

**Ballymoney Borough Council
Council Meeting No 967 – 3rd September 2012**

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967.7	Development Committee Report August 2012 7.1 Village Regeneration Programme 7.2 Dervock Olympics Festival 2012 7.3 Rasharkin Wellbeing Project 7.4 Chairman’s Remarks on business developments 7.4.1 Job Creation 7.4.2 New Investment – Rifle Range 7.4.3 Appointment to Tourism Body 7.4.4 Design Award	<i>Council approved revised applications. Confirm funding £7,080. Confirm funding of £15,000. Received. Adopt Development Committee Report</i>
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967.9	Health and Environmental Services Report August 2012 Licensing 9.1 Local Government (Miscellaneous Provisions) (NI) Order 1985 – Licence Applications (Fourteen Unspecified days (Renewal)) 9.2 Local Government (Miscellaneous Provisions) (NI) Order	<i>Applications noted.</i>

- 1985
- 9.3** Article 18(1), Schedule 4 Application for the Renewal of a Bookmaking Office Licence
- 9.4** Article 115 Application for the Renewal of an Amusement Permit *Report items 9.1-9.5 Agreed.*
- 9.5** Licensing (NI) Order 1996 *Special Meeting Monday 10th Sept at 6.30pm.*
- Environmental Services**
- 9.6** Interim Landfill Disposal
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- 9.7** The Building Regulations (NI) SR 2012 No 192
- 9.8** Completion Notice Ready Initiative *Note changes.
Note Building Control assisting LPS.
Adopt HES Report.*
- 967.10** Corporate and Central Services Committee Report
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- 967.11** Local Government Reform *Transition Committee
Thursday 20th September at CBC at 4.30pm.*
- 967.12** The Institute of Revenues and Rating and Valuation *Members appointed.*
- 967.13** NE PEACE III – Invitation to PEACE IV Consultation *Public Consultation events listed.*
- 967.14** Renewable UK Wind Farm Visit 05/09/2012 *Councillor McKeown appointed.*
- 967.15** Reports *Circulated.*
- 967.16** Executive Announcement – DARD Move to Ballykelly *Information.*

BALLYMONEY BOROUGH COUNCIL

Minutes of Council Meeting No 967 held in the Council Chamber, Riada House, Ballymoney on Monday 3rd September 2012 at 7.00 pm.

IN THE CHAIR: Councillor E Robinson, Mayor

PRESENT:

Aldermen
F Campbell
H Connolly
C Cousley, MBE, Deputy Mayor
B Kennedy

Councillors
J Atkinson
J Finlay
R Halliday
R McAfee
T McKeown
C McLaughlin
P McGuigan
I Stevenson
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

APOLOGIES: Alderman F Campbell
Councillor A Cavlan

967.1 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

967.2 CONDOLENCES

Alderman Kennedy expressed his condolences to the family of William John Trainor, a local character whose father was a former Councillor of Ballymoney. William (Bill) John passed away on 22nd August.

Councillor Halliday also expressed his condolences to the family of George Peden, a local roads contractor and large employer who had carried out substantial works for the Council and its predecessors as well as Roads Service, who had died suddenly in hospital. Councillor Storey and Alderman Connolly wished to be associated with Councillor Halliday's comments.

Councillor Robinson stated that Council's thoughts and prayers are with the families of Mr Trainor and Mr Peden at this sad time, no doubt they will be remembered with gratitude for their work and commitment to Council and to the whole society and shall be remembered with great fondness.

967.3 MINUTES OF COUNCIL MEETING NO 965 – 6TH AUGUST 2012

Councillor Halliday stated that he was present at the meeting however his name had been omitted from the minutes.

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

that the minutes of Meeting No 965 – 6th August 2012, as circulated, be confirmed as a correct record, subject to the stated amendment.

Matters Arising

3.1 Roads Service A26 Dualling Scheme (965.13)

Councillor Storey informed Council that he will bring a full report back to Council on his meeting with the DRD Minister in relation to a number of issues including: A26 Dualling Scheme, additional roundabouts at Dervock Road/Kirk Road and signage of The Dark Hedges.

967.4 MAYOR'S BUSINESS

The Mayor referred to the NILGA Reports and Updates schedule previously circulated, highlighting strengthening of community planning, guidelines for Departments affected by statutory legislation and new model presented by Political Reform Group to Minister.

In addition, the Mayor referred members to the NILGA Bulletin and Commentary, Local Government Reform Programme, 29 August, which was circulated at the meeting.

