

Ballymoney Borough Council

Health & Environmental Services Committee Meeting No 330 - 26th June 2007

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BALLYMONEY BOROUGH COUNCIL

Minutes of Health & Environmental Services Committee Meeting No 330 held in the Council Chamber, Riada House, Ballymoney on Tuesday 26th June 2007 at 7.30 pm.

IN THE CHAIR Alderman Connolly, Deputy Mayor (Item 1)
Councillor Robinson (Items 2-41)

PRESENT

Aldermen
F Campbell
H Connolly, Deputy Mayor
C Cousley

Councillors
B Kennedy M McCamphill
P McGuigan D McKay, MLA
T McKeown A Patterson
I Stevenson R Wilson

APOLOGIES J Finlay, Mayor
M Storey, MLA

IN ATTENDANCE Director of Borough Services
Deputy Director of Borough Services
J Simpson
Committee Clerk

330.1 ELECTION OF CHAIR

The Deputy Mayor took the Chair to conduct the election of Chair of the Committee for the coming year. The Deputy Mayor invited nominations for the position.

It was proposed by Alderman Cousley, seconded by Councillor Wilson

that Councillor Robinson be nominated as Chair of the Committee.

It was proposed by Councillor McKay, seconded by Councillor McGuigan

that Councillor McGuigan be nominated as Chair of the Committee

A vote was taken with two members voting in favour of Councillor McGuigan and seven members voting in favour of Councillor Robinson.

The Deputy Mayor declared Councillor Robinson elected as Chair of Health & Environmental Services Committee. Councillor Robinson took the Chair.

Councillor Robinson thanked members for her re-election

330.2 ELECTION OF VICE CHAIR

Councillor Robinson invited nominations for the position of Vice Chair of the Committee.

It was proposed by Alderman Campbell, seconded by Councillor Stevenson

that Councillor Kennedy be nominated as Vice Chair of the Committee.

It was proposed by Councillor McKay, seconded by Councillor McGuigan

that Councillor McGuigan be nominated as Vice Chair of the Committee

A vote was taken with two members voting in favour of Councillor McGuigan and seven members voting in favour of Councillor Kennedy.

The Deputy Mayor declared Councillor Kennedy elected as Vice Chair of Health & Environmental Services Committee.

Councillor Kennedy thanked members for this nomination.

* **Councillor Wilson left the meeting at 7.35 pm.**

330.3 MINUTES – MEETING NO 329 – 22ND MAY 2007

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

that the minutes of Meeting No 329 – 22nd May 2007, as circulated, be confirmed as a correct record.

Matters Arising

3.1 Northern Ireland Landfill Allowance Scheme (329.2)

The Director of Borough Services suggested that a working group is formulated to consider what Council can do to meet its NILAS target.

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

that a working group is formulated to report to Committee and Council on what action Council should take to meet its NILAS target.

The Director requested nominations for members of the working group suggesting that cross-party representation would be beneficial.

The Committee agreed, after discussion, that the group will consist of the following members

Councillor Robinson
Councillor Kennedy
Councillor McKeown
Councillor McKay
Alderman Connolly
Councillor McCamphill

ENVIRONMENTAL SERVICES

330.4 CONTRACT RE COLLECTION AND PROCESSING OF WEEE

The 3 NI Waste Management Groups have come together in order to determine the most beneficial Producer Compliance Scheme (PCS) for Councils to enter into an agreement with for the collection and processing of household WEEE from Designated Collection Facilities (DCF) under council control.

The tender report was circulated to Members.

IT IS RECOMMENDED that Council enter into an agreement with ERP (European Recycling Platform) for the provision of the collection and processing of household WEEE from its two Designated Collection Facilities for one year from 1st July 2007 with the option of 6 monthly extensions until the final period 1st July to 31st December 2009.

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

to recommend that Council enter into an agreement with ERP (European Recycling Platform) for the provision of the collection and processing of household WEEE from its two Designated Collection Facilities for one year from 1st July 2007 with the option of 6 monthly extensions until the final period 1st July to 31st December 2009.

330.5 CONTRACT (FRAMEWORK AGREEMENT) FOR WEEE CONTINGENCY ARRANGEMENTS

The 3 NI Waste Management Groups have come together in order to establish contingency arrangements for the collection and processing of household WEEE from Council Designated Collection Facilities.

The tender report is to be found as Appendix 1 (page 18) to this report.

IT IS RECOMMENDED that Avenue Recycling, Natural World Products, Shore Recycling and Tech Rec be awarded inclusion on the framework agreement to supply suitable services associated with contingency arrangements for the collection and processing of household WEEE from Designated Collection Facilities (DCF) operating under the control of the Council, in the event that the Council is unable to secure an agreement with a Producer Compliance Scheme

(PCS) for any of its separately collected household WEEE. It would also apply in cases whereby the PCS has not been able to fulfill its obligations under any agreement duly made. The duration of the framework agreement shall be for one year from 1st July 2007 with the option of 6 monthly extensions until the period 1st July 2009 to 31st December 2009.

At the request of Alderman Simpson, the Director clarified the proposed recommendation, stating that four companies, as listed, have been identified to go on the framework agreement for the removal of five categories of WEEE listed. The framework agreement sets out how the business will be conducted. All cost incurred by Council will be fully recoverable.

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

to recommend that Avenue Recycling, Natural World Products, Shore Recycling and Tech Rec be awarded inclusion on the framework agreement to supply suitable services associated with contingency arrangements for the collection and processing of household WEEE from Designated Collection Facilities for one year from 1st July 2007 with the option of 6 monthly extensions until the period 1st July 2009 to 31st December 2009.

