

Ballymoney Borough Council
Council Meeting No 1002 – 1st September 2014

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BALLYMONEY BOROUGH COUNCIL

Minutes of Council Meeting No 1002 held in the Council Chamber, Riada House, Ballymoney on Monday 1st September 2014 at 7.00 pm.

IN THE CHAIR: Alderman B Kennedy, Mayor

PRESENT: **Aldermen**
F Campbell
H Connolly, Deputy Mayor
C Cousley, MBE

Councillors
J Finlay
R Halliday
R McAfee
T McKeown
P McGuigan
C McLaughlin
A McLean
E Robinson, MBE
I Stevenson

APOLOGIES: **Councillors**
W Blair

IN ATTENDANCE: Chief Executive
Director of Borough Services
Director of Central & Leisure Services
Head of Corporate & Development Services
Business Support Officer

Press x 2

At the request of Alderman Campbell, the Mayor agreed to an extra item of business to be presented by the Director of Borough Services at item 1002.10.

1002.1 DECLARATIONS OF INTEREST

The Chief Executive declared an interest in Item 1002.5 as a member of the Rotary Club.

Alderman Campbell declared an interest in item 1002.9 as a relative of post holder 02664.

1002.2 MINUTES OF COUNCIL MEETING NO 1001 – 4TH AUGUST 2014**Matters Arising:****2.1 Ballymoney Festive Lighting Scheme (1001.7.6)**

Councillor Stevenson requested that this matter, deferred to Leisure & Amenities Committee meeting on 16th September, be considered under Council powers granted for this meeting. The Mayor indicated that the matter had been dealt with and stood deferred to Committee. Councillor Stevenson's Notice of Motion requesting that Council powers be granted to consider this had not been received by the Chief Executive within the timescale set out in Standing Orders. At Councillor Stevenson's request, the Chief Executive clarified provisions in Standing Orders regarding Notice of Motion and rescinding Motions.

2.2 Update on Amenities Project

The Director of Borough Services advised that dates have been revised for these works.

- **Dervock War Memorial Garden Improvement Scheme**

Tender documents will be issued on 12th September and returned by 16th September. Tenders will be approved at the Leisure & Amenities Committee meeting on 16th September, for which Council powers has been granted and the tender awarded on 17th September. The project is expected to commence on 24th September and completed by 31st October.

- **Painting Scheme at Ballymoney Town Hall and Riada House**

Tender documents will be issued on Monday 8th September to be returned by 19th September. A tender evaluation report will be brought to Council's meeting on 6th October and the contract will be awarded on 7th October. It is expected that the scheme will commence on 13th October.

In response to Councillor Robinson, the Director advised that it was only specific items for which Council, at its meeting on 4th August, had granted Council powers at Committee's meeting on 16th September for and that there is a need for both meetings to take place due to the volume of amenities business.

2.3 Minutes

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

that the minutes of Council Meeting No 1001 – 4th August 2014, as circulated, be confirmed as a correct record.

1002.3 CONSULTATION COMMITTEE MEETING NO 99 – 18TH AUGUST 2014

Councillor McLean presented the report.

the minutes of Consultation Committee Meeting No 99 – 18th August 2014, as circulated, were received.

1002.4 SEAL DOCUMENTS

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

that the Seal of the Council be affixed to:

- a) Grave Registration Certificate numbers 1387, 1388, 1389, 1390, 1391*
- b) Cosmetic Piercing Bylaw 2014*
- c) Semi-permanent skin-Colouring Byelaw 2014*

1002.5 HEALTH & ENVIRONMENTAL SERVICES REPORT – AUGUST 2014

The Environmental Services Report was presented by the Director of Borough Services.

HEALTH & SAFETY

5.1 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

Logan Hardware,
36 Drumadoon Road,
Cloughmills,
BALLYMENA BT44 9LJ.

Applicant

Mr. Christopher Logan

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

ENVIRONMENTAL HEALTH GENERAL

5.2 Clean Neighbourhoods and Environment Act (NI) 2011 9 Henry Street, Ballymoney, County Antrim, BT53 6HX.

Further to an application for a Fitness Certificate, an inspection of the property was carried out and penetrating dampness was found in the east facing wall adjacent to the rear living room window. The defects observed are deemed prejudicial to health.

