

## Ballymoney Borough Council

### Health & Environmental Services Committee Meeting No 344 – 25th November 2008

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**244.42**

**BALLYMONEY BOROUGH COUNCIL**

Minutes of Health & Environmental Services Committee Meeting No 344 held in the Council Chamber, Riada House, Ballymoney on Tuesday 25<sup>th</sup> November 2008 at 7.00 pm.

**IN THE CHAIR** Councillor E Robinson

**PRESENT**

**Aldermen**  
F Campbell  
C Cousley, Deputy Mayor  
H Connolly

**Councillors**  
A Cavlan  
J Finlay, Mayor  
M McCamphill  
T McKeown  
A Patterson  
I Stevenson

**APOLOGIES** Councillor  
R Wilson

**IN ATTENDANCE** Alderman J Simpson  
Director of Borough Services  
Committee Clerk

**344.1 MINUTES – MEETING NO 343 – 28<sup>TH</sup> OCTOBER 2008**

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

*that the minutes of meeting No 343 – 28<sup>th</sup> October 2008 be confirmed as a correct record.*

## MATTERS FOR CONSIDERATION

### ENVIRONMENTAL SERVICES

#### 344.2 INSTALLATION OF COMPUTERISED FUEL MANAGEMENT SYSTEM AT COUNCIL DEPOT

Presently, fuel management at the Council Depot consists of the manual inputting of information from fuel usage docketts completed by drivers each time they fill their vehicle with fuel. Information is inputted by the Cleansing Supervisor into spreadsheets for each fuel type, which are then emailed monthly to Finance. This task can take up to two working days each month and a minimum of three working weeks over the course of a year.

The time spent collecting and inputting fuel usage information will be substantially reduced by installing a customized web-enabled application. This application negates the need for drivers to complete fuel usage docketts and for information to be inputted by the Cleansing Supervisor. Other benefits of this application include immediate access to fuel usage information, improved inventory control and data analysis. To install a web-based fuel management service of this type will cost approximately £8,000.

***IT IS RECOMMENDED*** that a fuel management service be purchased and installed.

The Director of Borough Services responded to questions from members as to why this matter was being raised now and commented on both the efficiency of and manpower necessary to operate the current system. He explained how the proposed system would work for pumped fuels [petrol and derv] and outlined the savings to be gained in terms of more productive use of scarce labour resource and much better financial information by the installation of a management system. Whilst members supported the scheme, they concurred that since no budget had been set aside for the provision of a fuel management system in the current year, the matter would best be dealt with during the rates setting process. At the request of Alderman Campbell, the Director advised that the fuel for the single LPG powered van within the amenities remit was obtained as required from the nearest retail supplier.

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

***to recommend that the installation of a computerised fuel management service at Council's Depot be considered at the rates setting process.***

\* Councillor Patterson and Councillor Finlay arrived during the discussion at 7.10 pm

### FOOD CONTROL

#### 344.3 FOOD STANDARDS

During the report period one food standards complaint was received. This was in relation to a misrepresentation on a menu. In this instance the consumer alleged to

have received an inferior product to that which was ordered i.e. sirloin steak instead of fillet. The complaint was investigated and all the facts considered.

***IT IS RECOMMENDED*** that no formal action be taken on this occasion. The owners of the premises should be advised in writing of the outcome of the investigation and that the complaint will remain on file and may be taken into consideration should a similar complaint arise in the future.

In response to Councillor Stevenson, the Director advised that it was necessary that Council make a determination on the matter so administratively bringing the matter to a conclusion.

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

***to recommend that no formal action be taken on this occasion.***

## HEALTH & SAFETY

### 344.4 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**

Centra  
100 Ballybogey Road  
BALLYMONEY BT53 6PD

**Applicant**

Mr Brian Kennedy

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

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

***to recommend renewal of licence as detailed.***

## LICENSING

### 344.5 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985 - LICENCE APPLICATIONS (FULL) (RENEWAL)

**Premises**

The Manor Hotel  
(Function Room/  
Front Bar/Restaurant)  
69 Main Street  
BALLYMONEY BT53 6AN

**Applicant**

Mr Danny Coulter

Provincial Towns Indoor Bowling  
Club  
Ballybrakes Industrial Estate  
38 Ballybrakes Road  
BALLYMONEY BT53 7PL

Mr Joseph Boyd

The Corner House  
(Front Darts Room/Lounge)  
2 Culcrum Road  
Cloughmills  
BALLYMENA BT44 9NH

Mr Anthony O'Hanlon

***IT IS RECOMMENDED*** that the Borough Council renew the Indoor Entertainment's Licences as detailed above. In addition to the Borough Council's "Conditions of Licence" adopted on 7<sup>th</sup> October 1985 the additional conditions detailed on the premise files also apply.

It was proposed by, Alderman Connolly seconded by Councillor Finlay and

**AGREED:**

***to recommend that Council renew the Indoor Entertainment's Licences as detailed above.***

**344.6 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985 - LICENCE APPLICATION (FOURTEEN UNSPECIFIED DAYS) (RENEWAL)**

**Premises**

**Applicant**

Dunloy and Hannah McCracken  
Memorial Hall  
12 Station Road  
Dunloy  
BALLYMENA BT44 9AU

Mrs Anne Allen

***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 7<sup>th</sup> October 1985 the additional conditions detailed on the premise files also apply.

It was proposed by Alderman Connolly, seconded by Councillor Finlay and

**AGREED:**

***to recommend that Borough Council renew the Indoor Entertainment's Licence as detailed above.***

### **344.7 CONSULTATION ON THE DETERMINATION OF FEES FOR ENTERTAINMENT LICENCES**

The DoE Local Government Policy Division is presently consulting on the fee structure relating to entertainment licensing.

#### **Issues Relating to the Setting of Fees**

When introducing fees, the objective is generally to recover the total cost of carrying out a function or providing a service, thus ensuring value for money. District councils, however, are currently not fully recovering the cost of administering the system for entertainments licences.

Departmental officials and members of the sub group of the Licensing Forum Northern Ireland examined the existing fee structure and the level of entertainment licence fees compared with current costs. Consideration was also given to developments in the entertainment industry over recent years and in particular, to the growing interest in open-air concerts. An analysis of administration costs (at today's prices) was carried out across the 26 councils and this exercise has confirmed that there is a serious shortfall in the income from fees. On average, only 14% of expenditure is currently being recovered.

The draft determination provides for some changes in the categories of entertainments licences, as set out below:

- Currently the maximum fee for indoor places of entertainment (occasional and full licences) is for a capacity of more than 300 persons. However, since 1995, there are significantly more venues in Northern Ireland capable of holding much larger numbers of people. The range has, therefore, been expanded to cater for 301-500 persons; 501-1000 persons; and over 1,000 persons. Separate fees are proposed for applications by both voluntary and non-voluntary organisations.
- A separate and relatively small fee is proposed for circuses, in recognition that they are transient in nature and because there should be an entertainments licence for each venue.
- Separate fees are proposed for applications by both voluntary and non-voluntary organisations relating to outdoor musical entertainments, where a place may hold not more than 500 persons and over 500 persons.

The Consultation Document and Appendices (A), (B) and (C) to the document circulated. The table at Appendix C of the document summarises the fee categories and shows the level of fees determined in 1995 set aside those proposed for 2009.

It is anticipated that the amended fee structure and the proposed level of fees detailed in the draft determination will enable district councils to recover, on average, 52% of their costs. Departmental officials and members of the sub-group of the Licensing Forum Northern Ireland will undertake an exercise, after the new fees have been in place for 12 months, to ascertain the extent of recovery actually achieved. A further increase will be considered at that stage, if necessary.

