

Ballymoney Borough Council

Health & Environmental Services Committee Meeting No 335 – 19th December 2007

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BALLYMONEY BOROUGH COUNCIL

Minutes of Health & Environmental Services Committee Meeting No 335 held in the Council Chamber, Riada House, Ballymoney on Wednesday 19th December 2007 at 7.00 pm.

IN THE CHAIR Councillor Robinson

PRESENT

Aldermen
F Campbell
H Connolly

Councillors
J Finlay
M McCamphill
A Patterson

APOLOGIES I Stevenson
R Wilson

IN ATTENDANCE Chief Executive
Director of Borough Services
Alderman Simpson
Committee Clerk

335.1 MINUTES – MEETING NO 334 – 27TH NOVEMBER 2007

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

to recommend that the minutes of Meeting No 334 – 27th November 2007, as circulated, be confirmed as a correct record.

* **Councillor Patterson joined the meeting at 7.10 pm.**

Matters arising:**1.1 Crosstagherty Landfill Closure Plan (334.2)**

At the request of Councillor Finlay, The Director of Borough Services reminded members of Committee's recommendation at meeting no 284, 14th October 2003 (adopted by Council at meeting no 754, 3rd November 2003), to engage Kirk McClure Morton to prepare a Site Conditioning/Closure Plan for Crosstagherty Landfill on behalf of Council. He then responded to a number of questions as regards the technical issues relating to the site closure plan. The Chief Executive mentioned the financial implications disclosed at the recent Council Audit Committee meeting.

The Director **RECOMMENDED** that Donal Doyle from RPS the Councils consultants preparing the Site Conditioning/Closure Plan be invited to the next meeting of Committee on 22nd January 2008 at 6.30pm to make a presentation to members, with papers to issue prior to the meeting.

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

to invite a representative from RPS to give a presentation to Council on the proposed Crosstagherty Landfill closure plan at the next meeting of Committee on 22nd January at 6.30 pm.

ENVIRONMENTAL SERVICES

335.2 NWRWM GROUP/SWaMP MEMORANDUM OF UNDERSTANDING (MoU)

When the then 'final' draft of the above MoU was brought to Council via the Health & Environmental Services Committee meeting held on 25th September 2007, Members were advised that the proposed Memorandum of Understanding could well change and in that event any redraft would again come before Council for its approval.

The final draft of the undernoted documents, as circulated, has now been completed in line with the discussions that took place at the stakeholder conference on 17th and 18th October 2007.

- Memorandum of Understanding
- Rules under a MoU of SWaMP and NWRWMG
- NWRWMG and SWaMP Joint Committee of Council Standing Orders

The documents provide a complete framework for the operation of the Joint Venture between the participating Councils.

Under the MoU, a Joint Committee (JC), will be established for this project. This will essentially be a Committee of Council; it is not a separate legal entity. As such, Councils have the vires to delegate decision making to this Committee and the MoU recognized this and provides the delegation of all major decisions on the project to the Joint Committee. The award of the actual contract and changes to the MoU are reserved to Councils.

It is proposed that the JC will comprise two elected members from each of the participating member Councils with full voting rights, plus officer representation as advisors. Voting will be by a simple majority.

The Rules under a Memorandum of Understanding of SWaMP and NWRWMG provide a clear link in establishing the Joint Committee, and establishing its modus operandi.

The rules are based on the proposed recommended and therefore the degree of delegated authority identified in the MoU has been reflected in the rules.

Standing Orders – as a Committee of Council(s) the Joint Committee will operate under Council rules and procedures.

As with other multi-authority waste management contracts a lead council has been identified, Armagh City and District Council, who will sign the contract on behalf of the partners, i.e. councils.

The City Secretary and Solicitor, Derry City Council, Mr. Damien McMahon, will act as legal advisor to the Councils.

In the interests of business continuity it is considered that it would be appropriate that the Councils representatives on the North West Region Waste Management Group Sub-Committee also represent Council on the NWRWMG and SWaMP Joint Committee.

IT IS RECOMMENDED that Council -

1. agree to sign and seal the Memorandum of Understanding between the North West Region Waste Management Group and the Southern Waste Management Partnership.
2. appoint Councillor John Finlay and Councillor Evelyne Robinson to represent Council on the NWRWMG and SWaMP Joint Committee.