IT IS RECOMMENDED that an abatement notice be served on the landlord of the premises under Section 63(1)(a) of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 with a time period of compliance of 90 days in order to remedy the condition thereat as described above.

NB All Works included on the above notice will be eligible for grant aid from the Northern Ireland Housing Executive.

5.3 Clean Neighbourhoods and Environment Act (NI) 2011 8 Meetinghouse Street, Ballymoney, BT53 6JN.

Further to the recommendation that an abatement notice be served on the landlord of the above premises under the Clean Neighbourhoods and Environment (NI) Act 2011, minute HES 400.12 refers, a request from the landlord has been received to extend the period of compliance. The notice was served due to the internal high levels of rising dampness present to the external facing ground wall in the living room and ground floors.

IT IS RECOMMENDED that an extension to the period of compliance namely 60 days be granted to the Abatement Notice served on the landlord of the premises under Section 63(1) (a) of the Clean Neighbourhood and Environment Act (NI) 2011.

LICENSING

5.4 Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 - Licence Application (Full) (Renewal)

Premises

Ma Kelly's,
21 Church Street,
BALLYMONEY BT53 6HS.

Applicant

Ms. Pauline Gallagher

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licence as detailed above. In addition to the Borough Council's "Conditions of Licence" adopted on 7th October 1985 the additional conditions detailed on the premise file also applies.

5.5 The Business Of Tattooing, Ear Piercing and Electrolysis – Registration of Persons and Premises – Part V Provisions

Applicant

Anthony Taylor,
(Tattooing)

Premises

12a Church Street,
BALLYMONEY BT53 6DL.

IT IS RECOMMENDED that the above person and premises be registered.

5.6 Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985

Application has been received from the undernoted Society for grant of registration by the Borough Council (Article 136 of the 1985 Order refers):-

Society

Cancer Focus NI
Ballymoney Branch

Lottery Promoter

Mr. Ryan Abraham,
c/o 56 Main Street,
BALLYMONEY BT53 6AL.

Fee

£35-00

IT IS RECOMMENDED that the Borough Council grant the registration of the above-mentioned Society.

5.7 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".

5.8 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:

Applicant

Willstan Limited

Address of Premises

14 High Street,
BALLYMONEY BT53 6AG.

Date

25/7/14

Willstan Limited

24A Main Street,
BALLYMONEY BT53 6AL.

25/7/14

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

5.9 Licensing (Northern Ireland) Order 1996

<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Mr. Stephen and Mrs. Sharon McKillop, 250-252 Castlecat Road, BALLYMONEY, BT53 8BP.	Occasional Licence Stranocum Orange Hall on 6/9/14 7.00pm – midnight	8/8/14
Mr. A. O'Hanlon The Corner House Bar, 2 Culcrum Road, Cloughmills, BALLYMENA BT44 9NH.	Occasional Licence Cloughmills Community Centre on 29/8/14 between hours of 8.00pm and 1.00am	12/8/14

IT IS RECOMMENDED that Council note the above applications.

STREET TRADING

5.10 Street Trading Act (NI) 2001 - Temporary Street Trading Licence

Application for the grant of Temporary Street Trading Licence has been made to this Directorate as follows:-

<u>Purpose</u>	<u>Applicant</u>
Dinky Donuts, Sweets and Novelty Items on High Street across from DV8 Ballymoney on 16/8/14 (5.00pm – Midnight)	Mr. Carson Skelton

IT IS RECOMMENDED that the Borough Council grant the Temporary Street Trading Licence in retrospect as detailed above.

ENVIRONMENTAL SERVICES

5.11 Bikes4Africa

Ballymoney Rotary Club has approached Council with regard to making use of bicycles deposited at its Household Recycling Centres. The Rotary Club of GB and Ireland works in association with the charity 'Bikes4Africa'. The charity arranges for the refurbishing of bicycles and onward transport to The Gambia. Here the bicycles will be used primarily by secondary school children in rural areas who often have to travel large distances on foot to receive an education.