Responses to the Consultation have been invited by 30<sup>th</sup> January 2009.

**IT IS RECOMMENDED** that Council welcome the DoE proposals to set a more realistic level of fees in respect of places licensed by councils for entertainment. Responding to concerns by Councillor Finlay and Councillor Robinson relating to the level of fees by small organizations, the Director clarified that fees levied relate to the size of the venue and the income generated from entertainment at the venue.

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

***to recommend that Council welcome the DoE proposals to set a more realistic level of fees in respect of places licensed by councils for entertainment.***

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

##### **Applicant**

##### **Premises**

Mr Glen Cole  
(Tattooing)

Ink Well Tattoo  
5 Edward Street  
BALLYMONEY BT53 6JE

Mr Walter Wyle  
(Tattooing)

Ink Freak  
12 Castlecroft  
BALLYMONEY BT53 6TD

Ms Selina Stewart  
(Electrolysis/Ear Piercing)

2 Drumnamallaght Road  
BALLYMONEY BT53 7QX

**IT IS RECOMMENDED** that the above-mentioned persons and businesses be registered accordingly.

The Director, in response Member observations, indicated what Council could and could not take into consideration. It was noted that other bodies such as Planning Service also have responsibilities regarding matters which fall within its remit.

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

***to recommend that the above-mentioned persons and businesses be registered accordingly.***

## **DOG CONTROL**

#### **344.9 DOGS (NORTHERN IRELAND) ORDER 1983 ARTICLE 13 – REGISTRATION OF DOG BREEDING ESTABLISHMENT**

Application as undernoted has been made to the Borough Council that the premises to which they refer be registered in accordance with the provisions of Article 13 of the Dogs (Northern Ireland) Order 1983 as a dog breeding establishment:-



**Applicant****Premises**

Ann Marie O'Kane and  
James Pinkerton

16 Church Lane, Rasharkin, Ballymena,  
BT44 8QZ.

***IT IS RECOMMENDED*** that the Borough Council register the above-mentioned premises accordingly.

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

***to recommend that Council register the above-mentioned premises accordingly.***

**344.10 ARTICLE 29 – ATTACK ON A PERSON**

The Directorate received a complaint on 17<sup>th</sup> September 2008 from Mrs xxx alleging that her Terrier dog had been attacked by two large dogs in xxxxx, Ballymoney. The complainant has alleged that she sustained minor injuries to three fingers when she tried to rescue her dog.

A full investigation has been carried out into this incident.

On 16<sup>th</sup> September 2008 at approximately 6.20pm a 15 year old girl was exercising the family's two dogs in the Dog Run in Riverside Park, Ballymoney. The young girl alleges that one of the dogs ran through an open gate out of the Run. She quickly put the lead on the remaining dog and ran after the other dog to retrieve it.

Unfortunately before she caught up with the dog Mr & Mrs xxxxx were walking their dogs towards Riverside Park, Ballymoney.

The complainant alleges that initially she and her husband noticed the dog coming towards them and thought it was unaccompanied. A few seconds later the young girl appeared with another similar dog on the lead. Mr & Mrs xxxxx allege that the dog which was not on the lead grabbed her dog by the ear. Both Mr & Mrs xxxxx state that the young girl was unable to control the dogs even the one that she had on the lead. Mr xxxxx assisted the girl to pull the dog which she had on the lead away.

Mrs xxxxx alleges that the dog which was on the lead had caused the injuries to her fingers as she tried to lift her dog away. Her husband has also alleged this.

When interviewed the young girl stated that she did not see which of the dogs had bitten Mrs xxxxx.

However, the father of the girl and owner of the dog states that he witnessed the incident and that Mrs xxxxx was in fact bitten by her own dog as she tried to lift it away. Both the complainant and her husband deny this.

Mrs xxxxx received minor injuries to her left forefinger and to the second and third finger on her right hand. The injuries were treated at the A & E Department of Causeway Hospital. They did not require suturing. Mrs. Xxxxx was also given a tetanus injection. Mrs xxxxx dog was uninjured as a result of the incident.

After a review of all the evidence, the burden of proof required and noting the absence of any independent witnesses, it is considered that it is not in the public interest to pursue the case.

***IT IS RECOMMENDED*** that Council does not institute legal proceedings in this matter.

The Director advised as to the option open to the injured party were compensation to be sought and responded to Councillor Stevenson's comments regarding both fencing and signage at the Park's two dog runs. He stated that he would have the matter of placing signs at the gates to the runs requesting that same be kept closed investigated and addressed.

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

***to recommend that Council does not institute legal proceedings.***

## **ENERGY EFFICIENCY**

### **344.11 CONSULTATION ON THE NIE LEVY ENERGY EFFICIENCY PROGRAMME**

The Northern Ireland Authority for Utility Regulation (NIAUR) has issued a consultation document on proposed changes to the NI Energy Efficiency Levy Strategic and Operational Review 2008. The consultation paper can be viewed at: <http://ofreg.nics.gov.uk/01%20August%202008.htm>

Since 1997/98 an energy efficiency levy (the "Levy") has been raised on all supplies of electricity in Northern Ireland to fund energy efficiency measures. Set initially at a level corresponding to £1 per year per customer, the amount has since increased to the current level of £7.00 per year per customer. This adds approximately £2.70 to the average annual domestic electricity bill with the balance of costs being paid for by non-domestic demand.

In 2005, the Northern Investing for Health Partnership together with Ballymoney, Antrim and Magherafelt Councils bid for Levy funding which led to the establishment of the Warmer Ways to Better Health (WWTBH) scheme. Ballymoney Borough Council has, since then, made a financial contribution of £7,000 per annum to the scheme. Over the first 3 years WWTBH benefited 30 households across the Ballymoney Borough Council area through the provision of insulation and central heating packages designed to create warmer, healthier homes and to make them more energy efficient. This year over 50 homes should benefit from the scheme. The wider vulnerability criteria for Warmer Ways to Better Health means that the scheme reaches those who are vulnerable to fuel poverty but who fall outside the remit of other schemes such as Warm Homes. Eight of the ten Councils within the Northern Group now make a financial contribution to the scheme. A suggested response to the proposals has been provided in italics below.

## **Specific Proposals:**

### **Incentives**

Under the current arrangements, suppliers receive an incentive payment. This is currently £5,120 for each additional GWh of energy savings achieved over and above the supplier's target. Any additional funding a supplier obtains from third parties will enable it to undertake more measures and, therefore, earn increased incentive payments.

The Northern Health & Social Services Board's voluntary and community grants scheme has funded two energy efficiency adviser posts and two fuel poverty benefits adviser posts over the last two years. One of the energy efficiency advisers works across the Ballymoney, Moyle and Coleraine Council areas and over the past 14 months has generated 127 referrals to various fuel poverty grant schemes within the Ballymoney Borough Council area alone. The fuel poverty benefits adviser in Newtownabbey recovered over £230,000 of unclaimed benefits for clients during 2007/08.

We would suggest that the incentive payments received by suppliers be used to fund these posts particularly as current funding is short-term and uncertain.

### **Transparency/Clarity**

It is proposed that organisations other than licensed electricity suppliers should be permitted to compete for Levy funding.

This proposal could make the Levy more competitive. We would suggest that written procedures for the delivery of the Levy funding are drawn up to ensure transparency for all parties involved.

### **Focus of the Levy Scheme**

It is proposed that the focus of the Levy on priority schemes (currently 80%) should be reviewed.

In recognition of the high levels of fuel poverty in Northern Ireland, we would suggest that the Levy fund should continue to focus on domestic priority schemes.