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

to recommend that Council

- 1) *agree to sign and seal the Memorandum of Understanding between the North West Region Waste Management Group and the Southern Waste Management Partnership.*
- 2) *appoint Councillor John Finlay and Councillor Evelyne Robinson to represent Council on the NWRWMG/SWaMP Joint Committee.*

335.3 CONSULTATION: COMMENCEMENT OF ARTICLE 10 OF THE WASTE (AMENDMENT) (NORTHERN IRELAND) ORDER 2007

The Waste (Amendment) (Northern Ireland) Order 2007 was made on 6th March 2007. Its main objective is to provide a more effective deterrent to unlawful waste activity in Northern Ireland. Article 10 of the Order relates to the misuse of waste receptacles. The DoE is now considering implementing the measure.

Article 10 enables authorized officers of NI district councils to issue fixed penalties for offences under Articles 21 and 22 of the Waste and Contaminated Land (Northern Ireland) Order 1997.

Offences under Articles 21 and 22 concern the improper use of waste receptacles for household, commercial and industrial waste. Under these Articles, district councils can issue a notice to occupiers specifying certain requirements relating to waste receptacles. A notice can include provisions relating to:

- The placing of waste in a particular type and number of receptacles;
- The size, construction and maintenance of these receptacles;
- The placing of receptacles to facilitate access and emptying;
- The placing of receptacles to facilitate emptying on roads;

- The substances which may or may not be put into the receptacles and any precautions that should be taken; and
- The steps to be taken by occupiers to facilitate the collection of waste.

Failure to comply with the requirements of such a notice is an offence. However if the Department were to commence Article 10 of the 2007 Order, a £100 fixed penalty notice could be served.

It is considered that Council should welcome the commencement of Article 10 of the Waste (Amendment) (Northern Ireland) Order 2007, as the power to issue a fixed penalty notice rather than institute court proceedings in the first instance, offers a more effective deterrent in respect of the misuse of waste receptacles. This power is seen as a vital tool to back up the extensive education and communication programmes undertaken both to improve recycling rates and the diversion of waste from landfilled by proper use of both receptacles and facilities provided. This welcome for the commencement of Article 10 is on the basis that revenue raised from the fixed penalties issued would accrue to Councils. The option to discount the penalty (£100) for early payment is also seen as beneficial and it would be reasonable to offer a 50% discount for payment made within 7 days.

The deadline for response to the DoE Consultation is 30th January 2008.

IT IS RECOMMENDED that Council lobby for the commencement of Article 10 of the Waste (Amendment) (Northern Ireland) Order 2007 at the earliest possible date on the basis that fixed penalty income would come to Councils and that it would be beneficial to discount the penalty by 50% for payment made within 7 days.

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

to recommend that Council lobby for the commencement of Article 10 of the Waste (Amendment) (Northern Ireland) Order 2007 at the earliest possible date, on the basis detailed above.

335.4 NILAS WORKING GROUP – MEETING NO. 4 – 13TH DECEMBER 2007

IT IS RECOMMENDED that the Minutes of the fourth meeting of the NILAS Working Group, attached as Appendix 1, be received and agreed.

* **Councillor Finlay joined the meeting at 7.26 pm.**

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

that the minutes of the NILAS Working Group, Meeting No 4 held on 13TH December be adopted [Appendix 1 refers].

Matters Arising

4.1 Additional Recycling (Item 2)

Councillor Robinson thanked the Director for the provision of the new information panels now in situ on the sides of the Council's refuse collection vehicle fleet and reiterated the need for ongoing publicity to continue the recycling education process. The Chair also requested details as to the expenditure of the publicity budget to date, which the Director undertook to provide.

4.2 Brown Bins (Item 3)

Alderman Simpson suggested that householders be surveyed to see whether or not they wished to participate in the Council's brown bin recycling scheme. The Director stated that the timescale involved in supplying brown bins to households in order to meet the requirements of this grant-aided scheme did not allow for such major additional work and that the proposal could well work against the scheme delivering its needed contribution to the Council improving its recycling rate and meeting its NILAS targets.

ENVIRONMENTAL PROTECTION

335.5 WATER (NORTHERN IRELAND) ORDER 1999: EFFLUENT CONSENT APPLICATION

EHS Water Management Unit has advised that it has received the undernoted application:-

Applicant	Location
Lagan Holleran Rosemount House 21-23 Sydenham Road BELFAST BT3 9HA	4a Taughey Road Seacon BALLYMONEY

The application refers to the discharge of chlorinated water for flushing new water mains. In that EHS will set levels as to the quality of effluent to be discharged, **IT IS RECOMMENDED** that Council note the application.