ENVIRONMENTAL PROTECTION

330.6 WATER (NI) ORDER 1999 – EFFLUENT CONSENT APPLICATIONS

The EHS Water Management Unit has advised (letters received 24th May 2007) that it has received the under noted applications:

<u>Applicant</u>	<u>Location</u>
Peter Gillen	Sites 1 & 2 NW of Ballyportery Road, Dunloy
Gerard McFarran	3 Sites at Glenbuck Road, Dunloy
Patrick McGarry	2 sites at Corkey Road, Cloughmills
Bryce Gilmore	12 Sites at Gortahar Road, Rasharkin

In that EHS will set levels as to the quality of effluent to be discharged ***IT IS RECOMMENDED*** that Council note the applications for consent to discharge effluent to underground strata.

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

to recommend that Council note the applications for consent to discharge effluent to underground strata.

33.07 PROVISION OF AMBIENT AIR QUALITY MONITORING NO_x DIFFUSION TUBES MAY 2007 – APRIL 2010

Written quotations were sought from three suppliers for the renewal of passive diffusion monitoring tubes for the 36-month period May 2007 – 2010. There are 8 monitoring locations throughout the town area, 4 of which are part of the national monitoring network. The quotation included the supply, analysis and monthly data report for Nitrogen dioxide at each site per month together with post and packaging. The cost of monitoring is to be funded by the Department of Environment Local Air Quality Management Grant Scheme 2007 – 2010.

Three quotations for the service were sought; only two were provided and are detailed as follows.

<u>SERVICE PROVIDER</u>	<u>COST</u>
Lambeth Scientific Services Ltd 26 Wanless Road LONDON SE24 0HW	£2,001.60 Ex VAT
Enviro Technology Services PLC Kingfisher Business Park London Road STROUD GL5 2BY	£2,258.82 Ex VAT

IT IS RECOMMENDED that the lowest quotation received from Lambeth Scientific Services Ltd, in the sum of £2,001.60 be accepted.

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

to recommend that Council accept the lowest quotation received from Lambeth Scientific Services Ltd, in the sum of £2,001.60.

FOOD CONTROL

330.8 APPLICATION FOR FULL APPROVAL OF A STANDALONE COLD STORE UNDER REGULATION (EC) NOS. 852/2004, 853/2004, 854/2004 AND 882/2004

Premises: Fastpak Frozen Foods Ltd, Unit 11a Ballybrakes Business Park, Ballybrakes Road, Ballymoney.

Further to Committee Minute 326.10 it was agreed to grant conditional approval to Fastpak Frozen Foods Ltd under the above legislation. This allowed the premises 3 months from the grant of the conditional approval to provide the documentation necessary to grant full approval.

This conditional approval expired on 5th June 2007. An inspection was carried out and the premises were found to comply with the legal requirement to have in place a documented HACCP system.

IT IS RECOMMENDED that Council grant Full Approval under Article 31(2) of Regulation 882/2004 for Fastpak, Unit 11a Ballybrakes Business Park, Ballybrakes Road, Ballymoney, and that both the food business operator and the Food Standards Agency NI be notified accordingly.

The Council should also take note that the premises have been issued with a unique approval number, which is UK ZN003 EC.

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

to recommend that Council grant Full Approval under Article 31(2) of Regulation 882/2004 for Fastpak, Unit 11a Ballybrakes Business Park, Ballybrakes Road, Ballymoney, and that both the food business operator and the Food Standards Agency NI be notified accordingly.

33.9 FOOD COMPLAINT NO. FC/805/C/04/06

Alleged Foreign body in Rocket Lettuce

During the report period 1 no. informal food complaint investigation was completed.

<u>Ref. No.</u>	<u>Nature of Complaint</u>	<u>Date Received</u>
FC/805/C/04/06	Alleged foreign body in Rocket Lettuce	15/6/06

IT IS RECOMMENDED that no further action be taken other than informing the complainant, manufacturer, retailer and home authority of the outcome of the investigation.

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

To recommend to Council that no further action be taken other than informing the complainant, manufacturer, retailer and home authority of the outcome of the investigation.

HEALTH & SAFETY

330.10 PETROLEUM (REGULATION) ACTS (NORTHERN IRELAND) 1929 AND 1937 PETROLEUM SPIRIT LICENCE (RENEWALS)

<u>Premises</u>	<u>Applicant</u>
Route Service Station 8 Ballybogey Road Ballymoney BT53 6QD	Mr Glenn Biesty
BKL Woodfinishes	Mr Taylor Woods

Units 9 – 11 Acorn Business Centre
2 Riada Avenue
Ballymoney
BT53 7LH

Seacon Service Station
109 Newbridge Road
Ballymoney
BT53 6QN

Mr Gavin Vallely

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

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

to recommend to Council, renewal of licences as detailed above.

LICENSING

330.11 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985 - LICENCE APPLICATION (FULL) (RENEWAL)

Premises

Applicant

Joey's Bar
15 Seymour Street
BALLYMONEY BT53 6JR

Mrs Linda M Dunlop

The Diamond Bar
2 High Street
BALLYMONEY BT53 6AY

Mr Martin Doyle

The Glen Bar
24 Glenbush Road
Armoy
BALLYMONEY BT53 8YG

Mr James Patrick McMullan

Lissanoure Castle Ltd and Public
House
11 Knockahollet Road
Loughguile
BALLYMENA BT44 9JP

Mr P Mackie

Lissanoure Castle Ltd and
Concourse Centre
11 Knockahollet Road
Loughguile
BALLYMENA BT44 9JP

Mr P Mackie

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 apply.

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

to recommend that Council renew the Indoor Entertainment's Licences as detailed above in accordance with Councils conditions.