### **Reduce the number of Whole House Solutions**

It is proposed that the emphasis of whole house solutions should be lessened with a view to enabling measures to be spread over a larger number of homes within the priority group.

We understand the proposal to reduce the number of whole house solutions offered through the Levy as the Council's experience is that it is becoming increasingly difficult to find homes which have no central heating or which are using only Economy 7 or solid fuel heating. While this would enable more insulation measures to be undertaken, we feel that it is important that a house is fuel poverty proofed.

We would suggest that the Levy fund include the replacement of old oil boilers as many are inefficient and expensive to run. This could prove to be a particularly

popular measure if replacement oil boilers are removed from the Warm Homes scheme as is currently being proposed.

### **Assistance with cost of heating oil**

Views are sought as to whether schemes should be permitted to assist with the purchase cost of heating oil.

Although this is an appealing suggestion, there is a concern that if people are given oil free of charge, they become less energy efficient. This could also be very difficult to manage. We would suggest that the relevant agencies explore social tariff or voucher schemes and that the Levy money is used to fund to energy efficiency measures and/or advisers but not to pay for fuel.

### **Other comments:**

#### **Warm Homes**

The Levy fund currently subsidises some Warm Homes jobs (i.e. if a Warm Homes job costs £1,000 and the Warm Homes grant is £800, £200 comes out of Levy funds to cover the difference).

We would suggest that the Warm Homes Scheme be fully funded by DSD thereby freeing up more Levy money.

The current consultation on the Warm Homes scheme proposes a change to the scheme's criteria that would make it open to those clients who would otherwise have benefited from the Levy funded schemes. We welcome the expansion of the Warm Homes scheme and see this as an opportunity for the Levy schemes to reach other groups vulnerable to fuel poverty.

#### **Increasing the Levy**

The average domestic customer pays £2.70 p.a. towards the Levy fund.

The amount paid per customer could be increased without disadvantaging consumers as long as fuel poverty initiatives are ring-fenced. We would also suggest that the Utility Regulator consider the possibility of extending the Levy contribution to oil and gas.

***IT IS RECOMMENDED*** that Committee/Council endorse the response made on its behalf in order to meet the consultation deadline.

A discussion ensued with the Director of Borough Services responding to Member questions. He referred to the need for meaningful interventions to enable fuel poor to access incentive payments, review of priority schemes, indigenous fuel supplies and the need for boiler replace solutions.

Councillor Finlay commended the work of the Fuel Poverty Officers in connecting people referred to both Levy Scheme and other solutions available.

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

***to recommend that Committee/Council endorse the response made on its behalf in order to meet the consultation deadline.***

## **FUEL POVERTY**

### **344.12 CONSULTATION ON WARM HOMES SCHEME**

The Warm Homes Scheme was established in 2001 and is funded by the Department for Social Development. At present, the Warm Homes Scheme has two elements:

1. **Warm Homes** offers insulation and basic energy efficiency measures and is available to households where the applicant is under 60 years of age and is in receipt of a qualifying benefit.
2. **Warm Homes Plus** offers insulation and central heating measures and is available to households where the applicant is 60 years of age or over and is in receipt of a qualifying benefit.

The Department for Social Development has issued a consultation document on proposed changes to the Warm Homes Scheme. The full document can be viewed at <http://www.dsdni.gov.uk/index/consultations/warm-homes-consultation.htm>. The following is a summary of the main changes that are proposed together with a suggested response in italics:

- (i) Maintaining the division of the Scheme between insulation (Warm Homes) and heating (Warm Homes Plus) but removing the restriction of Warm Homes Plus to over 60s only.

At present families with children and householders aged under 60 years of age in receipt of a qualifying benefit only qualify for insulation and basic energy efficiency measures and not for central heating measures. Recent research shows the impact of fuel poverty on families with children and the health and educational benefits of alleviating fuel poverty among such families that would indicate a need to extend the Scheme to them.

*Ballymoney Borough Council agrees that opening the central heating measures of Warm Homes Plus to those aged under 60 years could do much to reduce the impact of fuel poverty particularly on families with young children.*

- (ii) Opening the Scheme, including the Warm Homes Plus heating element, to the working fuel poor who are receiving Working Tax Credit, with Warm Homes offering insulation measures as the single entry point for all applicants.

*Ballymoney Borough Council acknowledges that opening Warm Homes and Warm Homes Plus to those in receipt of Working Tax Credit will help the Scheme to reach those who are on lower incomes and, therefore, more likely to be living in fuel poverty.*

- (iii) All applicants to the Scheme will receive a Benefit Entitlement Check to ensure that they are claiming their full benefit entitlement.

*Ballymoney Borough Council supports the proposal that all applicants to the Scheme receive a Benefit Entitlement Check as low income is one of the key contributors to fuel poverty. This Check should be offered at the outset of an application and that support is available to help applicants through the process. The Council is concerned that there are households in fuel poverty which are “near benefits” and feel it is important that these people are also included in the Scheme. Council, therefore, suggest that the Department consider another method of establishing eligibility to the Scheme that would include these fuel poor householders.*

- (iv) Applicants in receipt of a disability benefit only will qualify for the heating element of the scheme if the Benefit Entitlement Check results in a successful claim to a means tested benefit.

At present householders in receipt of a disability related benefit qualify for the Scheme. Data shows that households on means-tested benefits are likely to be in fuel poverty. This is not always the case for those on non-means tested disability benefits. The Northern Ireland Audit Office contend that disability benefits are not reliable indicators of fuel poverty.

*Ballymoney Borough Council acknowledges that not all householders in receipt of a disability related benefit are on a low household income and, therefore, not as vulnerable to fuel poverty. However, many householders in receipt of a disability related benefit are on low household incomes, are often “near benefits”, caught in a poverty trap and are excluded from passports to other entitlements. These householders generally have longer heating needs. The Council is, therefore, concerned that this proposal may exclude those who **are on low incomes and in fuel poverty but not entitled to means tested benefits**. Council would suggest that another method of establishing eligibility should be considered for those householders in receipt of a disability related benefit.*

- (v) These changes will be funded by focusing the heating element of the Scheme on those fuel poor households with no central heating, solid fuel systems, Economy 7 or Liquid Petroleum Gas.

At present repairs and upgrades to existing oil heating systems account for a large proportion of the current spend within the Warm Homes Scheme. Removing repairs and upgrades from the Scheme would free up resources which could be used to extend the eligibility for heating measures to families or hard-to-treat homes.

*Ballymoney Borough Council accept that removing repairs and upgrades of old oil heating systems would make more resources available for the extension of the heating measures to families and for hard-to-treat homes. However, The Council also acknowledges that some older oil central heating systems are inefficient and expensive to run and that by excluding these systems from the Scheme, householders will remain in fuel poverty and possibly without the means to upgrade the system themselves. The only alternative is for householders to be referred to the Scheme as having “no heat” once their oil system is broken and beyond repair. However, this would put already vulnerable people in an even more vulnerable position who could be left without heat for months or longer resulting in the exacerbation of cold-related illnesses and deaths and negative implications for the social and educational wellbeing of the household. Council, therefore, suggests that the Department considers including upgrades of oil central heating systems over a certain age.*

- (vi) Removing measures such as draught-proofing, energy saving light bulbs and repairs and upgrades to existing heating systems.