IT IS RECOMMENDED that Council support Ballymoney Rotary Club in this initiative up to 31st March 2015.

5.12 Adoption of Report

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

that the Environmental Services Report – August 2014 as circulated, be adopted and the recommendations therein approved.

1002.6 CENTRAL SERVICES REPORT – AUGUST 2014

The Central Services Report was presented by the Director of Central & Leisure Services.

6.1 Ballymoney Cemetery – Memorials

Applications have been received for the erection of memorials in Ballymoney Cemetery as detailed below –

Section G4 No. 5

Mrs Lettie Orr, 10 Eastbourne Drive, Ballymoney
Black Granite Headstone & Base

Section E3 No. 15

Mrs Mary O'Neill, 154 Garryduff Road, Ballymoney
Black Granite Headstone & Base

IT IS RECOMMENDED that approval is granted for the erection of the above two memorials.

6.2 Adoption of Report

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

that the Central Services Report – August 2014, as circulated, be adopted and the recommendations therein approved.

1002.7 CORPORATE SERVICES REPORT - AUGUST 2014

The Corporate Services Report was presented by the Head of Corporate & Development Services.

7.1 LOCAL GOVERNMENT REFORM

7.1.1 Procedure for the Filling of Posts in the New Council Structures and Related Guidance

The Local Government Reform Joint Forum (LGRJF) has issued circular LGRJF/08 on the procedure for filling posts in the new Council structures and guidance on categorization within local government. This is promulgated under the authority of the Local Government Staff Commission (LGSC) under Section 40(4)(f) of the Local Government Act (NI) 1972. This is issued by the LGSC as a statutory recommendation for adoption by the 26 Councils.

IT IS RECOMMENDED that Council endorses adoption of the revised procedure for the filling of posts in the new Council structures and related guidance, as set out in circular LGRJF/08.

7.1.2 Draft Revised Code of Conduct for Local Government Employees and Draft Local Government Employees and Councillor Protocol

The Local Government Reform Joint Forum (LGRJF) has published two documents:

- Draft Revised Code of Conduct for Local Government Employees, which has been developed by the Local Government Reform Joint Forum
- Draft Local Government Employees and Councillors Protocol prepared by the DoE. This document is intended to complement both the Code of Conduct for Local Government Employees and the NI Local Government Code of Conduct for Councillors.

The Joint Forum considered comments received at its meeting on 27th August, with a view to issue the code, once agreed, shortly thereafter.

7.2 CONFERENCES

7.2.1 NAC AGM 2014

The Annual Meeting of the National Association of Councillors NI Region will be held on 3rd October in Clandeboye Lodge Hotel, Bangor. Cost £40. Councillor Robinson expressed an interest in attending.

7.2.2 Future of Communications Seminar, Westminster

An invitation has been received to The Future of Communications; Connecting with the Community at the House of Commons which is to be held at Westminster on 11th September. Cost: £265.

7.2.3 Brussels Open Week

The open week for regions and cities is 6-9 October. The theme is “Growing Together – Smart Investment for People”, with a selection of 99 workshops. Cost: Approx £750.00 (travel and accommodation).

7.2.4 IRRV NI Conference 2014

A one day conference in the City Hall, Belfast on 11th September £79.99 plus VAT. Councillor Robinson has expressed an interest.

7.2.5 Resource Efficiency & Waste Management Solutions In Partnership with CIWM 16-18 September 2014, NEC Birmingham

Over 1,300 key decision makers visit from municipalities, various waste producers in the retail, construction, hospitality, public and manufacturing sectors, waste contractors and consultants. There is no cost to attend. Cost of travel and accommodation is estimated at £280. Councillor Robinson has expressed an interest.

7.3 Adoption of Report

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

that the Corporate Services Report – August 2014, as circulated, be adopted and the recommendations therein approved and approval granted to conference attendance as requested at 7.2.1, 7.2.4 and 7.2.5.