330.12 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985 - LICENCE APPLICATION (14 UNSPECIFIED DAYS) (RENEWAL)

Premises

John Bartlett's Shed
Adjacent to 21 Killyrammer Road
BALLYMONEY
BT53 8LZ

Applicant

Kilyrammer & District Community
Association

Premises

Stranocum Hall
Stables & Marquee
139 Fivey Road
Stranocum
BALLYMONEY
BT53 8HY

Applicant

Mr Wm W O'Neill

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 files also apply.

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

to recommend that Council renew the Indoor Entertainment's Licences as detailed above in accordance with Councils conditions.

330.13 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985 - LICENCE APPLICATION (TWO PARTICULAR DAYS) (RENEWAL)

Premises

McMullan's Farm
17 Clintyfinnan Road
Armoy
BALLYMONEY BT53 8TW

Applicant

Mr James McMullan

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 files also apply.

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

to recommend that Council renew the Indoor Entertainment's Licence as detailed above in accordance with Councils conditions.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985 - LICENCE APPLICATION (TWO PARTICULAR DAYS) (GRANT)

Premises

Stranocum Mill
55 Main Street
Stranocum
BALLYMONEY BT53 8PQ

Applicant

Mrs Elizabeth McIlhatton

IT IS RECOMMENDED that the Borough Council grant 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 files also apply.

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

to recommend that Council grant the Indoor Entertainment's Licence as detailed above in accordance with Councils conditions.

330.14 INSTITUTE OF LICENSING

The Northern Ireland Licensing Forum has recently proposed that a regional group of the Institute of Licensing be developed in Northern Ireland. Local authorities in Northern Ireland have a variety of licensing and registration functions including public entertainment, petroleum, amusement, gaming machines, dog control and street trading.

The benefits of being a member of this organisation are as follows:

Information: The member's area on the institutes website (which requires a special password and log-in) allows access to current and previous copies of the Institute's popular publications Licensing Circles and Licensing News; events listings, and bulletin board.

Publications: Members will have access to the institutes' library, which is for members only.

Influence: The institute has a voice in terms of new and emerging legislation and may have influence over legislative decisions

Contacts: Provides an opportunity to network with other licensing specialists in the relevant field

National Events: Provides discounted fees at seminars and training workshops

IT IS RECOMMENDED that Council apply for corporate membership of the above professional body for the benefits mentioned above at a cost of £220.

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

to recommend that Council apply for corporate membership of the above professional body for the benefits mentioned above at a cost of £220.

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

Applicant

Ms Geraldine McErlain
(Electrolysis/Ear Piercing)

Ms Isobel McHenry
(Electrolysis/Ear Piercing)

Applicant

Ms Hazel Cochrane
(Electrolysis/Ear Piercing)

Premises

3A Silver Springs
Market Street
BALLYMONEY BT53 6RD

13A Main Street
BALLYMONEY BT53 6AN

Premises

17A Navery Road
BALLYMONEY BT53 8NN

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

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

to recommend that Council register the above mentioned persons and businesses.

DOG CONTROL

330.16 DOGS (NORTHERN IRELAND) ORDER 198 ARTICLE 13 – REGISTRATION OF DOG BREEDING ESTABLISHMENTS

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

Mr Paul Hanna

Premises

1 Hillcrest Gardens, Killyrammer
BALLYMONEY BT53 8NB.

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

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

to recommend that Council register the above mentioned premises.

OFFICER AUTHORISATIONS

330.17 OFFICER AUTHORISATION

Northern Group Systems have recently appointed a Tobacco Control Officer to work within Ballymoney, Coleraine and Moyle Council areas. The post is contracted to the 31st March 2008, is fully funded by the DHSSPS and will have responsibility for the enforcement of Tobacco Control legislation complimenting the work of existing staff within the Directorate.

IT IS RECOMMENDED that Stephen Sheerin be appointed to exercise all the powers of an authorised officer in respect of:-

The Consumer Protection Act 1987
The European Communities Act 1972
The Children and Young Persons (Protection from Tobacco) Order NI 1991
The Tobacco Advertising and Promotion Act 2002
The Smoking (Northern Ireland) Order 2006, specifically Article 11(2)

The officer duly named in this paragraph shall be duly authorised under section 124 of the Local Government Act 1972 to authenticate notices, orders or other documents arising from the above powers and duties and indemnified as provided for by section 48 of the said Act.

At the request of members, the Director advised that Mr Sheerin will be placed with Coleraine Borough Council but will have a base in Riada House when undertaking work on behalf of the Borough.

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

that Stephen Sheerin be appointed to exercise all the powers of an authorised officer in respect of the duties outlined above.

EMERGENCY PLANNING

330.18 BACKGROUND

The first-hand experience of Councils, the emergency services and other statutory agencies in responding to local emergencies has clearly demonstrated the need to plan for such events. This was vividly illustrated during the recent localised flooding incidents across the province and a major fire in a neighbouring council area resulting in the evacuation of a number of families from their homes.

An emergency is defined as an event or situation:

which threatens serious damage to human welfare or the environment within a council area; and to which the council cannot respond without changing the deployment of its resources or acquiring additional resources.

As regards the latter, "changing the deployment of its resources" would include, for example, Council becoming involved in the co-ordination of responses to an emergency, a council facility being used as a rest centre or council staff assisting other organisations with their emergency responses. Councils will not normally become involved in small-scale local incidents for which other organisations have responsibility and can deal with themselves using their own resources and operational arrangements.

The role of District Councils as regards civil protection is contained in Article 29 of the Local Government (Northern Ireland) Order 2005 which was brought into force by a commencement Order on the 1st April 2006.