*The Council's position on repairs and upgrades to existing heating systems have been made in the point above. Draught-proofing and energy saving light bulbs are relatively inexpensive but may cost more than a fuel poor household could afford and can effect considerable household savings (15% of heat loss is through draughts and an energy efficient light bulb uses 20% of the energy of an ordinary bulb). Council, therefore, recommend that these measures are continued.*

- (vii) The Department would like to make changes to the grant limit to allow flexibility for work on 'hard to treat' properties, particularly in isolated rural areas, where fuel poverty has been shown to be more acute. Any changes to grant limits will be subject to Department of Finance and Personnel approval.

Recent research showed the need for the Scheme to more actively target older home owners in isolated rural areas as their health was more susceptible to the effects of fuel poverty.

*Ballymoney Borough Council agrees with the proposal to change the grant limit to allow work on 'hard to treat' properties as long as any measures installed are suitable for the user, are proven and offer value for money.*

- (viii) The Department would like to include some renewable technologies for hard to treat homes where there is currently no alternative to oil heating. The Department is currently piloting a number of renewable technologies such as Wood Pellet Boilers, Solar Panels, Solar Photovoltaics which it hopes will provide a body of evidence to support their introduction to the new Warm Homes Scheme.

*Ballymoney Borough Council supports the proposal to include renewable technologies for hard to treat homes provided that any measures installed are suitable for the user, are proven and offer value for money.*

- (ix) All applicants will receive energy advice which will cover better use of current appliances, how to manage current heating systems, how to budget for fuel and signposting to services which can provide further support and information.

*Ballymoney Borough Council agrees with the proposal to offer energy advice to all applicants. This advice should be to a standard so that householders understand how to make the most of the energy efficiency measures that have been installed and can manage them correctly and are given advice on no-cost and low-cost methods of saving energy.*

**IT IS RECOMMENDED** that the above response be adopted and forwarded to the Department for Social Development by the closing date (19<sup>th</sup> December 2008) with respect to the proposed changes to the Warm Homes Scheme.

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

***to recommend that the above response be adopted and forwarded to the Department for Social Development by 19<sup>th</sup> December 2008 with respect to the proposed changes to the Warm Homes Scheme.***

At the request of Councillor Finlay, it was **AGREED:**

***that the Director extend congratulations to those officers working primarily on fuel poverty initiatives for their sterling work.***

## **COMMUNITY SAFETY**

### **344.13 COMMUNITY SAFETY CONSULTATION EVENT – 10<sup>TH</sup> DECEMBER 2008**

As a result of the issue of the consultation document as noted above, NILGA are holding an event on the 10<sup>th</sup> December 2008 at Beechlawn House Hotel, Dunmurry (9.00am – 3.00pm).

The aim of the event is to assist councils in developing a strategic local government response to the consultation especially within the context of RPA and the advent of the power of well being and community planning. It is the intention of the Deputy Director and the Community Safety Manager to attend. Five members from each Council are also invited to participate. Nominations are therefore sought, to be confirmed by 1<sup>st</sup> December 2008.

***IT IS RECOMMENDED*** that Committee consider and make recommendation as to the members to attend.

During the discussion on the item the Director requested that if it were possible a place ought to be reserved [from the five on offer to members] to enable an officer from the Office of the Chief Executive delivering the DPP remit to attend.

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

***to recommend that Alderman Campbell, Councillor Stevenson, Councillor McCamphill and Councillor Cavlan attend the consultation event, with the fifth member place to be offered to the Office of the Chief Executive to an officer delivering the DPP remit.***

## **BUILDING CONTROL**

### **344.14 BUILDING CONTROL APPLICATIONS**

***IT IS RECOMMENDED*** that Council note the **Applications, Building Notices and Regularisation Certificates** as detailed in Appendix 1, which are in accordance with the requirements of the Building Regulations (NI) 2000.

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



***to recommend that Council note the Applications, Building Notices and Regularisation Certificates as detailed.***

### **344.15 THE SHOPS (SUNDAY TRADING) (NORTHERN IRELAND) ORDER 1997**

The Directorate received an anonymous complaint regarding a retail premises in the Ballymoney area trading on a Sunday between 9.00 am and 6.00 pm.

Under the above legislation, a large shop (ie a shop which has a relevant floor area exceeding 280 sq metres) cannot open on a Sunday for the serve of retail customers except between the hours of 1.00 pm and 6.0 pm. Exemptions to this apply to farm shops selling its own produce, shops at an airport, railway, bus station, motorway service areas and petrol filling stations.

The retail premises in question has a floor area of approximately 618 sq metres. This makes the premises a large shop and therefore only permitted to trade between the hours of 1.00 pm and 6.00 pm, as it does not fall within any of the exemptions. The premises were advised in writing of this legal requirement and that monitoring would be carried out. An officer from the Department was able to enter the premises on Sunday 16<sup>th</sup> November at 11.49 pm and purchase items from the store.

***IT IS RECOMMENDED*** that in this instance, a warning letter be issued to the proprietor of the premises advising of the breach of the above legislation and that further monitoring will be carried out to ensure compliance.

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

***to recommend that a warning letter be issued to the proprietor of the premises advising of the breach of the above legislation and that further monitoring will be carried out to ensure compliance.***

## **MATTERS FOR INFORMATION**

### **ENVIRONMENTAL SERVICES**

#### **344.16 MUNICIPAL WASTE RETURNS**

<b><u>Waste Type</u></b>	<b><u>Oct 2008</u></b>	<b><u>Apr – Oct 08</u></b>	<b><u>Apr – Oct 07</u></b>
Mixed Residual Waste (waste to landfill)	828.30t -24.11%	6,158.72t -9.86%	6,832.22t
Mixed Dry Recyclables (blue bin recycling)	139.48t -8.54%	961.74t -0.07%	962.38t
Garden Waste (brown bin recycling)	90.86t	956.62t	

Waste Recovery (segregated CA site waste)	59.08t	153.32t
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The Director and Committee Chair commented on the above statistics and the meeting noted the performances achieved. The Director commented that the figures relating to the waste recovery i.e. segregated CA Site waste related to a two month period – September and October '08. At the request of Councillor Robinson, he undertook to report on the cost of installing compactors at the Council's two CA Sites at the December Committee meeting.

Councillor Robinson reiterated the need to encourage recycling via features in Council's Bulletin and the media; commenting that an anticipated Province-wide campaign will reinforce the importance of recycling.

Responding to Councillor Finlay, the Director advised that the brown bin collection service was being continued as the demand still justified this.

#### **344.17 ENVIRONMENTAL SERVICES FUEL EXPENDITURE ANALYSIS (APR-SEPT 2007-2008 VS APR-SEPT 2008-2009)**

An analysis of Environmental Services fuel expenditure in the current financial year was made comparing period 6 2009 versus period 6 2008 data.

The analysis highlights the substantial increase in fuel spend between the corresponding half-yearly reporting periods. At period 6 2009 fuel expenditure for Environmental Services was £68,000 compared to £42,861 at period 6 2008, an increase of 58.65%. The following services, Waste Collection, Waste Disposal and Street Cleansing have seen increases in fuel spend between the corresponding periods of 66.70%, 65.72% and 54.91% respectively.

This increase in fuel spend will have a detrimental impact on all vehicle maintenance budgets, in particular Waste Collection, during the current year.

Members are asked to note that it is probable that the above environmental services will exceed their respective budget estimate for the current financial year.

## **FOOD CONTROL**

#### **344.18 THE INFANT FORMULA AND FOLLOW-ON FORMULA (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2008**

These Regulations which came into operation on 4<sup>th</sup> November 2008 amend the Infant Formula and Follow-on Formula Regulations (NI) 2007.