967.5 CONSULTATION COMMITTEE NO 76 – 20TH AUGUST 2012

Councillor Finlay presented the report.

The minutes of Consultation Committee Meeting No 76 – 20th August 2012, as circulated, were received.

5.1 In Year Review of the Small Business Rate Relief Scheme (76.10)

Councillor Storey said that it was important Council make representations to the Department of Finance and Personnel to address anomalies under the review of the Small Business Rate Relief Scheme. He understands that if eligibility, based on the NAV, was raised to £12,000, a greater number of properties in Ballymoney town could avail of the scheme. It is the intention of the Minister to look at raising the threshold by 2015 to £15,000. It would be useful if, Council support the case for revising the criteria as suggested in its response to the Consultation before the 5 October deadline.

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

that Council write to DFP regarding its In-Year Review of the Small Business Rate Relief Scheme supporting the revision of eligibility criteria as suggested above.

Council were reminded the Consultation Document is being considered at the September Development Committee meeting when additional comments could be added.

967.6 LEISURE AND AMENITIES REPORT AUGUST 2012

Report, as circulated tabled, by Director Borough Services.

AMENITIES

6.1 Ballymoney Connect2 Project: Official Opening Event

Members are asked to note that the Official Opening Event for the Ballymoney Connect2 Bridge Project (being organised by Translink) is to take place at **11am on Wednesday, 7th November 2012**. As a project partner in this £1.3m capital scheme, Council is cordially invited to the event to highlight the provision of the bridge etc at Ballymoney Railway Station which connects both station platforms and the town centre to Riverside Park.

IT IS RECOMMENDED that Council note the date of the Official Opening Event as regards the Ballymoney Connect2 Project.

6.2 Vote For Carnany Play Area in the 'Flora' Promotion

Arising from existing contacts with Groundwork NI the play area at Carnany kickabout area has been put forward as one of only three play areas (as it turns out) which communities can vote for to receive £30,000 in funding to carry out a face lift/make over.

Voting takes place between 20th August and 30th September 2012 and can be done on-line @ www.flora.com/playground. (Simply use the link then click on 'filter' to bring up the Northern Ireland entrants then you can vote for Carnany). The play area with the most votes wins the money.

IT IS RECOMMENDED that Council note the entry of its Carnany Play Area in the Flora Promotion and assist to maximise the on-line vote for the benefit of the Borough.

Alderman Kennedy led a call, endorsed by a number of members, for the local community to lend their support for the Carnany Project by registering votes.

6.3 Dervock RDP Project

Arising from recent discussions with representatives of Dervock & District Community Association plans are being finalised in order to extend the facilities at the Council's Riverside Park, Dervock, to provide both a small MUGA (24m x 14m) together with outdoor gym equipment and seating. The scheme (costing circa £65,000) is to be funded from the monies remaining within the RDP 'pot'. To proceed as is now proposed the following actions are necessary –

- Council agree in principle to the provision of the additional facilities to be provided under the Dervock RDP Project on its land at Riverside Park, Dervock;
- Make application to RDP by its deadline – 21st September 2012 (setting out the revised spend proposals);
- Secure planning permission; and
- Advertise for a contractor select list for the project.

IT IS RECOMMENDED that Council endorse the project action plan as outlined above.

6.4 Rasharkin RDP Project

Further meetings have taken place in respect of the above project application to be made to RDP by 21st September 2012. In a meeting held on 20th August between village interest group reps and officers there was consensus on the part of the local community that the grant application be maximised and comprise the following elements to be provided on the Councils land at Drumbolcan Park, Rasharkin – a circuitous walkway and car park extension together with outdoor gym equipment.

IT IS RECOMMENDED that Council approve this further development at Drumbolcan Park, Rasharkin.

6.5 Fencing Contract

For 2012/13 Council has approved £50,000 in the form of capital expenditure to carry out essential boundary fence repairs. Locations prioritised as requiring new fencing include Ballybogey, Ballyknock, Balnamore, Carnany, Corkey, Dunaghy, Dunloy, Killyrammer, Macfin, Megaw and Scally Park. This work will re-establish boundary lines, eliminate unauthorised accesses and improve security to sites. Type of fencing used will range from chestnut pailing to palisade depending on site specific needs. The work will be let shortly in accordance with the provisions of the Council's Procurement Policy.

IT IS RECOMMENDED that Council note the action to be taken.

In response to a query from Councillor McKeown, the Director anticipated work commencing 1 November.