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

to recommend that Council note the application.

FOOD CONTROL

335.6 FOOD SAFETY GRANT TO NI DISTRICT COUNCILS

Recent correspondence from the Food Standards Agency NI advises that it has interpreted the government's requirements on "Value for Money" announced recently by Minister Robinson as meaning that departments are required over the CSR 2007

period to make as a minimum a 5% reduction in budgets per year in real terms across local and central government. The percentage reduction indicated is to apply year on year over the period 2008/09 to 2010/11.

Response has been made to FSA NI stating that it is the CEHOG understanding that the Comprehensive Spending Review was not about a comprehensive reduction across "local and central government" but was a requirement imposed by the Finance Minister on all Government Departments requiring those entities to reduce departmental administrative budgets by 5% via efficiency savings and achieve a 3% reduction in resource budgets also by efficiency savings; both of these objectives being focused on moving resources toward direct service to the public.

Why is this important? If FSA NI reduces its Food Safety Grant by 5% year on year over the next three year period Council income will be reduced by that amount and in consequence its expenditure must be increased by the same percentage in order to maintain the level of food control services demanded.

IT IS RECOMMENDED that Council note the intent of FSA NI in respect of the food safety grant allocation to NI district councils.

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

that Council note the intent of FSA NI in respect of the food safety grant allocation to NI district councils.

335.7 FOOD POVERTY - FACT OR FICTION?

The Public Health Alliance for the island of Ireland in collaboration with the CIEH, the Institute of Public Health in Ireland and the University of Ulster published a report (6th November 2007) entitled Food Poverty, Fact or Fiction? People who have a poor quality diet and do not have access to sufficient food necessary for a healthy life are said to be experiencing food poverty. Issues of access and availability determine it, and the factors contributing towards it can be broadly categorised as economic, social and physical. The report claims that it affects a significant proportion of the Northern Ireland population and lower income and disadvantaged groups are particularly vulnerable. While the effect of food poverty may manifest itself in terms of poor diet in every day life, the longer-term implications are that of ill health.

Potential health issues which may arise through poor diet as a result of not being able to access good quality, nutritious food can include hypertension, diabetes, heart disease, stroke and some cancers. A diet high in fat, sugar and salt and a low consumption of essential vitamins, minerals and dietary fibre, is more likely to contribute to the onset of these conditions and diseases.

The report demonstrates that there is considerable evidence to indicate that people on low incomes, people who are unemployed, households with two adults and over three children and pensioners are particularly prone to this type of diet. It has also highlighted the increase in the consumption of convenience foods, ready-made meals and ready-made meal components amongst the general population.

Food poverty is not just about food and health policies. Stemming from the wider effects of social exclusion, it is inextricably linked to the issues of finance, education, transport, literacy, culture, planning and retailing. It is a complex, multi-faceted

problem that demands an integrated, multi-sectoral approach to solutions. The report identified a number of current strategies that would assist in tackling the issue of food poverty if properly implemented e.g. sustainable development, investing for health, anti-poverty and social inclusion and neighbourhood renewal.

The report highlights **27** recommendations to address the issue of food poverty. These include:

- The need to develop stronger linkages between policy development at government level and the delivery of strategic targets on the ground.
- The structures and mechanisms put in place for local government ; the health sector and education, following RPA must improve opportunities and obligations for more effective joint working.

There needs to be a consideration of the redistribution of resources between public awareness campaigns and more direct initiatives which are aimed at vulnerable groups and have been proven to work. Such initiatives include “fresh fruit in schools”, “decent food for all”, “community food gardens, “cook it”, “eat clever”, “farmers markets” etc. [Members may recall that the Directorate has participated in the ‘fresh fruit for schools’ and ‘cook it’ projects locally.]

Government should consider a food subsidy scheme directed towards those who are most disadvantaged.

Food poverty is influenced by planning decisions and there must be strict adherence to, and monitoring of, PPS5 to ensure out of town locations are a “last resort for retailers”. In addition, government should consider policies to limit the closure of small independent retailers, particularly in rural areas, and to encourage the variety of fruit and vegetables in local shops.

There needs to be further development of simplified food labelling schemes such as the FSA traffic light system. Greater emphasis needs to be given to the food standards work carried out by environmental health departments.