The amendments are required to give effect to the order of the High Court of Justice in Northern Ireland of 25<sup>th</sup> June 2008 in the matter of an application by the Infant and Dietetic Foods Association Ltd. ("the IDFA") for Judicial Review and in the matter of the Infant Formula and Follow-on Formula Regulations (NI) 2007.

The Order recited that the 2007 Regulations fail to comply with Commission Directive 2006/141/EC on infant formulae and follow-on formulae and amending Directive

1999/21/EC to the extent that they prohibit as from 11<sup>th</sup> January 2008 (instead of as from 31<sup>st</sup> December 2009) trade in infant formula and follow-on formula whose labeling satisfies the labeling requirements of the Infant Formula and Follow-on Formula Regulations (Northern Ireland) 1995 (S.R. 1995 No. 85, as amended) but does not satisfy the labeling requirements of the 2007 Regulations.

These Regulations amend the Infant Formula and Follow-on Formula Regulations (Northern Ireland) 2007 to –

- (a) revise the list of regulations that must be complied with if a person is to market infant formula or follow-on formula;
- (b) provide that the presentation of infant formula and follow-on formula must comply with the provisions of specified regulations;
- (c) revise the list of regulations that must be complied with if a person is to export infant formula to third countries;
- (d) revise the list of regulations that must be complied with if a person is to export follow-on formula to third countries; and
- (e) create transitional arrangements that apply in relation to the enforcement of –
  - (i) the labeling requirements for infant formula and follow-on formula, and
  - (ii) the requirements that apply in relation to the shape, appearance and packaging of infant formula and follow-on formula. This amendment is considered necessary as a result of the judgments of the Court of Session in Scotland in the related case of the Petition of the IDFA and others for Judicial Review of a decision by the Scottish Ministers to make and lay before the Scottish Parliament the Infant Formula and the Follow-on Formula (Scotland) Regulations 2007 and the High Court in England in the related case of R -v- the Secretary of State for Health and the Welsh Ministers on the application of the IDFA.

These Regulations also provide transitional arrangements with regard to the Medical Food Regulations (Northern Ireland) 2000.

### **344.19 THE WILD GAME GUIDE TO FOOD HYGIENE REGULATIONS FOR THOSE SUPPLYING WILD GAME FOR HUMAN CONSUMPTION**

A practical guide to the requirements of EU Hygiene Regulations in respect of wild game has been produced to provide information and advice to people who shoot wild game. The Guide provides advice on whether those who supply wild game either in-fur or in-feather or as prepared game meat fall within the scope of the Hygiene Regulations. It also gives advice on the transport of game and the use of game larders as well as the need for temperature control.

The guide has been developed by the FSA in partnership with the Meat Hygiene Policy Forum's Game Working Group.

A copy of the Guide and the annexes are available from the Agency's website at: [www.food.gov.uk/foodindustry/meat/wildgameguidance](http://www.food.gov.uk/foodindustry/meat/wildgameguidance).

### **344.20 REPORT OF NI STRATEGIC COMMITTEE ON FOOD SURVEILLANCE COVERING FOOD SAMPLING BY DISTRICT COUNCILS IN NORTHERN IRELAND IN 2007**

The Health Protection Agency (HPA) have issued the first report on Northern Ireland food sample data held in the food surveillance system database. It captures food sampling activities undertaken by the 26 environmental health departments across NI and it contains the outcome of almost 9,000 samples submitted for microbiological and chemical analysis during 2007. The samples were taken for enforcement or surveillance/monitoring purposes. Based on the data there were no major issues regarding contamination of food with disease causing bacteria nor were there any incidences where food was found to be potentially hazardous that would have required to be removed from the market. There were also no major food poisoning incidents reported in NI during 2007. However, the report identifies a number of recommendations for District Councils which will be taken into consideration when reviewing the Directorates Food Service Delivery Plan for 2009/2010. Copies of these recommendations were circulated for members' information.

## **HEALTH & SAFETY**

### **344.21 THE EQUIPMENT AND PROTECTIVE SYSTEMS INTENDED FOR USE IN POTENTIALLY EXPLOSIVE ATMOSPHERES (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2008**

The above Regulations, which come into operation on 1<sup>st</sup> December 2008, amend the 1996 Regulations as amended.

### **344.22 THE CHEMICALS (HAZARD INFORMATION AND PACKAGING FOR SUPPLY) (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2008**

The above Regulations which come into operation on 28<sup>th</sup> November 2008, correct certain errors in the 2002 Regulations as amended by the 2006 Regulations.

### **344.23 CIEH LEVEL 2 AWARD IN HEALTH AND SAFETY IN THE WORKPLACE**

District Environmental Health Officers have delivered the Chartered Institute of Environmental Health Level 2 Award in Health and Safety in the Workplace to a number of businesses within the Ballymoney Borough Council Area.

The qualification covers the following topics:

- Legislation
- Health, Safety & Welfare
- The workplace and workplace equipment
- Risk assessment
- Manual handling
- Hazardous substances
- Ergonomics and workstation design
- Transport and vehicles

- Noise and vibration

Congratulations to all eight candidates who successfully undertook the exam achieving their Health and Safety Award.

## ENVIRONMENTAL HEALTH GENERAL

### 344.24 NI HOUSE CONDITION SURVEY 2006

A copy of the Northern Ireland House Condition Survey 2006 Report was received from OCE on 11<sup>th</sup> November.

The report aims to provide not only a comprehensive picture of the dwelling stock and its condition in 2006 at District Council as well as Northern Ireland level but also highlight the association between dwelling conditions and the social and economic circumstances of households. In addition, the report provides the most recent reliable assessments of key Government measures such as Fuel Poverty, the Decent Homes Standard, the Housing Health and Safety Rating System and the Government's recommended system for home energy ratings the Standard Assessment Procedure (SAP).

As Council has taken a particular interest in FUEL POVERTY, that section of the NI House Condition Survey 2006 Report was circulated to members.

It is the case that one of the key objectives of the 2006 Northern Ireland House Condition Survey (HCS) was to provide a reliable assessment of Fuel Poverty in Northern Ireland on a comparable basis, with the rest of the United Kingdom.

## LICENSING

### 344.25 SUNDAY OPENING OF BOOKMAKING OFFICES

Further to Minute HES 344.36 regarding the above matter, the response dated 13<sup>th</sup> November received on behalf of the DSD Minister, Margaret Ritchie, MLA was circulated to members. The correspondence states that the Minister believes there is a case for a change in the law to allow bookmaking offices to open for business on Sundays, subject to restricted hours and intends to seek the views of her Executive colleagues on such a change.

Councillor Finlay and Councillor Cavlan expressed disappointment on the proposal.

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

***to recommend that Council write to the First Minister and local MLAs expressing Council's concern regarding the DSD Minister's proposal to introduce new legislation to permit the Sunday opening of bookmaking offices.***

## **DOG CONTROL**

### **344.26 KENNELING OF ALLEGED PIT-BULL TYPE DOGS**

On 17<sup>th</sup> November 2008, two outstanding cases regarding the seizure of alleged pit-bull terrier type dogs in the Borough by Council Enforcement Officers were listed for hearing at Coleraine Magistrates Court. Due to time constraints only one case could be heard. The judgment on this case is listed for mid-December.

The second case, involving one alleged pit-bull terrier type dog, will not be heard now until March 2009 at the earliest. As a consequence, kenneling costs for this dog will continue to be incurred by the Dog Control service into 2009.

It is most likely therefore that this service will be in excess of its budget estimate at the end of the current financial year.

The Director responded to a number of questions from members including - contact with impounded dogs by owners, current Ministerial review of dog legislation and dog assessment and identification.