Councillor Stevenson and Councillor Finlay thanked the Director, Councillor Storey drew the Director's attention to the suitability and durability, or otherwise, of Chestnut pailing. The Director shall take on board the member's comments.

6.6 BBC Travelling Picture Show

As members had previously been advised Gloria Hunniford and BBC Northern Ireland came to Ballymoney (to Riverside Park) to film part of a brand new TV series – The Travelling Picture Show, on Saturday, 25th August. The event, which Council facilitated, was well attended and was deemed a success by both attendees and BBC personnel. Via the cinema tent rarely seen BBC film archive and wonderful home movies portrayed some of Ballymoney's best loved landmarks, characters, events and celebrations from years gone by. The BBC bus was also in town giving folk the opportunity to be shown how to preserve old photographs and experience the on-board radio studio to record the stories behind the pictures and add them to an online archive.

IT IS RECOMMENDED that Council note the work undertaken to facilitate the BBC's Travelling Picture Show in Ballymoney on 25th August by both Corporate Services and Amenities.

6.7 Ballymoney Cemetery Memorials

Section I4 No. 49

Mr. Ralph Esdale, 17 Cherry Gardens, Ballymoney
Black Granite Headstone & Base

Section C No. 28

Mr. John Aitcheson, 30 Stuart Park, Ballymoney
Black Granite Headstone & Base

Section I4 No. 43

Mrs Julie-Ann Creelman, 5 Glebe Avenue, Derrykeighan
Black Granite Headstone & Base

Section I3 No 107

Mr. Keith Hambridge, 3 Hunter Park, Balnamore
All Polished Granite Headstone & Base (J Design)

IT IS RECOMMENDED that Council grant permission for the above memorials to be erected in Ballymoney Cemetery, subject to usual requirements.

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

that the Amenities Report, August 2012, be adopted and recommendations 6.1-6.7 approved.

LEISURE SERVICES

The Director of Central and Leisure Services presented the Leisure Services Report, circulated.

6.8 Community Relations Grants

- (i) Lisnagavar Flute Band for assistance towards a Vintage Rally & Family Fun Day.
- (ii) Derrykeighan & District Community Association for assistance towards a Community Fun Day.
- (iii) Cloughmills Boys & Girls Football Club for assistance towards an Ulster Scots Concert.

The 3 applications meet the criteria of the Small Grants Scheme.

IT IS RECOMMENDED that the 3 groups are awarded £350.00 each.

6.9 Ballymoney Sports Advisory Committee – Sports Awards 2012

A request has been received from the Chairman of Ballymoney Sports Advisory Committee seeking Council permission to apply for an occasional bar

licence, as per previous years, for the 2012 Ballymoney Sports Awards to be held on Saturday 20th October in the Joey Dunlop Leisure Centre.

IT IS RECOMMENDED that Council grants permission.

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

that the Leisure Report, August 2012, be adopted and recommendations, 6.8-6.9 inclusive approved.

967.7 DEVELOPMENT COMMITTEE REPORT AUGUST 2012

Alderman Kennedy presented the report, circulated:

7.1 Village Regeneration Programme

Council is asked to consider the revised applications for funding which have to be submitted to the Rural Development Programme (RDP) by 21st September.

7.2 Dervock Olympics Festival 2012

Council approved a contribution of £10,000 towards this project, with the Association committed to contributing £10,000 to support an application for funding of £62,000 from RDP.

To date the K K McArthur Festival and Streetscape elements of the project have been delivered at a total cost of £23,390.

The project has been revisited by the project group, at the request of the Association, and it has been agreed that the balance of funding of £58,610 be utilized to provide a small multi-purpose games area (MUGA), together with outdoor gym equipment and seating on Council lands at the village Riverside Park.

IT IS RECOMMENDED that Council confirm its balance of funding of £7,080 towards the revised project proposal described above and lead on the delivery of the project, with the Association also providing funding of £7,080, as previously committed.

7.3 Rasharkin Wellbeing Project

Council approved a contribution of £15,000 towards this project, with the Association contributing £2,500 and St Mary's GAC and The Parish £2,500, to support an application for funding of £62,000 from RDP.

The project has been revisited, at the request of the various groups who supported the original application, and it has been agreed the revised project including the following elements:-

- A circuitous walkway in Drumbolcan Park
- Extension to car parking facility in Drumbolcan Park
- Outdoor gym equipment adjacent to part of the walkway

Rasharkin Community Association, Rasharkin Women's Group and St Mary's GAC have agreed to collectively commit £5000 towards the project.