Summary of Article 29 Local Government (Northern Ireland) Order 2005

Paragraphs (1) – (3)

The discretionary powers contained in paragraph (1) of Article 29 enable Councils to make emergency planning arrangements, or make arrangements with other bodies or persons (including Councils), for reducing, controlling or mitigating the effects of any emergencies that might occur. Paragraph (2) provides that those arrangements may in particular include arrangements for co-operating with other bodies and for co-ordinating the activities of Councils with the activities of others. Paragraph (3) enables Councils to implement their arrangements should emergencies occur and take any other measures they think are appropriate to reduce, control or mitigate the effects of emergencies.

The primary way in which Councils might make arrangements for reducing, controlling or mitigating the effects of emergencies is through the preparation of emergency plans. The powers to make arrangements in paragraphs (1) and (2) of Article 29 enable Councils to prepare emergency plans, either by themselves or in co-operation with other organisations. The powers also enable Councils to prepare protocols and agreements with other organisations, to maintain registers of resources (e.g. vehicles, plant, buildings, etc) and to initiate and participate in multi-agency training and exercises in relation to emergency planning.

As indicated above, paragraph (3) of Article 29 enables Councils to implement their arrangements (i.e. emergency plans, protocols, etc.) should emergencies occur and take other steps they think are appropriate for reducing, controlling or

mitigating the effects of emergencies. The latter permits Councils to take action beyond their initial immediate responses to emergencies, i.e. secondary responses such as providing information to their communities or operating disaster appeal funds, if Councils consider that such responses are appropriate.

In making emergency planning arrangements, there is **no requirement** for Councils to:

- prepare emergency plans aimed at preventing all possible emergencies from occurring in their areas; or
- prepare emergency plans for emergencies outside their areas; or
- undertake remedial works in respect of functions for which they are not responsible (e.g. the construction of river drainage works).

Paragraphs (4) and (5)

Paragraph (4) requires Councils to have regard to Departmental guidance when planning for, and responding to, emergencies.

Paragraphs (6) – (8)

There will be occasions when specific responsibility for overseeing certain local emergencies will fall to NI departments other than the Department of the Environment. For example, the lead department would be the Department of Health, Social Services and Public Safety if there was an outbreak of a communicable disease such as SARS (severe acute respiratory syndrome) or the Department of Agriculture and Rural Development if there was an outbreak of an epizootic disease such as foot-and-mouth disease. In such instances, paragraph (6) of Article 29 gives the department concerned the power to make an order (i.e. subordinate legislation) conferring new functions or duties on Councils to assist in the prevention or control of the emergency.

Paragraph (7) of Article 29 requires that, before making an order, the department concerned must lay a draft of the order before the Assembly for approval.

Paragraph (8) of Article 29 enables an NI department to issue guidance to Councils in relation to any new functions which are conferred on them by the making of an order by that department under paragraph (6) and Councils must have regard to the guidance in carrying out those functions.

Paragraphs (10) – (12)

Paragraph (10) of Article 29 enables the Department to pay grants to Councils or other persons for emergency planning. Such grants cannot be paid without the consent of the Department of Finance and Personnel (paragraph (12) of Article 29) and will be of such amounts, and subject to such conditions, as the Department may determine (paragraph (11) of Article 29).

The payment of such grants under this article is dependant on the adoption of Article 29. In order to avail of funding from the Department of Environment to defray expenses on Emergency Planning preparations, **IT IS RECOMMENDED** that Council resolves to adopt the powers contained in Article 29 of the Local

Government (Northern Ireland) Order 2005, and furthermore in exercise of its powers under Section 47A of the Local Government Act 1972 as amended by Article 26 of the Local Government (Miscellaneous Provisions) (NI) Order 1985 that Council hereby delegates to the Chief Executive or his nominee to exercise the delegated powers or duties under Article 29 of the Local Government (NI) Order 2005.

The Director responded to members' questions advising that the adoption of powers as highlighted would permit the opportunity of applying for funding by way of grant aid from the Department to supplement Council's own budgeted resource for this purpose.

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

to recommend that Council adopts the powers contained in Article 29 of the Local Government (Northern Ireland) Order 2005, as detailed above and furthermore, delegates responsibility for putting in place, arrangements to respond to emergencies on behalf of Council, to the Chief Executive or his nominee.

* **Councillor McGuigan and Councillor Stevenson left the meeting at 8.10 pm.**

Ballymoney Borough Council Emergency Plan (not for publication)

Further to the above and prior to the recent incidents cited, the Borough Services Directorate has prepared an Emergency Plan for Council to aid response in the event of such an occurrence within the Borough.

When a local emergency occurs, Council may have to respond in a number of ways:

- it may have a direct response to make in relation to its own functions - for example, Environmental Health may be involved in an outbreak of a communicable disease;
- other organisations may request Council to help in the provision of manpower, buildings or equipment - for example, the use of council premises as a rest centre;
- Council may have to co-ordinate a multi-agency response to the emergency - in consultation with the Police Service of Northern Ireland (the PSNI) or other lead organisation - and co-ordinate the actions of public services in recovering from the emergency and restoring the local community to normality; or
- it may need to maintain some or all of its services to the public at an appropriate level, despite disruption and the possible redeployment of staff.

A generic Emergency Plan has been prepared and includes arrangements for the above responses. It has been prepared in accordance with good practice guidance issued by OFMDFM central Emergency Planning Unit and the Civil Contingencies

Secretariat of the Cabinet Office. Further specific plans are currently being prepared for particular risk situations. The plan was circulated to members and contains

- general information, including a brief overall description of the plan, its purpose and who will be accountable for the preparation and maintenance of the plan;
- the roles and responsibilities of the council and other organisations likely to be involved;
- communications arrangements, both within the council and between the council and other organisations;
- co-ordination arrangements, both within the council and between the council and other organisations;
- activation arrangements, including how an emergency situation will be identified, alert procedures and standby arrangements;
- the actions to be taken by council staff;
- arrangements for appropriate officers to attend relevant training seminars/courses on emergency planning and for appropriate staff to be trained in their roles as provided for in the council plan;
- reporting arrangements to the Department's Local Government Division.
- guidance on dealing with media enquiries.
- arrangements for supporting staff during and after the emergency, including health and safety and welfare arrangements;
- arrangements for standing down Council involvement in the recovery process and, where the Chief Executive has been facilitating it, the multi-agency co-ordination mechanism; and
- arrangements for validating, reviewing and revising the plan.