## **HOME SAFETY**

### **344.27 CO AWARENESS WEEK 17-21 NOVEMBER 2008**

As part of the above initiative the Borough Services Directorate in partnership with HAP Ballymoney ran a CO awareness day in the Joey Dunlop Leisure Centre on the 24<sup>th</sup> October 2008. Some 70 senior citizens attended and heard presentations on the effects CO poisoning from NI Association of Chimney Sweeps, CORGI and ROSPA. They also had the opportunity to view stands and get information on Air Quality, CORGI, Chimney Sweeps, Warmer Homes Scheme. At the end a draw was held and some lucky winners went away with CO detectors and other home safety equipment. The feedback has been very positive.

### **344.28 ROSPA NATIONAL HOME SAFETY CONGRESS REGULATING FOR HOME SAFETY – 11<sup>TH</sup> – 12<sup>TH</sup> NOVEMBER 2008**

An officer from the Directorate had the opportunity to attend the Home Safety Congress. On the first day going with this year's theme, papers were presented on the success in the reduction of injuries around the home by regulation. Also a report was presented on the findings and recommendations for setting up a nationwide injury database.

The second day papers were presented on local home safety initiatives and practical home safety products.

The officer found this to be a worthwhile learning experience and it is hoped that a number of good practice examples can be introduced within the Borough in the near future.

## OTHER CONSULTATIONS

- 344.29** 1. DARD Consultation on Changes to BSE Testing.  
Responses sought by 3<sup>rd</sup> December 2008.
2. DoE Consultation on Draft Fluorinated Greenhouse Gases Regulations (NI) 2009.  
Responses sought by 21<sup>st</sup> January 2009.

## PLANNING CONSULTATIONS

### 344.30 PLANNING CONSULTATION RESPONSES

The following responses have been returned to Planning Service and is provided to Members for information. This information has been shared with the Head of Corporate and Development Services and the Head of Building Control.

<b>Application</b>	<b>Address</b>	<b>Proposal</b>	<b><u>Comments</u></b>
D/2008/0015/F	11-17 Milltown Road BALLYMONEY	Proposed residential development (24 no. apartments)	Request condition regarding management of communal refuse storage and collection arrangements.
D/2008/0392/F	Tesco Stores Castle Street BALLYMONEY	Provision of CHP unit within service yard	Request condition. Any CHP unit operated at the development site shall not exceed an SPL of 35dBA at 10m.
D/2007/0249/F	Land to North and East of 10 Vow Road BALLYMONEY	Extraction of sand and gravel	Following receipt of noise impact assessment report – no objection in principle to application.

### 344.31 OUTSTANDING PLANNING CONSULTATION REPLIES

Further to previous committee minute 341.45 regarding the above, officers have continued to work to respond to planning consultations. At the time of writing, 63 replies remain outstanding.

The Director explained the role of his Directorate as a Planning Service statutory consultee. The Chair advised that the Director and she had recently discussed the Council's decision to sign up to Planning Services' 'Streamlined' applications process and the Director confirmed that he had since yesterday addressed the issue of non-receipt of the 'weekly list' so that this information might be cross referenced with the consultations received by the Directorate as the latter were not so identified. He also affirmed that he was actively reviewing options as to how the accumulated backlog might be addressed.

## LICENSING

### 344.32 LICENSING (NORTHERN IRELAND) ORDER 1996

<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Samuel Mullan 24 Main Street BALLYMONEY	Notice of Application for a Protection Order - 22 Linenhall Street, Ballymoney.	30/10/08

At the request of Councillor Cavlan, the Director clarified the purpose as he understood it of an application for a protection order.

## ENERGY EFFICIENCY

### 344.33 ENERGY SAVING WEEK 20<sup>TH</sup> – 26<sup>TH</sup> OCTOBER 2008

The aim of Energy Saving Week 2008 was to encourage householders to discover their 'green/life balance' and encourage them to implement energy saving measures at home and at work to save energy, money and help fight climate change.

Ballymoney Borough Council participated by e-mailing daily "top-tips" to all employees from saving energy by not boiling more water than is required for a cup of tea to how to reduce fuel consumption in the car.

For tips and advice on how you can save money, energy and the environment log onto the website below and complete a free home energy check to find out how you could save up to £340 on your energy bills.

[www.energysavingtrust.org.uk/northernireland](http://www.energysavingtrust.org.uk/northernireland)

### 344.34 WARMER WAYS TO BETTER HEALTH 08/09 PROGRAMME

Referrals to the free central heating and/or insulation package (Warmer Ways for Better Health 08/09) has now closed to allow works to be carried out before the end of the financial year. The target for the Ballymoney Council area was 26 Whole House Solutions (Central heating and insulation) and 26 Insulation Only packages. The scheme was promoted in the local papers and at various community events. There have been 16 clients referred to the central heating and insulation package and 43 referrals to the cavity wall and loft insulation only package. A lot of queries



about the above scheme were eligible for the Warm Homes Scheme and referrals were made on their behalf.

## **CHILDREN & YOUNG PERSONS (PROTECTION FROM TOBACCO) (NI) ORDER 1991**

### **344.35 CHILDREN & YOUNG PERSONS (PROTECTION FROM TOBACCO) (NI) ORDER 1991**

Further to committee report item 344.51, it is the Directorates intention to carry out a further test purchase exercise on Saturday 22<sup>nd</sup> November 2008 to ensure compliance with the above legislation.

It is also intended to participate in a province-wide initiative during the weekend 28<sup>th</sup>-30<sup>th</sup> November checking compliance with The Smoking (Northern Ireland) Order 2006. The initiative will be funded by the Department of Health, Social Services and Public Safety. A full report on each of the activities will be provided to the next scheduled committee meeting.

## **COMMUNITY SAFETY**

### **344.36 UPDATE ON MINISTERIAL REVIEW OF FUTURE ARRANGEMENTS FOR COMMUNITY SAFETY PARTNERSHIPS AND DISTRICT POLICING PARTNERSHIPS**

Members may be aware, Minister of State, Paul Goggins, launched a review of CSP's and DPP's in 2007, the aim of which was to develop a model that would be in line with new community planning arrangements. This work has been taken forward by a review group comprising officials from NIO, Belfast City Council, NIHE, DoE, PSNI and the Policing Board.

The review group is currently considering options for addressing key issues such as future functions, funding, accountability and monitoring. Subject to Ministerial agreement, the NIO will launch an initial consultation on proposals for future arrangements with CSP's, Councils, the Policing Board and DPPs, followed by a wider public consultation exercise.

### **344.37 TOGETHER, STRONGER, SAFER – COMMUNITY SAFETY IN NORTHERN IRELAND: A CONSULTATION PAPER – OCTOBER 2008**

The NIO Community Safety Unit issued the above consultation document. The document in full (48 pages) is available to download at [www.communitysafetyno.gov.uk](http://www.communitysafetyno.gov.uk), [www.nio.gov.uk](http://www.nio.gov.uk) and [www.cjsni.gov.uk](http://www.cjsni.gov.uk). A number of questions are posed throughout the document.

The Governments priorities over the next 3-5 years are built around 3 cross cutting themes:-

1. Creating Safer Neighbourhoods;
2. Focus on Families; and

### 3. Building Strong Confident Communities.

The consultation is open until 4.00pm, 19<sup>th</sup> January 2009. Individual responses are welcome. It is proposed that a response will be prepared on behalf of the Community Safety Partnership and to be considered at the next scheduled meeting, 7<sup>th</sup> January 2009.