IT IS RECOMMENDED that Council confirm its funding of £15,000 towards the revised project proposal described above and lead on the project.

7.4 Chairman's Remarks on business success and jobs

"I would also draw your attention to a notice from the North East Peace III programme of commencement of a consultation process for the European Territorial Co-Operation Programmes 2014 – 2020. The paper listing the consultation venues circulated to meeting.

I want to take this opportunity to make a few comments on recent investment announcements and to recognise success in the business field.

7.4.1 Job Creation

I am delighted to welcome seven new jobs to be created arising from growth of a relatively new company in our borough, Causeway Geotech Limited, which provides services to the construction industry. Specializing in geotechnical ground investigation the company is embarking on a comprehensive export marketing campaign, with the assistance of Invest NI. I congratulate the company on its success to date and wish it well with its plans to grow sales.

7.4.2 New Investment – Rifle Range

I also welcome the recent announcement by Seamus McAleese of development of new state of the art Rifle Range, including reception area, gunshop, café at ground level in our borough. The development also includes the establishment of a two acre lake stocked with trout on site, picnic areas and walkways and laneways for pony trekking.

The investment of some £3 million is a tremendous vote of confidence not only in the borough tourism industry, but for the Causeway Coast & Glens region and the wider Northern Ireland. It is also a great boost for employment with construction creating some 100 jobs, with 10-20 full-time and part time positions on completion of the complex. I wish Seamus well on project.

7.4.3 Appointment to Tourism Body

I congratulate Mrs Valerie Gamble from Honeysuckle Cottage B&B, Kilmoyle, on being elected to the Executive Committee of Causeway Coast & Glens Tourism Partnership. Valerie is an active member of our tourist accommodation sector and I wish her well in her new role.

7.4.4 Design Award

RISE – an impressive landmark public artwork on Belfast's Broadway Roundabout – which was constructed for Belfast City Council by M Hasson & Sons, Rasharkin, has been highly commended at the National Structural Steel 2012 Design Awards, which were held in London recently. The awards recognise high standard of structural and architectural design in the use of steel.

The sculpture was one of 29 projects shortlisted for the prestigious annual industry awards. RISE was one of only two projects outside England to be commended at the awards. The six overall winners included the Peace Bridge in Derry/Londonderry. I extend hearty congratulations to Hassons on this national achievement.”

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

that the Development Report, August 2012, be adopted and the recommendations therein approved.

967.8 RESOURCES TASK GROUP REPORT

The Chief Executive presented the report, circulated:

A full-time Household Recycling Centre Attendant at Knock Road Depot Recycling Centre (employee ref. 10887) retires on 11th November 2012. **IT IS RECOMMENDED** by CMT that this post, which is essential to service delivery at a key service point, be filled via recruitment exercise.

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

that the Resources Task Group Report be adopted and the recommendations therein approved.

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Press x 2 left the meeting at 7.45pm.

967.9 HEALTH & ENVIRONMENTAL SERVICES REPORT AUGUST 2012

Report, as circulated, tabled as follows by Director Borough Services:

LICENSING

9.1 Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 - Licence Applications (Fourteen Unspecified Days) (Renewal)

Premises

Applicant

St. Patrick's Parochial Hall, Rev. Francis O'Brien P.P.
77 Castle Street,
BALLYMONEY,
BT53 6JT.

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licences as detailed above subject to the provision of satisfactory electrical test certificates. In addition to the Borough Council's "Conditions of Licence" adopted on 7th October 1985 the additional conditions detailed on the premise files also apply.

9.2 Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985

Revocation Of Indoor Entertainments Licence

Premises

The Anglers Rest,
139 Vow Road,
BALLYMONEY,
BT53 7NU.

Applicant

Mrs. Lorna Savoury

The renewal of the indoor entertainments licence for the above premises is due on the 4th September 2012. An Officer from this Directorate spoke to the applicant and she advised that the business was now closed and she would not be seeking renewal of an entertainments licence.

IT IS RECOMMENDED that the Borough Council revoke the Indoor Entertainments Licence for these premises.

BETTING, GAMING, LOTTERIES AND AMUSEMENTS (NORTHERN IRELAND) ORDER 1985

9.3 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:

<u>Applicant</u>	<u>Address of Premises</u>	<u>Date</u>
Willstan Limited	14 High Street, BALLYMONEY, BT53 6AG.	2/8/10
Willstan Limited	24A Main Street, BALLYMONEY, BT53 6AL.	2/8/10

IT IS RECOMMENDED that the Borough Council note the above applications.