1002.8 DEVELOPMENT SERVICES REPORT - AUGUST 2014

The report was presented by the Head of Corporate & Development Services.

8.1 Independent Review of the NITB and Wider Tourism Structures

The Minister of Enterprise, Trade and Investment commissioned an independent review of the NI Tourist Board and wider tourism structures. Work commenced in December 2013. The findings and recommendations, as a result of this research, have been published and comments invited by 22nd September.

The review states that the last five years have seen significant growth in tourist numbers coming to Northern Ireland. The challenge is to build on that growth and maintain the momentum generated by the successful completion of the five Signature Projects, together with a number of high profile events.

The report contains a number of key recommendations. In particular we are encouraged to consider the recommendations which concern business support services to the tourism industry, and the following questions;

- Do the recommendations within the report address the needs of the industry?
- Is the current level of business support adequate?
- How could it be improved and what is required from both NITB and Invest NI to deliver necessary improvements?

DETI is also particularly interested in views concerning NITB as a client centred organisation, and the following questions;

- Given that NITB endeavours to actively engage with all of its stakeholders, how should engagement be improved through a more client centred approach and what might this model look like?

Both Causeway Coast & Glens Tourism and the Causeway Cluster Tourism Working Group are meeting to consider feedback on the consultation.

Councillor Finlay expressed his disappointment with the Northern Ireland Tourist Board and their reluctance to engage with businesses and congratulated Tourism Bord Fáilte on their initiatives to support businesses. Councillor McGuigan stated that his party has been working for many years to achieve an all-Ireland body and suggested that Council support this.

8.2 Dereliction Intervention Funding

The June monitoring round was agreed in early August. Unfortunately the DoE was unsuccessful in their bid for dereliction funding but will try again in the October monitoring round.

8.3 ERDF Investment for Growth & Jobs Programme 2014-2020

DETI has provided AN update on the development of the LED element of the 2014-2020 ERDF Investment in Growth & Jobs (IGJ) Programme and advised on indicative allocations, which in respect of Causeway Coast & Glens DC is £1,434.140.

The programme is focused on only three thematic objectives (detailed below) with distinctly defined targets and every project funded will have to contribute to the relevant target.

1. Strengthening research, technical development and innovation
2. Enhancing the competitiveness of small and medium-sized enterprise
3. Supporting the shift towards a low carbon economy in all sectors.

The programme is being considered by a CCG Cluster development working group.

8.4 Report on Northern Area Plan

The Environment Minister, Mark H Durkan, has published the report from the Planning Appeals Commission (PAC) on objections to the Draft Northern Area Plan (DNAP) to bring more certainty on planning decisions for people living in Ballymoney, Coleraine, Limavady & Moyle. This draft plan identifies land for specific uses that will help the economy and boost balanced growth, development and employment in these areas.

The final plan, expected to be adopted in early 2015, will also provide a firm foundation for Councils to formulate their own plans when the planning function transfers to them after the Reform of Local Government in 2015.

The Minister said that in areas where the PAC recommendations support the Draft Plan for what will be the Causeway Coast and Glen's area, it is likely that the Department will accept these, unless there is a good reason not to. This is not only open and transparent but introduces further certainty in this period before the final Plan is adopted.

Areas where the PAC agrees with the Department include:

- housing allocations for towns and villages;
- allocation of lands for economic development;
- town centre first approach;
- a bespoke Policy for Rathlin Island to enable development of single dwellings for "local" people;
- policies and designations to protect the Giant's Causeway Coast and Glens World Heritage site.

The PAC report is now available on the DOE Planning website, www.planningni.gov.uk together with a Ministerial Statement which provides guidance on the status of the report.

8.5 Revitalisation Funding

DSD funding has been agreed for Ballymoney Revitalisation Scheme. However additional financial commitment is required from Council if this project is to proceed. The total cost of scheme is £250,000 and an application has been made to DSD requesting £225,000 with Ballymoney Borough Council providing the additional funding of £25,000

DSD budget constraints have resulted in a revised award of £200,000 funding from DSD. As the Economic Appraisal was approved for a £250,000 project this leaves a shortfall of £25,000, which following consultation with the Mayor and Chief Executive was confirmed.