#### **344.38 CRIMINAL JUSTICE INSPECTION NORTHERN IRELAND: ANTI-SOCIAL BEHAVIOUR ORDERS: AN INSPECTION OF THE OPERATION AND EFFECTIVENESS OF ASBO'S – OCTOBER 2008**

The above report compiled by the Chief Inspector of Criminal Justice was issued on the 16<sup>th</sup> October 2008 and considered how the PSNI, NIHE and local Councils were making their ASBO applications and undertaking their responsibilities since the introduction of legislation in Northern Ireland in 2004. In general it appears that there has been a sensible approach to the introduction of ASBO's in Northern Ireland. Overall the inspection found that ASBO's have a role to play in tackling anti-social behaviour but do not provide the full answer. At the end of December 2007, 65 ASBO's had been received in Northern Ireland (none have been issued in Ballymoney). The Criminal Justice Inspectorate found the agencies involved were, in general using a graduated approach to ASBO's with alternative methods of dealing with anti-social behaviour also being considered and used where appropriate. ASBO's were also found to be generally sought after a pattern of anti-social behaviour had been observed rather than in response to a single incident, and that in the main, anti-social behaviour had been occurring for more than six months before an ASBO had been applied for.

The report identifies a number of recommendations which will be considered locally with the PSNI, NIHE and YJA with regard to implementation. A copy of the recommendations were provided for information. A full copy of the report may be accessed at [www.cjini.org](http://www.cjini.org), following the link to inspection reports.

## **STAFF MATTERS**

#### **344.39 HOME SAFETY OFFICER**

Members may be aware that the Home Safety Officer (job share) post became vacant on the 1<sup>st</sup> November following the resignation of Barbara Allison. Following a report to the Resources Task Group (28<sup>th</sup> August 2008) CM 887.6 refers, it was recommended that the post revert to a full time position and that recruitment be either a secondment opportunity from within the funding partners or via the Council's preferred employee provider. I am pleased to advise that David Adams has been selected via Diamond Recruitment and commenced duties on the 12<sup>th</sup> November 2008.

#### **344.40 ENERGY EFFICIENCY ADVISOR**

Members will be aware that the above post (fully funded by Northern Investing for Health Partnership) became vacant on the 29<sup>th</sup> August 2008. In accordance with the recommendation of the Resources Task Group (28<sup>th</sup> August 2008) CM 887.6 refers,

this post was filled via the Council's preferred employee provider. Anita Kelly commenced duties on Monday 22<sup>nd</sup> September 2008.

Referring to 344.40 and 344.39, the Director advised that because these are term positions and funding is not secured for their continuation, the appointments would be serviced via a recruitment agency. If Council is successful in securing funding then a recruitment exercise will be considered.

## **HEALTH & PERSONAL SOCIAL SERVICE (NI) ORDER 1978**

### **344.41 CHILDREN & YOUNG PERSONS (PROTECTION FROM TOBACCO (NI) ORDER 1991**

Further to the test purchase initiative using a young person 15 years of age on Saturday 22<sup>nd</sup> November, the Director was pleased to advise that of the 21 premises surveyed, all met the requirements of the above legislation with no sales being made.

## **LICENSING**

### **344.42 LICENSING (NORTHERN IRELAND) ORDER 1996**

<b>Applicant</b>	<b>Purpose</b>	<b>Date</b>
Samuel Mullan 24 Main Street BALLYMONEY	Notice of Application for Grant of Licence 24 Main Street, Ballymoney	20.11.08

### **344.43 WEIGHBRIDGE AT CROSSTAGHERTY WHTF**

The Director asked Committee to note that the site's weighbridge and associated computer system had been the subject of a lightning strike on Sunday 23<sup>rd</sup> November. The essential equipment had been damaged and rendered inoperable. It was estimated that the cost of repairs would be approximately £5,000. The Council's insurers had been notified and it was hoped to effect repairs as soon as possible.

### **344.44 REPAIRS TO REFUSE COLLECTION VEHICLE**

The Director asked Members to note that the collapse of the barrel bearing ring to one of the Council's RCV which was in daily use will cost approximately £11,500 and that due to service requirements there was no alternative but to undertake the necessary repairs to the vehicle in order to maintain services.

**The meeting closed at 9.30 pm.**

Appendices attached  
Appendix 1 Building Control Applications.

## APPENDIX 1

**Ballymoney Borough Council**  
**Building Control Department**  
**Approvals report from 25-09-2008 - 31-10-2008**

<b><u>Ref No:</u></b>	B/2005/0075
<b><u>Applicant:</u></b>	DMMConstruction Ltd
<b><u>Agent:</u></b>	Bell Architects 65 Main Street Ballymoney
<b><u>Location:</u></b>	70 Garryduff Road Culdoo Upper Ballymoney
<b><u>Description:</u></b>	Dwelling with integral garage
<b><u>Ref No:</u></b>	B/2007/0088
<b><u>Applicant:</u></b>	Mr Bryce Gilmore
<b><u>Agent:</u></b>	Mr Gary Gaston 133 Finvoy Road Ballymoney
<b><u>Location:</u></b>	Site 7 Gortahar Road Gortahar Rasharkin Ballymena
<b><u>Description:</u></b>	Dwelling and garage
<b><u>Ref No:</u></b>	B/2007/0089
<b><u>Applicant:</u></b>	Mr Bryce Gilmore
<b><u>Agent:</u></b>	Mr Gary Gaston 133 Finvoy Road Ballymoney
<b><u>Location:</u></b>	Site 8 Gortahar Road Gortahar Rasharkin Ballymena
<b><u>Description:</u></b>	Dwelling and garage
<b><u>Ref No:</u></b>	B/2007/0090
<b><u>Applicant:</u></b>	Mr Bryce Gilmore
<b><u>Agent:</u></b>	Mr Gary Gaston 133 Finvoy Road Ballymoney
<b><u>Location:</u></b>	Site 9 Gortahar Road Gortahar Rasharkin Ballymena
<b><u>Description:</u></b>	Dwelling and garage
<b><u>Ref No:</u></b>	B/2007/0111/MAST
<b><u>Applicant:</u></b>	S H Moore & Sons
<b><u>Agent:</u></b>	Paul McAllister Architects Ltd 64a Drumnacanvey Road Portadown Craigavon
<b><u>Location:</u></b>	11, 11a & 11b Queen Street Ballymoney
<b><u>Description:</u></b>	Conversion of dwelling with extension and alterations to form 3 apartments
<b><u>Ref No:</u></b>	B/2007/0148
<b><u>Applicant:</u></b>	Mr Nigel Bartlett
<b><u>Agent:</u></b>	Knox & Clayton Architects 2a Wallace Avenue Lisburn
<b><u>Location:</u></b>	70a Fivey Road Ballycreagh Upper Stranocum Ballymoney
<b><u>Description:</u></b>	Dwelling with attached garage

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**Ref No:** B/2007/0149  
**Applicant:** W B McKinney & Son Ltd  
**Agent:** Mr Gary Gaston 133 Finvoy Road Ballymoney  
**Location:** 140b Finvoy Road Knockans Ballymoney  
**Description:** Dwelling and garage

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**Ref No:** B/2007/0171  
**Applicant:** Mr Bryce Gilmore  
**Agent:** Mr Gary Gaston 133 Finvoy Road Ballymoney  
**Location:** Site 11 Gortahar Lane Gortahar Rasharkin Ballymena  
**Description:** Dwelling and garage

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**Ref No:** B/2007/0172  
**Applicant:** Mr Bryce Gilmore  
**Agent:** Mr Gary Gaston 133 Finvoy Road Ballymoney  
**Location:** Site 12 Gortahar Lane Gortahar Rasharkin Ballymena  
**Description:** Dwelling and garage