9.4 Article 115 – Application for the Renewal of an Amusement Permit

Application for the renewal of an amusement permit under the provisions of Article 115 of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, has been received from Mr. Samuel Wylie, 9 Ashbrook Drive, Balnamore, Ballymoney, BT53 7TA, in respect of premises namely Rafter's Snooker Club, 18 Seymour Street, Ballymoney, BT53 6JR.

IT IS RECOMMENDED that the Borough Council renew the said permit and that same be subject to the Council's "Amusement Permit Conditions".

9.5 Licensing (Northern Ireland) Order 1996

<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Mr. Martin Doyle, The Diamond Bar, 2 High Street, BALLYMONEY, BT53 6AG.	Renewal of a Licence	28/7/12
Mr. Martin Doyle, The Diamond Bar, 2 High Street, BALLYMONEY, BT53 6AG.	Additional Permitted Hours	28/7/12
<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Messrs. Liam and Niall Fullan, 27-33 Main Street, Rasharkin, BALLYMENA.	Renewal of a Licence	31/7/12
Mr. Daniel James McFerran, "The Bridge", Dunloy, BALLYMENA.	Renewal of a Licence	2/8/12
Mr. Anthony Charles O'Hanlon, The Corner House, 2 Culcrum Road, Cloughmills, BALLYMENA, BT44 9NH.	Renewal of a Licence	2/8/12
Coolmar Limited, Riverside Centre, 12 Rodeing Foot, BALLYMONEY, BT53 7AB.	Renewal of a Licence	3/8/12
Frances Lai Yee Yip, 3 Charles Street, BALLYMONEY, BT53 6DZ.	Renewal of a Licence	3/8/12
Ms. Linda Dunlop, Joey's Bar, Seymour Street, BALLYMONEY, BT53 6JR.	Renewal of a Licence	6/8/12

Mr. Thomas McKerrell Kennedy, 3 Castlecroft, BALLYMONEY, BT53 6TD.	Renewal of a Licence	6/8/12
Mr. Dennis Moore, Patton's Bar, 18 Ballycregagh Road, Cloughmills, BALLYMENA, BT44 9LB.	Renewal of a Licence	6/8/12
<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Lissanoure Castle Ltd., 11 Knockahollet Road, Loughgiel, BALLYMENA.	Renewal of a Licence	6/8/12
Mr. Nigel and Mrs. Claire Burns, Drumadoon House, 236 Frosses Road, Cloughmills, BALLYMENA, BT44 9PL.	Renewal of a Licence	6/8/12
Mr. James and Mrs. Mary Gillen, Ballinlea Road, Stranocum, BALLYMONEY.	Renewal of a Licence	6/8/12
Messrs. Joseph and Simon Woods, The Northern Star, 2 Linenhall Street, BALLYMONEY, BT53 6DP.	Renewal of a Licence	6/8/12
Ms. Pauline M. Gallagher, Kelly's Bar, 21 Church Street, BALLYMONEY, BT53 6HS.	Renewal of a Licence	6/8/12
Ms. Donna Martin, 15 Main Street, Rasharkin, BALLYMENA, BT44 8PT.	Transfer and Renewal of a Licence	6/8/12

Mr. Ivan and Mrs. Alice McCook, Ballinlea Road, Gracehill, BALLYMONEY.	Transfer and Renewal of a Licence	6/8/12
Ms. Jacqueline Blair, The Imperial Bar, 58 Main Street, BALLYMONEY, BT53 6AL.	Renewal of a Licence	7/8/12
<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Messrs. Danny Coulter and Derek Morrison, The Manor Hotel, 69 Main Street, BALLYMONEY, BT53 6AN.	Renewal of a Licence	7/8/12
Lidl (NI) GmbH, Meetinghouse Street, BALLYMONEY.	Renewal of a Licence	7/8/12
Mr. Samuel Mullan, Molly's, 24 Main Street, BALLYMONEY, BT53 6AL.	Renewal of a Licence	8/8/12
Ms. Shirley A. McKinley, The Scenic Inn, 38 Fivey Road, Drumdollagh, BALLYMONEY, BT53 8UT.	Renewal of a Licence	8/8/12
Messrs. Liam and Shaun Reid, The Wayside Inn, 254 Frosses Road, Cloughmills, BALLYMENA.	Renewal of a Licence	9/8/12
Mr. Graeme Boyd, The North Irish Horse, 15 Carncullagh Road, Dervock, BALLYMONEY, BT53 8BT.	Transfer and Renewal of a Licence	9/8/12

Mr. Kenneth and Mrs.
Anthea Curran,
The Village Inn,
1 Bellaghy Road,
Dunloy,
BALLYMENA,
BT44 9AE.

