeting will be emailed to members and a copy placed in the Members' Room. The Chief Executive and Councillor McGuigan will attend the meeting on 8<sup>th</sup> August. Councillor Robinson informed Council that she will also attend the Regional Transition Committee meeting in her capacity as NILGA office bearer.

### **983.14 PRESENTATION REQUEST**

A request has been received from Clanmil Housing Association for an opportunity to brief Council on its work in the area.

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

***that Council receive a presentation from Clanmill Housing Association.***

#### **983.15 ROADS SERVICE**

Letter dated 28<sup>th</sup> June 2013, from Roads Service in response to matters raised at the consultation on roads programme on 20<sup>th</sup> May, was circulated to members under Office of the Chief Executive memo 249-2013 on 10<sup>th</sup> July.

#### **983.16 POST OFFICE**

Post Office has advised that Balnamore Post Office will re-open on 12<sup>th</sup> August and will change to one of the new local style branches where services will be offered from a till on the retail counter in a modern open plan style; there will be longer opening hours and the majority of Post Office products and services will be available.

Alderman Kennedy welcomed the new up-to-date branch style and longer opening hours.

#### **983.17 RESOLUTION - IMPACT OF REMOVAL OF LOTTERY TERMINALS ON RURAL BUSINESSES**

Strabane District Council is seeking Council's support on their representations to Camelot calling for their policy on terminating agreements which do not meet MWST targets to be reviewed to determine any detrimental and differential impact on rural businesses. A copy of Strabane Council's letter was circulated to members.

Alderman Kennedy expressed support for Strabane District Council's position and that of rural businesses and for reduced thresholds.

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

***that Council support the representations being made by Strabane District Council to Camelot calling for their policy on terminating agreements which do not meet MSWT targets to be reviewed to determine any detrimental and differential impact on rural businesses.***

#### **983.18 VEHICLE REGISTRATION AND LICENSING SERVICES**

The Department of Environment Minister has written to give advance notice that the London Minister responsible for Vehicle Licensing, Stephen Hammond, advised that DFT had agreed a fresh consultation specific to the future of Northern Ireland vehicle registration and licensing services and how they will be delivered.

Alderman Kennedy stated that Council should respond to this consultation when it is published as some of the proposals may impact on local jobs. The Chief Executive advised that the consultation will be brought before Council for consideration.

### **983.19 SOCIAL & COHESION STRATEGY – TOGETHER BUILDING A UNITED COMMUNITY STRATEGY**

The First Minister and Deputy First Minister have issued a statement advising the Assembly that the Executive agreed, on 23<sup>rd</sup> May 2013, to publish the Together: Building a United Community Strategy which is available on the OFMDFM website [www.ofmdfmi.gov.uk](http://www.ofmdfmi.gov.uk). This marks a significant step along the road to a united community, providing the policy context and framework for strategic actions, which, when implemented, have the potential to make a real difference to the lives of many communities.

### **983.20 FUTURE ARRANGEMENTS FOR CONSULTATION ON APPLICATIONS FOR ROAD SERVICE LICENCE**

The Department has written to advise on the future arrangements for consultation on applications for road service licence and applications for the addition of regulated services. From 21 August 2013, the Driver & Vehicle Agency will publish each week, details of applications received on the agency's website – <http://www.dvlni.gov.uk/commercial/index.htm> (please note the consultation page will not be accessible until 21 August 2013).

The details will be published for a period of 21 days, following which the Agency will take account of any representations made when determining an application. The Agency will continue to issue consultations via email and by post, however this arrangement will be subject to review in the future.

### **983.21 ROADS SERVICES LICENCES**

A schedule of licence applications was circulated.

### **983.22 REPORTS/NILGA REPORTS**

A schedule of reports was circulated for members' information.

**This being all the business the meeting closed at 8.15pm.**