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**Ref No:** B/2007/0191  
**Applicant:** Mr Eddie Fleming  
**Agent:** Ivan McLean 64 Old Portglenone Road Ahoghill Ballymena  
**Location:** 7 Dreen Road Church Tamlaght Rasharkin Ballymena  
**Description:** Dwelling and garage

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**Ref No:** B/2007/0192  
**Applicant:** Mr & Mrs P McToal  
**Agent:** RMA 1 Sloans Court Queen Street Ballymena  
**Location:** 228 Kilraughts Road Ballymoney  
**Description:** Granny flat extension to dwelling

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**Ref No:** B/2007/0193  
**Applicant:** Miss Mary McKendry  
**Agent:** Mr S Gribbon 50 Cranagh Road Coleraine  
**Location:** 7 Taughey Road Balnamore Ballymoney  
**Description:** Extension to dwelling

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**Ref No:** B/2007/0208  
**Applicant:** Mr Alexander Gilmore  
**Agent:** Mr Gary Gaston 133 Finvoy Road Ballymoney  
**Location:** 59 Bendooragh Road Eden Ballymoney  
**Description:** Dwelling and garage

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**Ref No:** B/2008/0010  
**Applicant:** Mr Seamus Laverty  
**Agent:** Joseph E. McKernan 25 Market Road Ballymena  
**Location:** 118a Coolkeeran Road Armoyn Ballymoney  
**Description:** Extension and alterations to dwelling

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**Ref No:** B/2008/0016  
**Applicant:** Mr George Christie  
**Agent:**  
**Location:** 103a Culcrum Road Mount Hamilton Cloughmills Ballymena  
**Description:** Dwelling with attached garage

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**Ref No:** B/2008/0017  
**Applicant:** Mr David Adams  
**Agent:** Hunter Associates 8 Charlotte Street Ballymoney  
**Location:** 15 Brookvale Bendooragh Ballymoney  
**Description:** Extension & alterations to dwelling

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**Ref No:** B/2008/0043  
**Applicant:** Mr James Gaston  
**Agent:** Hunter Associates 8 Charlotte Street Ballymoney  
**Location:** 94 Knockahollet Road Ballylough Dunloy Ballymena  
**Description:** Dwelling and garage

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**Ref No:** B/2008/0047  
**Applicant:** Mr Christopher McAleese  
**Agent:** Bell Architects 65 Main Street Ballymoney  
**Location:** 64 Tober Road Tobernagola Ballymoney  
**Description:** Dwelling with integral garage

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**Ref No:** B/2008/0049  
**Applicant:** Mr Rodney Leighton  
**Agent:** Pro Design 43 Kilmandil Road Cloughmills Ballymena  
**Location:** 81c Bendooragh Road Killymaddy Ballymoney  
**Description:** Dwelling and garage

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**Ref No:** B/2008/0060  
**Applicant:** Mr & Mrs J Dooley  
**Agent:** Bell Architects 65 Main Street Ballymoney  
**Location:** 3 Presbytery Lane Ballymacaldrack Dunloy Ballymena  
**Description:** Dwelling with integral garage

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**Ref No:** B/2008/0065  
**Applicant:** Mr Adrian Gamble  
**Agent:**  
**Location:** 24 Drumlee Road Ballymoney  
**Description:** Store

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**Ref No:** B/2008/0071  
**Applicant:** Mr Ivan Patrick  
**Agent:** Mr S Gribbon 50 Cranagh Road Coleraine  
**Location:** 167 Castlecatt Road Derrykeighan Ballymoney  
**Description:** Extension to community centre

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**Ref No:** B/2008/0073  
**Applicant:** Mrs Annie McMullan  
**Agent:** Pro Design 43 Kilmandil Road Cloughmills Ballymena  
**Location:** 208 Corkey Road Cloughmills Ballymena  
**Description:** Extension to dwelling

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**Ref No:** B/2008/0075  
**Applicant:** Miss D Wallace  
**Agent:** Mr Stephen Atkinson 18 Milltown Road Ballymoney  
**Location:** 48 Macfin Road Ballymoney  
**Description:** Garage

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**Ref No:** B/2008/0090  
**Applicant:** Mr Roy Donley  
**Agent:** Mr Richard Burnside 41 Dromona Road Cullybackey Ballymena  
**Location:** 2 Drumnamallaght Close Ballymoney  
**Description:** Extension to dwelling

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**Ref No:** B/2008/0094  
**Applicant:** Mr Neil Reid  
**Agent:** Architectural Design Services 107 Rathkeel Road Broughshane Ballymena  
**Location:** 77 Bendooragh Road Ballymoney

**Description:** Extension to dwelling

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**Ref No:** B/2008/0095

**Applicant:** Mr John Carroll

**Agent:**

**Location:** 115b Finvoy Road Carrowreagh Ballymoney

**Description:** Dwelling and garage

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**Ref No:** B/2008/0106

**Applicant:** Mrs Mary Henderson

**Agent:**

**Location:** 3 Orangefield Place Rasharkin Ballymena

**Description:** Extension and alterations to dwelling

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**Ref No:** B/2008/0112

**Applicant:** Mr Thomas McKane

**Agent:**

**Location:** 3 Leaney Terrace Ballymoney

**Description:** Rear extension to dwelling.

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**Ref No:** B/2008/0122

**Applicant:** Mr Frank Hasson

**Agent:** D.M. Kearny Design 2a Coleraine Road Maghera

**Location:** 1 Tamlaght Road Gortereghy Rasharkin Ballymena

**Description:** Dwelling

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**Ref No:** B/2008/0136

**Applicant:** Mr John Blair

**Agent:** Mr Dennis R Tosh 40 Nursery Avenue Coleraine

**Location:** 12 Robinson Avenue Ballymoney

**Description:** Extension and alterations to dwelling

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**Ref No:** B/2008/0178

**Applicant:** Ms Tracey McCart

**Agent:** Diamond & Hughes Architecture 77 Main Street Maghera

**Location:** 4 Bamford Park Rasharkin Ballymena

**Description:** Extension to dwelling

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**Ref No:** BN/2008/0068

**Applicant:** Mr William Loughridge

**Agent:** Heat Ltd 27 - 29 Sydenham Road Belfast



**Location:** 49 Ballyveely Road Pharis Ballymoney

**Description:** Installation of oil-fired central heating

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**Ref No:** BN/2008/0069

**Applicant:** Ms Sarah Cairns

**Agent:** Heat Ltd 27 - 29 Sydenham Road Belfast

**Location:** 16 Eastermeade Gardens Ballymoney

**Description:** Installation of oil-fired central heating

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**Ref No:** BN/2008/0070

**Applicant:** Ms Rosie Brown

**Agent:** Europass Ireland Ltd 34 Knockahollet Road Cloughmills Ballymena

**Location:** 8 Knocklands Court Ballymoney

**Description:** Sunroom extension to dwelling

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**Ref No:** BN/2008/0071

**Applicant:** N.I. Housing Executive

**Agent:** H & A Mechanical Services 28 Fivemile Straight Draperstown

**Location:** 8 Riverdale Rasharkin Ballymena

**Description:** Installation of oil-fired central heating

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**Ref No:** BN/2008/0072

**Applicant:** Mr Francis Cunningham

**Agent:** Mr Felim Quigg 30 Agivey Road Kilrea

**Location:** 18 Millar Avenue Dervock Ballymoney

**Description:** Installation of oil-fired central heating

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B - Full Plans  
BN - Building  
Notices  
RC -  
Regularisation  
Applications

<b>Totals</b>	
B	32
BN	5
RC	0
<b>Totals</b>	<b>37</b>