Large food retailers need to review their policies on the delivery of food shopping. Consideration should be given to the extension of existing community transport systems.

The health promoting schools scheme needs continued support and further expanded with the aim that all schools in Northern Ireland adopt this approach.

Proposals put forward by the Fit Futures task Group to address rising obesity in young people should be implemented.

A full copy of the report may be accessed at www.phaii.org found under publications.

IT IS RECOMMENDED that Council supports the principles and recommendations contained in the above report and where appropriate, review its own existing policies and strategies to incorporate such principles to tackle food poverty locally.

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

to recommend that Council supports the principles and recommendations contained in the above report and reviews its own existing policies and strategies to incorporate such principles to tackle food poverty locally.

335.8 FOOD COMPLAINT

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

<u>Ref Number</u>	<u>Nature of Complaint</u>
FC/805/C/03/07	Strange Taste from milk and curdled when heated

IT IS RECOMMENDED that no further action be taken on this occasion for the above complaint other than to advise the complainant, manufacturer and home authority in writing of the outcome of the investigation.

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

to recommend that no further action be taken other than that detailed above.

LICENSING

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

<u>Premises</u>	<u>Applicant</u>
Trinity Presbyterian Church Hall 28 Queen Street BALLYMONEY BT53 6JJ	Mrs Anne Backus
St James's Presbyterian Church Main and Minor Hall and Annexe St James's Road BALLYMONEY BT53 6BJ	Mr Sean Carey
Dunloy Community Centre 17 Bridge Road Dunloy BALLYMENA BT44 9AN	Rev Aidan Brankin
Cloughmills Memorial Orange Hall 6 Main Street Cloughmills BALLYMENA BT44 9LF	Cloughmills Cultural/ Historical Society

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.

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

Premises

Applicant

Ballymoney Masonic Social Centre
6-8 Charlotte Street
BALLYMONEY BT53 6AY

Mr George Field

The Royal British Legion
Ballymoney Club
11 Townhead Street
BALLYMONEY BT53 6BE

Mr William J McCurdy

St. Patrick's Parish Church
Centre Youth Hall
4A Queen Street
BALLYMONEY BT53 6JA

Mr Vincent Leslie

Rasharkin Presbyterian Church Hall
13 Moneyleck Road
Rasharkin
BALLYMENA BT44 8RT

Mr Richard J Wilson

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 Councillor Finlay, seconded by Alderman Connolly and **AGREED:**

to recommend to Council, renewal of Indoor Entertainments Licences as set out in items 335.9 and 335.10 above.

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

Applicant

Premises

Ms Lisa Marie Canning
(Electrolysis/Ear Piercing)

Beauty Within
12B Church Street
BALLYMONEY BT53 6DL

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

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

to recommend to Council, registration of person and premises as detailed above.

PHARMACY AND POISONS**335.12 POISONS (N.I.) ORDER 1983**

Applications for renewal of registration in respect of the sale of poisons included in Part II of the Poisons List together with the appropriate fee have been received as follows:-

<u>Name</u>	<u>Address</u>	<u>Deputies</u>
Mr. Christopher Logan	Logans Hardware, 36 Drumadoon Road, Cloughmills, BALLYMENA BT44 9LJ.	Mrs. V. Logan Mr. R. Logan
Mr. James McFadden	Stranocum Post Office, 2 Main Street, Stranocum, BALLYMONEY BT53 8PE.	Mr. T. McFadden Miss S. McFadden
Mr Ray Boyland	North Antrim Potatoes, 170 Ballinlea Road, Stranocum, BALLYMONEY BT53 8PR.	Mr. J. Taggart Mrs. M. McDonald
Mr David Christie	Christie and Jeffers, 33 Market Street, BALLYMONEY.	Mr. F. Jeffers Mr. A. Christie Mr. B. Lamont Mr. R. Wilson

IT IS RECOMMENDED that the Borough Council give its approval to the above.