Renewal of a Licence

9/8/12

IT IS RECOMMENDED that the above applications be noted.

ENVIRONMENTAL SERVICES

9.6 Interim Landfill Disposal

As members are aware Council has initiated a procurement exercise seeking tenders for its future landfill disposal needs in the short term. In order to make best endeavours to meet the proposed contract commencement date of 1st October 2012, it is necessary to deal with the tender evaluation report on 10th September. The Committee Chair is content with following proposal.

IT IS RECOMMENDED that a special meeting of the Councils Health & Environmental Services Committee (with full Council powers) be held on Monday, 10th September 2012 at 6.30pm in the McKinley Room at Riada House to receive the Interim Landfill Disposal Tender Evaluation Report and award the contract (in accordance with procurement requirements).

Building Control Report

9.7 The Building Regulations (Northern Ireland) SR 2012 No. 192

The Building Regulations (2009 Amendment Act) (Commencement No. 2) Order (Northern Ireland) SR 2012 No. 186 (C.16)

The Building Regulations (1979 Order) (Commencement No. 3) Order (Northern Ireland) SR 2012 No. 187 (C.17)

The Building Regulations (Northern Ireland) 2012 were made on 15th May 2012 and will come into operation on 31st October 2012. This Statutory Rule revokes and replaces the Building Regulations (Northern Ireland) 2000 and all subsequent amending Regulations ("the 2000 Regulations"). It allows for the introduction of new guidance-based Technical Booklets for all Parts of the regulations and sets enhanced standards relating to some of the requirements.

In the 2000 Regulations, mandatory requirements were complemented by provisions that described methods or materials which were deemed-to-satisfy the relevant functional or performance requirements. The Building Regulations (Amendment) Act (Northern Ireland) 2009 (the 2009 Act) amended the Building Regulations (Northern Ireland) Order 1979 (the 1979 Order) to remove the requirement to provide deemed-to-satisfy provisions and to provide the Department of Finance and Personnel (DFP) with a power to prepare and publish guidance with respect to the requirements of any provision of building regulations.

The Department has also simultaneously commenced relevant Articles in the 1979 Order and Sections in the 2009 Act to provide the primary legislative powers required to introduce the 2012 Regulations. In progressing the move to a guidance-based system the Department also took the opportunity to enhance certain requirements as follows:-

1. **Part A (Interpretation & general)** introduces new provisions for (optional) type approvals; restricts the use of a building notice to works to an existing dwelling that do not increase the floor area by more than 10 m², or, in the case of a roof space conversion, 3 m²; mandates the issue of a completion certificate; specifies a period of 12 months from the date of notification of completion to a district council within which the council may issue a contravention notice; extends the power of a district council to dispense with or relax requirements; and clarifies the application and interpretation of some existing regulations and defined terms;
2. **Part C (Site preparation and resistance to contaminants and moisture)** references the revised radon affected areas included in the Northern Ireland Environment Agency publication "*Radon in Dwellings in Northern Ireland: 2009 Review and Atlas*"; extends the requirement to limit the ingress of radon in alterations and extensions to dwellings (including conservatories), irrespective of size; and extends the requirement to avoid any harmful effect caused by contaminants to material change of use cases;
3. **Part F (Conservation of fuel & power)** sets energy efficiency standards that will achieve on average a 25% reduction in carbon dioxide emissions over 2006 levels. Revised guidance is provided for - minimizing thermal bridging at construction joints; inclusion of party wall heat losses in calculations; modular and portable buildings; shell and core developments and first fit-out work; limiting the effects of solar gain in summer; and non-exempt conservatories or porches;
4. **Part G (Resistance to the passage of sound)** extends the scope of the 2000 Regulations to buildings containing domestic accommodation, including dwellings and schools, and sets revised standards. Revised guidance to support alternative ways of meeting the requirements is provided;
5. **Part K (Ventilation)** sets requirements for the provision of ventilation in new and renovated buildings and for demonstrating compliance with the requirements; provides for evidence of testing and commissioning of the ventilation system; and requires giving information about the system and its maintenance requirements to the owner / occupier (new dwellings). Revised guidance in support of the requirements is provided;
6. **Part L (Combustion appliances and fuel storage systems)** sets requirements for the provision of detection and warning of the presence of carbon monoxide gas. Revised guidance on: solid biofuel as a solid fuel; relaxation of flue clearance requirements for solid biofuel; ventilation for non-room-sealed combustion appliances; and concealed flues is provided; and
7. **Part P (Sanitary appliances and unvented hot water storage systems and reducing the risk of scalding)** sets requirements to ensure that delivered water temperature is not excessive and limits the temperature of hot water supplied to baths. Revised guidance on how the requirements may be achieved is provided;