Funding to provide such a service will be met out of the Councils own resources together with grant aid presently available from the Department of the Environment. Should there be a need for Council to respond in the event of an emergency then costs will be refundable from the Department.

IT IS RECOMMENDED that Council adopt and implement the Ballymoney Borough Council Emergency Plan following negotiated agreement with officers to provide necessary implementational services.

The Director advised members that the plan would be shared with other statutory agencies. Further supplements are to be prepared to address specific risk situations.

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

that Council adopt and implement the Ballymoney Borough Council Emergency Plan following negotiated agreement with officers to provide necessary, implementational services.

HOME SAFETY

330.19 BE STREETWISE/BEE SAFE 2007

This event was held from 21st – 25th May 2007 in the Parish Centre, Queen Street, Ballymoney. As in other years, P7 children were put through safety scenarios set up by HAP Ballymoney, Environmental Services, PSNI, Health Visitors, Fire & Rescue Service, DPP, Translink, NIE, Coastguard and students from the Ballymoney Campus of Causeway Institute. Northern Ireland Fire and Rescue Service also gave a chip pan fire demonstration.

Some 240 children attended the event and feedback has been very positive.

Permission is sought to make the usual donation to St. Patrick's Parish Church as the Councils contribution to the running of the event.

IT IS RECOMMENDED that Council contribute £150 to St. Patrick's Parish Church, in respect of the use of the Parish Centre for Be Streetwise/Bee Safe 2007.

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

to recommend that Council contribute £150 to St. Patrick's Parish Church, in respect of the use of the Parish Centre for Be Streetwise/Bee Safe 2007.

STREET TRADING

330.20 STREET TRADING ACT (NI) 2001 MOBILE STREET TRADING LICENCE

Application for a Mobile Street Trading Licence has been made to this Department as follows:-

Purpose

Hot Food Takeaway

Applicant

Mr Mervyn Hutchinson
4 Willowdale
Bendooragh
BALLYMONEY BT53 7LT

IT IS RECOMMENDED that a Mobile Street Trading Licence as applied for be granted.

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

To recommend that Council grant a Mobile Street Trading Licence, as detailed above.

BUILDING CONTROL

330.21 MOBILE PHONE CONTRACT

The present mobile phone contract is due for renewal on 30th June 2007. Four companies were asked to quote. Of the four companies quoting for the Councils business none would provide equipment free of charge. All companies have quoted a similar price for the phone presently most commonly in use, the Nokia 6021. With line rental credit/savings and service company credit, the estimated cost of the mobile phones to Council over a 24 month period comparing the Councils present supplier Cor-Tel (£3,120) and the lowest quotation received, that from Barclay Communications (£1,500) show that the lowest quote is approximately half the cost of the deal offered by Cor-Tel. The remaining companies were unable to provide quotes, which would allow comparison on a similar basis.

IT IS RECOMMENDED that Council contract for a 24 month period with Barclay Communications, Grove House, 145-149 Donegall Pass, Belfast, for its mobile phone services and ***IT IS FURTHER RECOMMENDED*** that in that period any equipment be purchased on an as required basis.

At the request of Alderman Simpson, the Director confirmed that the quotation received was for 23 mobile phones in various locations

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

to recommend that Council contract for a 24 month period with Barclay Communications, Grove House, 145-149 Donegall Pass, Belfast, for its mobile phone services and that, in that period, any equipment be purchased on an 'as required' basis.

330.22 NAMING OF HOUSING DEVELOPMENT

8 Apartments and 2 Dwellings at Retail/Residential Development, Carncullagh Road, Dervock, Ballymoney for Mr Seymour Sweeney, The Old Barn, 6 Seaport Avenue, Portballintrae.

The developer has written by letter requesting that Council name the above new housing development.

The name suggested by the developer for the residential units is “**Carncullagh Court**” (the new retail unit will be numbered onto Carncullagh Road).

The name is in accordance with the general policy that street names should have some connection with the local area in which they are located and therefore ***IT IS RECOMMENDED*** that Council approve the name “**Carncullagh Court**” for the residential part of the development.

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

to recommend that Council approve the name “Carncullagh Court” for the residential part of the development.

330.23 BUILDING CONTROL APPLICATIONS

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

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

that Council note the Applications, Building Notices and Regularisation Certificates as detailed in Appendix 1.

MATTERS FOR INFORMATION

ENVIRONMENTAL SERVICES

330.24 MUNICIPAL WASTE RETURNS

<u>Waste Type</u>	<u>May 2007</u>	<u>Year to Date</u>
Mixed Residual Waste (waste to landfill)	876.38t -14.09%	1,893.30t -4.87%
Mixed Dry Recyclables (blue bin recycling)	139.50t +7.00%	279.22t +12.52%

330.25 WASTE MANAGEMENT LICENCE EXEMPTION

EHS has furnished Council with a copy of the exemption certificate and conditions in relation to an exemption application from T. O’Connell & Sons (under the provisions of the Waste Management Licensing Regulations (NI) 2003) covering activities at Ballymoney Showgrounds.

330.26 CLEANSING OF BALLYMONEY PAY & DISPLAY CAR PARKS

Agreement has been reached with Roads Service Parking Enforcement Unit for Council to resume the cleansing of Castle Street and Church Street Pay & Display car parks, week commencing Monday 21 May 2007.