Council's endorsement is sought.

8.6 Adoption of Report

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

that the Development Report – August 2014, as circulated, be adopted and the recommendations therein approved and action at 8.5 endorsed.

1002.9 MINUTES OF RESOURCES TASK GROUP MEETING NO 56 – 1st SEPTEMBER 2014

Councillor McKeown presented the report.

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

that the minutes of Resources Task Group Meeting No 56 – 1st September, as read, be adopted and the recommendations therein approved.

1002.10 MOBILE PHONE CONTRACT

The Director of Borough Services advised that Council's mobile phone contract is due for renewal later this month. Council has been in touch with the relevant officers at the Causeway Coast & Glens Shadow Council regarding plans for taking this matter forward and has been advised that this particular technology is not a priority at the moment. **IT WAS RECOMMENDED** that Council's mobile phone contract is permitted to roll over until 31st March 2015 under the existing terms of the contract.

Responding to Councillor Robinson's question relating to mobile phone for members, the Director advised that there are a limited to the number of phones available for use by Council staff. He stated that provision of mobile phones would be a matter of policy for Council to determine should they be minded to do so.

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

that Council's mobile phone contract is permitted to roll over until 31st March 2015 under the existing terms of the contract.

- * **The Director of Borough Services and the Director of Central & Leisure Services left the meeting at 7.40 pm.**

1002.11 CAUSEWAY COAST & GLENS SHADOW COUNCIL

No report.

1002.12 DoE (PPS2) & DSD (DEVELOPER CONTRIBUTIONS FOR AFFORDABLE HOUSING) – CONSULTATION

NILGA has prepared responses to the above consultations, (copies herewith). These drafts have been considered by both the NILGA Planning Working Group and the NILGA Executive, who are keen to ensure that councils have an opportunity to provide comments. The closing date for both of these consultations has been extended to 23rd September. It is intended to include comments from councils into the finalised versions of these responses, which will be taken to the NILGA Executive meeting on 12 September, if changes are required.

1002.13 LOCAL GOVERNMENT (DISQUALIFICATION) (PRESCRIBED OFFICES & EMPLOYMENTS) REGULATIONS (NI) 2014. (DRAFT)

The DoE has issued a consultation document on the Draft Local Government (Disqualification) (Prescribed Offices and Employments) Regulations (NI) 2014. These draft Regulations make provision in relation to disqualifying a council employee from being a councillor on his or her employing council and specify the offices and employments, the holding of which would disqualify the holder from being a Councillor on any Council. The closing date for comments is 5 September 2014.

NILGA has prepared a response (copy herewith). No management comments are offered.

1002.14 REPROVISION OF MENTAL HEALTH INPATIENT SERVICES

The Trust is currently consulting on a proposal to develop a new, purpose built Mental Health Inpatient Unit for the Northern Trust area. The consultation document details their current inpatient mental health services and why they feel they need to change. A copy of the document can be found on the Trust's website at www.northerntrust.hscni.net

The Trust is committed to on-going engagement and involvement with those who are affected by their proposal and are holding two consultation events in September to provide details of their proposals and gather feedback.

The time and venue for the consultation events are detailed below and members are invited to join the Trust at either Coleraine or Antrim to give their views.

- Friday 19 September 2014, Lodge Hotel, Coleraine, 12 noon – 2pm.
- Monday 29 September 2014, Dunsilly Hotel, Antrim, 2pm– 4pm.

Councillor Stevenson expressed strong views about the retention of Ross Thompson services at the Causeway Hospital. Alderman Kennedy concurred with his views. Councillor Robinson indicated that cuts in services at the Causeway Hospital would be an issue of concern for Council.

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

that Council writes to the Minister and the Chief Executive of the Northern Trust requesting the retention of Mental Health facilities at the Causeway Hospital.

It was agreed that attendance of members at the consultation event on 19th September be approved.

1002.15 REPORTS

A schedule of reports was circulated for members' information.

The meeting concluded at 7.50 pm.