For completeness, the position regarding the remaining Parts is as follows:-

8. the requirements of **Parts B (Materials & workmanship) and J (Solid waste in buildings)** are not amended but new Technical Booklets provide guidance on compliance;
9. the standards in **Parts D (Structure), E (Fire safety), N (Drainage) and V (Glazing)** are not amended, although new guidance based Technical Booklets have been provided; and
10. the standards in **Parts H (Stairs, ramps, guarding & protection from impact) and R (Access to and use of buildings)** are not amended. New guidance based Technical Booklets have been provided and technical standards for stairs and ramps are now included only in Technical Booklet H.

The changes introduced were developed following public consultation exercises conducted in 2010 and 2011, and in consultation with the Northern Ireland Building Regulations Advisory Committee (NIBRAC).

A number of training sessions and workshops on the new Regulations are currently being organised by the BCNI Training and Communication Panel; these full and half day courses will take place in October, although dates have yet to be finalized. It is important that all Building Control surveyors attend these training courses.

Revised Building Control fees are not included in the 2012 Regulations; the Department now proposes to introduce amendments to the fees legislation in early 2013. It is anticipated that the consultation on these amendments is imminent.

IT IS RECOMMENDED that Council notes the changes being made to Building Regulations in Northern Ireland.

9.8 Completion Notice Ready Initiative

Members will recall that in October 2011 Building Control agreed to assist Land & Property Service in determining the status of domestic properties from a 'backlog' or 'legacy' list. This project was duly completed.

The Property Services Liaison Group has noted that throughout Northern Ireland there has been a significant increase in the number of properties that have been registered as commenced at least 12 months earlier but have not been the subject of a Completion Notice (in LPS terminology) or valuation. LPS imply that there has been little or no construction progress for approximately 12,000 domestic properties (throughout Northern Ireland) since raised on commencement lists; LPS note their concern that there is no certainty that it is the case.

LPS have now contacted Building Control to request their assistance by confirming from a new 'legacy' list to be provided by LPS whether these sites have developed beyond foundation stage. The project would be similar to the one carried out in October 2011, and it is anticipated that much of the work could be carried out as a desktop exercise, from Building Control records. This will still run in conjunction with Completion Notice Ready lists which Building Control currently issue to LPS on a regular basis.

IT IS RECOMMENDED that Council note that its Building Control Service will be assisting LPS in the manner sought.

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

that the Health and Environmental Services Report, August 2012, be adopted and the recommendations, 9.1-9.8 inclusive, approved.

967.10 CORPORATE AND CENTRAL SERVICES COMMITTEE REPORT

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

that Council “move in to committee” at this point in the meeting.

10.1 Equal Pay Claims

Seven equal pay claims from female employees were lodged in September 2010 - one was subsequently withdrawn in May 2011. Council in October 2010 (via report to CRCS Committee, 27 Sept 2010) approved the securing of legal advice to assist Council to defend the claims. Legal advisers (Jones, Cassidy, Jones) have advised by email dated 30th August 2012 that the claims are listed for hearing in October 2012 and that discussions to resolve them are ongoing.

IT IS RECOMMENDED that Council authorise its legal advisors (Jones, Cassidy, Jones) to negotiate the settlement of the claims in the best interest of the Council and if settlement is not reached to defend the claims on behalf of the council in the Industrial Tribunal.

Chief Executive responded to member queries.

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

that Council authorise its legal advisors (Jones, Cassidy, Jones) to negotiate the settlement of the claims in the best interest of the Council and if settlement is not reached to defend the claims on behalf of the council in the Industrial Tribunal.

Members moved “out of committee” to conduct the remainder of the business.

967.11 LOCAL GOVERNMENT REFORM

- No updates this month
- The meeting of the Transition Committee scheduled for Thursday 6th September has been cancelled. The next meeting will be held on Thursday 20th September in Coleraine Borough Council at 4.30pm. The Minister will be in attendance at 6.00pm.