Prior to this, Roads Service Parking Enforcement Unit had contracted National Car Parks (NCP) to deliver this service from 1 April 2007.

The agreement stipulates that the Council will cleanse the Pay & Display car parks twice weekly.

This agreement will be reviewed annually and is separate from the contract with the local Section Office to cleanse non-fee paying car parks in Ballymoney.

Councillor Robinson welcomed this agreement with Roads Service. The Director confirmed that this additional service is provided on a full cost recovery basis.

330.27 COMMUNITY RECYCLING CENTRES

Ballybogey Community Recycling Centre became operational on Thursday 1st June and was officially launched by the Chair with associated press coverage. All partners are more than happy with the facility to date.

At the request of Councillor McKay, the Director advised that in respect of Rasharkin, Council is awaiting provision of banks. The Director will contact the supplier to ascertain when these will be delivered on site.

ENVIRONMENTAL PROTECTION

330.28 THE AIR QUALITY STANDARDS REGULATIONS (NORTHERN IRELAND) 2007

The Air Quality Standards Regulations (NI) 2007 complement various EU Directives, placing a duty on the Department of the Environment to assess the concentrations of each pollutant within each zone. The 2007 Regulations, which came into operation on 28th May 2007, replace the Air Quality Limit Values Regulations (NI) 2002 with the Air Quality (Ozone) Regulations (NI) 2003 and all relevant amending legislation.

FOOD CONTROL

330.29 MISCELLANEOUS TRANSFERRED EXCISE DUTIES ACT (NI) 1972 – TESCO GAME LICENCE

Notice has been given to Council by solicitors acting on behalf of Tesco Stores Limited, Castle Street, Ballymoney of their intent to apply on Friday, 7th July 2006, for a Certificate under Section 36 of the Miscellaneous Transferred Excise Duties Act (NI) 1972 authorising the issue of a licence to deal in game at their premises.

330.30 THE ADDITION OF VITAMINS, MINERALS AND OTHER SUBSTANCES REGULATIONS (NORTHERN IRELAND)

The above Regulations, which come into operation on 7th August 2007, make provision for the execution and enforcement of Regulation (EC) No. 1925/2006 on the addition of vitamins, minerals and of certain other substances to foods.

DOG CONTROL

330.31 PIT BULL AMNESTY

The Borough Council's Pit Bull Amnesty started on 1st April 2007 ending on 31st May 2007. During this period one couple requested to have their dog examined. The dog was subsequently identified as a Staffordshire Bull Terrier cross. The expert who carried out examination was of the opinion that the dog was not a Pit Bull Terrier and that it did not display the characteristics of that type of dog.

On 21 May 2007 an impounded stray dog was also examined. This dog was also identified as a Staffordshire Bull Terrier cross. The dog was subsequently returned to its owner.

330.32 SEIZURE OF PIT BULL TERRIER

On Thursday 14th June the department seized a Pit Bull Terrier dog after it had been positively identified as such by an expert. On Friday 15th June the dog was signed over by its owner to the Borough Council. As a result of this the dog was humanely put to sleep in the presence of its owner. The owner in this case had genuinely thought his dog was a Staffordshire Bull Terrier. No further action is to be taken regarding this matter.

HOME SAFETY

330.33 TEMPORARY HOME SAFETY OFFICER JOB SHARE POSITION

Walter Holmes has been appointed via Hays Recruitment Agency to the vacant Home Safety Officer job share position until the post is filled via the current recruitment campaign. Walter who has considerable experience as a health and safety officer will work across the three council areas (Ballymoney, Coleraine and Moyle) 2½ days per week. No additional expense will be incurred as a result of the appointment to any of the Councils involved. It is anticipated that the vacant post will be filled by 1st August 2007.

330.34 CHILD SAFETY WEEK

The focus for Child Safety Week in June (week starting Monday 18th June) will be Trampoline Safety. Hazard House will be the setting for a summer safety scenario during the summer months. A Trampoline Safety – Parents Guide leaflet has been produced and circulated and will be forwarded to schools, leisure centre, health centres etc.

330.35 HAZARD HOUSE

A training session for Hazard House volunteers was held on Monday 25th June. This two hour session gave new volunteers the knowledge and skills needed to help with guided tours around the house. Ten volunteers attended the training from Ballymoney, Coleraine and Moyle Councils.

330.36 NATIONAL FALLS AWARENESS DAY

The Directorate will be promoting National Falls Awareness Day on Tuesday 26th June at Cramsie Court in Ballymoney. The aim of the Day will be to strengthen the message about falls and older people and to raise awareness of the potential hazards present inside and outside the home. All those attending will receive a free shoe horn.

COMMUNITY SAFETY

330.37 TEMPORARY COMMUNITY SAFETY CO-ORDINATOR (MATERNITY COVER)

Yvonne Loughrey, temporary Community Safety Co-ordinator (maternity cover) left the post on the 15th June 2007 to take up full time employment in the private sector. Cathy Watson, who is currently on maternity leave is due to return to work on the 6th August 2007. It is not proposed to recruit a further temporary officer to the post. Essential work will be completed on a priority basis by the Deputy Director of Borough Services in the interim.

Councillor Robinson extended thanks to the Deputy Director of Borough Services for his assistance during this interim period.

DIRECTORATE PROMOTION

330.38 100TH BALLYMONEY SHOW

The 1st and 2nd June 2007 saw the 100th Ballymoney Show at Ballymoney Showgrounds. The Directorate had a stand in the marquee with the aim of addressing two areas;

1) Recycling and Composting

Visitors were able to discuss composting with examples of compostable material, and final product, recycling and other waste reductions measures.

Literature, colouring sheets for children, pens made from recycled CD covers and pencils made from old denim were also given away.

2) Food safety issues relating to picnics and barbeques

In relation to food safety the stand highlighted the following National Food Safety Week themes:

- Safe Cooking of BBQ meats – a batch of sausage, burger and chicken was cooked correctly and another batch cooked incorrectly. The aim was then to get the public to visually choose which batch was cooked thoroughly. This proved more difficult than they thought.

- The proper way to pack a cool box – A cool box was packed correctly and another packed incorrectly and the public had to identify which was wrong and why.
- How well do you wash your hands? – this experiment was a particular success with both old and young. The aim was to identify how well they washed their hands and to highlight areas they would miss.

This was the first time the Directorate has taken the opportunity to use the show to raise publicity of its services and feedback from the public and those Officers who participated was excellent. It is hoped to repeat this in future years.

LICENSING

330.39 LICENSING (NORTHERN IRELAND) ORDER 1996

<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Seymour H Sweeney 10, 12 & 14/16 Carcullagh Road Dervock BALLYMONEY	Final Grant of Licence	15/5/07
Liam and Shaun Reid The Wayside Inn 254 Frocess Road Cloughmills BALLYMENA	Transfer of Licence	16/5/07
Samuel Mullan Molly's 24 Main Street BALLYMONEY	Additional Permitted Hours (Amended Application) (1/6/07, 14/12/07 15/12/07, 22/12/07, 23/12/07, 31/12/07)	17/5/07
Stephen and Sharon McKillop	Appeal re Provisional Grant of a Licence in respect of Premises at Carcullagh Road	18/5/07
James Stevenson Kelly's Bar 21 Church Street BALLYMONEY	Occasional Licence (Ballymoney Showgrounds 1 st -2 nd June 2007)	22/5/07
Lyle Taggart Fullerton Arms Main Street BALLINTOY	Occasional Licence (Chestnutt Animal Feeds Main Street, Stranocum 3 rd -4 th August 2007)	14/6/07

- * **Alderman Connolly left the meeting at 8.30**

BUILDING CONTROL

330.40 LIAISON MEETING – DOE PLANNING RESOURCE UNIT - OPTIONS ON FUNDING FOR IMPLEMENTATION OF CONTAMINATED LAND REGULATIONS

The Director advised members of correspondence sent to the Chief Executive on 18th June advising that The Planning Resource Unit of the Department of Environment have invited Council to send representative to a liaison meeting where issues and options for contaminated land in Northern Ireland will be discussed. The meeting will take place at Antrim Borough Council on Tuesday 3rd July from 2.00 – 4.00 pm.

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

that the Chair and one other member together with Deputy Director and one other officer of Council attends.

- * **Councillor Kennedy left the meeting at 8.36 pm**

330.41 PLANNING/BUILDING CONTROL RESPONSES

Apartment/Residential Developments (Intensification Of Use).

The Directorate have received an increasing number of Planning Applications/Building Control Approvals for the above type of developments. In order to ensure consistency of responses to such consultations and requests from architects and developers, the following guidance has been produced with regard to refuse storage arrangements.

Adequate refuse storage arrangements should be provided to each of the dwellings. Ballymoney Borough council currently operates a kerbside wheeled bin refuse collection service for mixed waste and dry recyclables on an alternate week collection rota.

In order to meet stringent EU and National landfill diversion targets, a third receptacle for compostable waste is to be introduced. Consequently, adequate refuse storage arrangements for three receptacles (240Litre) must be provided for each individual dwelling.

As an alternative, a communal waste storage arrangement may be considered appropriate where it provides a minimum 60-litre storage capacity per occupant per type of waste, (household, recyclable and compostable). Such arrangements will only be considered satisfactory where an appropriate management contract is in place in relation to the development. **This will be requested as a condition to any permission should the application be considered for approval.**

A communal refuse storage facility should consist of a secure area, on a hard standing laid to falls with appropriate drainage.

A readily accessible water supply should be provided so that the area may be washed down.

It shall be no more than 30 metres from any dwelling. A readily accessible water supply shall be provided so that the area may be washed down. It shall be necessary to comply with current Building Regulation requirements.

Collection of containers will only be made from the nearest adopted public road. Consideration should be given to where these will be presented so as not to obstruct or cause a hazard to pedestrians or other road users.

The applicant is asked to provide full details of refuse storage and collection arrangements to the Borough Services Directorate of the Borough Council for approval so as to ensure they do not give rise to public health/health and safety concerns.

- * **Alderman Campbell left the meeting at 8.52 pm.**
- * **Councillor McKay left the meeting at 9.00 pm.**

Following debate, the Director responded to members' questions. A discussion ensued relating to the need for Planning Service to give due consideration of the impact of the developments of 'brownfield' sites and the servicing of same in respect of waste collection and disposal. It was suggested that a Policy paper be drafted for consideration with respect to refuse storage and collection arrangements for apartment/mixed use developments, to be available for the August committee meeting.

330.42 PURCHASE OF LITTER BINS

Councillor Robinson requested members to give consideration to the purchase of a 'enhanced specification' litter bin to be placed within selected areas of Ballymoney town, so that the matter may be discussed at the August Committee meeting.

This being all the business, the meeting closed at 9.15 pm.

BUILDING CONTROL APPLICATIONS

The following **Applications and Building Notices** are in accordance with the requirements of the Building Regulations (N.I.) 2000.