967.12 THE INSTITUTE OF REVENUES AND RATING AND VALUATION

The Institute of Revenues and Rating and Valuation is launching its new publication, "*Councillors' Guide to Rates in Northern Ireland*", to improve understanding of the rating system at the **Glenavon Hotel, Cookstown** on **Monday 17th September 2012 9.30am - 2.00pm** (further details attached).

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

that any member wishing to attend the Institute of Revenues and Rating and Valuation publication launch on Monday 17th September 2012 from 9.30am-2.00pm inform the Office of the Chief Executive on ext 274.

967.13 NE PEACE III - INVITATION TO PEACE IV CONSULTATION

Northern Ireland, the Border Region of Ireland and parts of Western Scotland, are currently in receipt of over €0.5 billion worth of EU funding through the PEACE III (€333m) and INTERREG IVA (€256m) Programmes for the period 2007 - 2013.

As the current programme period is coming to an end, the European Commission has prepared a number of draft regulations, outlining plans for the future of European Territorial Co-Operation Programmes for the next programming period from 2014 – 2020.

However, in order to ensure the timely implementation of any future programmes, the Department of Finance and Personnel in Northern Ireland and the Department of Public Expenditure and Reform in Ireland have requested SEUPB to commence the process of developing European Territorial Co-Operation programmes for the 2014 – 2020 period. These programmes are:

- EU Programme for Peace and Reconciliation 2014 – 2020 (PEACE IV);
- EU Programme for Cross-Border Territorial Cooperation (Ireland / Northern Ireland / Scotland) 2014 -2020 (INTERREG V).

An important part in the development of these new programmes involves public consultation to obtain the views of key stakeholders and members of the general public on the content, implementation and delivery mechanisms for the new programmes

SEUPB invites you to attend one of the public consultation events which are being held across Northern Ireland and Ireland during the consultation period. The times and venues are outlined below:

Should you wish to attend any of these events, please register your interest by emailing: consultation@seupb.eu

- Tuesday 4 September, Templeton Hotel, Templepatrick, 10am to 1pm
- Tuesday 11 September, City Hotel, Londonderry / Derry, 10am to 1pm
- Tuesday 18 September, Europa Hotel, Belfast, 10am to 1pm
- Wednesday 10 October, Cavan Crystal Hotel, Cavan, 10am to 1pm
- Tuesday 23 October, Mill Park Hotel, Donegal Town, 2pm to 5pm
- Thursday 25 October, Armagh City Hotel, Armagh, 2pm to 5 pm

Further details on the draft regulations can be found at: <http://www.seupb.eu/2014-2020Consultation/backgroundinfo/eudraftregulations.aspx> The EU regulations which will cover these programmes have yet to be approved by the European Council and the European Parliament. This process is not expected to conclude until the end of 2012, at the earliest.

The public consultation is open from **28 August until 20 November 2012**. This is the first consultation and the views, opinions and results of this process will lead to the drafting of two operational programmes. A further consultation will be held on the draft operational programmes during 2013.

Full details of the consultation process, as well as how to respond are available on the SEUPB website at: <http://www.seupb.eu/2014-2020Consultation/overview.aspx>.

This is an important opportunity to shape the funding landscape in these regions for the next seven years. Therefore, participation in the consultation process and attendance at these public events will be very much appreciated.

967.14 RENEWABLE UK WIND FARM VISIT

Councillor McKeown indicated his intention to attend a Renewable UK Wind Farm Visit and Planning Seminar on Tuesday 5th September 2012 from 9.30am-4.30pm at the City Hotel, Derry.

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

that Councillor McKeown be appointed to attend a Renewable UK Wind Farm Visit and Planning Seminar on Tuesday 5th September 2012 from 9.30am-4.30pm at the City Hotel, Derry.

*

Alderman Connolly left the meeting at 8.02pm.

967.15 REPORTS

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

967.16 EXECUTIVE ANNOUNCEMENT – DARD MOVE TO BALLYKELLY

Councillor Storey informed members that the Agriculture Minister plans to move DRD's 800 staff from Dundonald House, to former Army Barracks at Ballykelly. He welcomed the decanting of jobs out of Belfast but suggested that Council, as a corporate body, should ensure that the people of the borough of Ballymoney employed in Dundonald House can transfer to the new facility, which plans to open in 2015 and also seek assurance that existing jobs will be protected.

This being all the business the meeting closed at 8.06pm.