Ref No: B/2006/0112/MAST
Applicant: Armoy Homes Ltd
Agent: Moore Design 63 New Row Coleraine
Location: Sites 7 - 28 Millbrooke Ballymoney
Description: 22 Dwellings

Ref No: B/2006/0221/
Applicant: Mr & Mrs Wilmot
Agent: Bell Architects 76 Main Street Ballymoney
Location: 16 Burnquarter Road Garryduff Ballymoney
Description: Dwelling with integral garage

Ref No: B/2006/0234/MAST
Applicant: DMM Construction
Agent: Bell Architects 76 Main Street Ballymoney
Location: Sites 46 & 47 Churchfields Rasharkin Ballymena
Description: 2 Dwellings

Ref No: B/2006/0240/
Applicant: Mr & Mrs Simon Dunn
Agent: Gary Gaston 133 Finvoy Road Ballymoney
Location: 25A Lisconnan Road Lisconnan Ballymoney
Description: Dwelling and garage

Ref No: B/2006/0269/MAST
Applicant: DMM Construction
Agent: Bell Architects 76 Main Street Ballymoney
Location: Sites 42,43,44,45,48,49,50 & 51 Churchfields Rasharkin Ballymena
Description: 8 Dwellings

Ref No: B/2006/0312/
Applicant: Mr & Mrs C Stewart
Agent:
Location: 1 Pinehill Road Drumbest Drumbest Ballymoney
Description: Dwelling with attached garage

Ref No: B/2006/0325/
Applicant: Mr Gian Argento
Agent: Gary Gaston 133 Finvoy Road Ballymoney
Location: 16 Friary Road Friary Armoy Ballymoney
Description: Dwelling and garage

Ref No: B/2006/0385/
Applicant: Mr & Mrs Edwin & Ann Steele
Agent: James Anderson 22 Rathmore Heights Ballymena
Location: 108 Finvoy Road Ballymoney
Description: Extension to dwelling

Ref No: B/2006/0386/
Applicant: Mr David McMullan
Agent: Gary Gaston 133 Finvoy Road Ballymoney
Location: 15 Clontyfinnan Road Clontyfinnan West Armoy Ballymoney
Description: Dwelling and garage

Ref No: B/2006/0396/
Applicant: Ms Sharon McAleese
Agent: Mr T.J. McDowell 25A Dowgry Road Clough Ballymena
Location: 96A Bravallen Road Leck Ballymoney
Description: Dwelling with integral garage

Ref No: B/2006/0406/
Applicant: Mr & Mrs J Henry
Agent: Mr L Walker 30 Toberdoney Road Liscolman Ballymoney
Location: 20 Main Street Stranocum Ballymoney
Description: Extension to dwelling

Ref No: B/2006/0408/
Applicant: Advent Properties
Agent: Farningham McCreadie Partnership 4 Chester Street Edinburgh
Location: 153 Finvoy Road Ballymoney
Description: Day Room extension to Residential Home

Ref No: B/2006/0413/
Applicant: Mr Ivan Gregg
Agent: Mr L Walker 30 Toberdoney Road Liscolman Ballymoney
Location: 5 Bendooragh Road Ballymoney
Description: Extension and alterations to dwelling

Ref No: BN/2007/0048/
Applicant: Mr William Reid
Agent: CFM Ltd 65 Deerpark Road Castledawson
Location: 6 Greymount Park Finvoy Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2007/0049/
Applicant: Mr James McGarry
Agent: CFM Ltd 65 Deerpark Road Castledawson
Location: 2 Rosetta Terrace Rasharkin Ballymena
Description: Installation of oil-fired central heating

Ref No: BN/2007/0050/
Applicant: Mrs M J French
Agent:
Location: 48 Loughill Road Cloughmills Ballymena
Description: Installation of oil-fired central heating and relining chimney

Ref No: BN/2007/0051/
Applicant: Mr & Mrs Brendan Lavery
Agent:
Location: 49 Shelton Road Loughguile Ballymena
Description: Garage

Ref No: BN/2007/0052/
Applicant: Mr D Millar
Agent: Mr L Walker 30 Toberdoney Road Liscolman Ballymoney
Location: 24 Ballindreen Road Ballymoney
Description: Garage

Ref No: BN/2007/0053/
Applicant: Mr James McMullan
Agent:
Location: 2 Meadow View Ballymoney
Description: Bay window extension to dwelling

Ref No: BN/2007/0054/
Applicant: Mr Seamus Richmond
Agent: Mr Michael Scullion 16 Lough Road Loughguile Ballymena
Location: 54 Loughill Road Cloughmills Ballymena
Description: Alterations to storm drainage

Ref No: BN/2007/0055/
Applicant: Mr Michael Connolly
Agent:
Location: 77 Corkey Road Loughguile Ballymena
Description: Alterations to removal internal wall

Ref No: BN/2007/0056/
Applicant: Ms Barbara Blair
Agent:
Location: 1 Castlehill Close Ballymoney
Description: Roofspace conversion to dwelling

Ref No: BN/2007/0057/
Applicant: Ms Martha Barkley
Agent: Mr F Quigg 30 Agivey Road Kilrea
Location: 5 Cherry Gardens Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2007/0058/
Applicant: Mr Sammy Gardiner
Agent: Mr F Quigg 30 Agivey Road Kilrea
Location: 14 Gordonville Park Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2007/0059/
Applicant: Ms Patricia Barkley
Agent: Mr F Quigg 30 Agivey Road Kilrea
Location: 16 Castlehill Close Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2007/0060/
Applicant: Mr John Pollock
Agent: Mr F Quigg 30 Agivey Road Kilrea
Location: 5 Taughey Road Balnamore Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2007/0061/
Applicant: Mr Mel Campbell
Agent:
Location: 2 Windsor Gardens Ballymoney
Description: Extension and alterations to dwelling

Ref No: BN/2007/0062/
Applicant: Mr Robert Smyth
Agent: Fold Housing Association 3 Redburn Square Holywood
Location: 4 Millar Avenue Dervock Ballymoney
Description: Installation of shower

B - Full Plans Applications
BN - Building Notice Applications
RC - Regularisation Certificate Applications

	Total
B	13
BN	15
Total	28