335.13 Applications for new registration in respect of the sale of poisons included in part II of the Poisons List together with the appropriate fee have been received as follows:-

<u>Name</u>	<u>Address</u>	<u>Deputies</u>
Mr. George Pollock	James Pollock & Son, 53-61 Castle Street, BALLYMONEY, BT53 6JZ.	Mrs. D. Camp Mr. D. McLean Mrs. Ann Hughes Miss J. McClelland
Mr James Shaw	Ashwood Garden Centre, 1 Greenhill Road, BALLYMONEY, BT53 6LZ.	Mr. Alan Neill Mr. Frank McAteer Mr. David Archibald Mr. Niall Johnston
Mr. John Steele	Steele Farm Supplies, Unit 4, 14 Market Street, BALLYMONEY, BT53 6EB.	Mr. J. Steele (Snr) Mrs. A. L. Steele Mrs. H. A. M. Steele Mr. R. McKeeman Mr. J. Dillon

Mr. Mark Alexander	John McElderry M & T Ltd 24-26 Market Street BALLYMONEY BT53 6EB	Mr. Trevor Craig Mr. Geoffrey Pearson
Mr. Danny McIntyre	Taggart & Co. Ltd. 38-44 Main Street BALLYMONEY BT53 6AP	J. Hill C. Murphy B. McCulloch M. Moore A. McClean G. McClelland

IT IS RECOMMENDED that the Borough Council give its approval to the above.

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

to recommend to Council approve the applications as set out in items 335.12 and 335.13 above.

FUEL POVERTY

335.14 WARM HOMES SCHEME – POSSIBLE BUDGET COSTS

Councillor Robinson made reference to this matter at the Council's meeting on 3rd December. Fuel Poverty is an important issue. Government needs to show leaderships and underpin its Strategy with the necessary resources to make a difference. With escalating fuel prices the issue is very likely to worsen without also the withdrawal of funds from the drive to improve energy efficiency as well.

The paper, as circulated, is commended to Members. **IT IS RECOMMENDED** that Council lobby, by correspondence, the relevant Ministers, namely Margaret Richie at the Department for Social Development and Peter Robinson at the Department of Finance and Personnel.

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

to recommend that Council lobby relevant Ministers relating to the possible reduction in the Warmer Homes Scheme budget.

EMERGENCY PLANNING

335.15 EMERGENCY SUPPORT CENTRES

Further to the Council's adoption of Article 29 of the Local Government (Northern Ireland) Order 2005 and to compliment the emergency planning requirements, an Emergency Support Centre (ESC) working group has been established.

ESC facilitates a humanitarian response to an emergency with the provision of a package of care, with a range of agencies working together. The exact focus and nature of provision will depend on the type of emergency, the impact it has on the community, and peoples needs.

The ESC working group is coordinated by the Council and consists of key statutory organisations, namely the Northern Health & Social Care Trust, the Police Service of Northern Ireland and the Northern Ireland Ambulance Service.

The function of the ESC working group is to identify Council and other appropriate buildings that may be used as Emergency Support Centres and Relatives and Friends Centres in the event of a declared emergency in the Ballymoney Borough Council area. This inter agency working allows for a coherent and transparent understanding of the roles and responsibilities of each organisation in an emergency situation.

The working group has agreed a joint ESC protocol, a copy of which was circulated to members. This working document to date has identified a number of council properties that are suitable to be used as ESC buildings in the event of an emergency. Work is on going to identify further potential Council and non-Council buildings that may be used as an ESC.

The protocol has defined an ESC building as a “designated secure building which will provide a safe environment for individuals/families who have been caught up in an incident and do not require hospital treatment, where they can go to receive shelter, care, first aid and support, until they can return to their own homes, or be otherwise accommodated.”

IT IS RECOMMENDED that Council adopt and implement the ESC Working Group’s, ESC protocol to compliment the details of Ballymoney Borough Council’s Emergency Plan.

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

to recommend that Council adopt and implement the ESC Working Groups ESC protocol as circulated.

335.16 EMERGENCY MANAGEMENT FOR ELECTED MEMBERS GREENMOUNT COLLEGE, ANTRIM – 11TH FEBRUARY 2008

Further to Committee item 330.18 (26th June 2007) Members will recall adopting the powers under Article 29 of the Local Government (NI) 2005 to enable responses to be made in emergency situations. An emergency response plan was also prepared which focused on operational arrangements in the event of an emergency. Work with this area continues (see item above). In order to raise awareness of roles and responsibilities in an emergency situation, a specific course for elected Members has been arranged.

The course is intended for elected members who are engaged in civil protection matters. Its aim is to develop awareness of civil protection issues and obligations under the Civil Contingencies Act and outline their community leadership role in preparing for, responding to and recovering from emergencies its objectives include:-

- Understanding the concept of resilience and the rationale for civil protection.
- Understanding the duties placed on local authorities by the Civil Contingencies Act.
- Evaluating the potential demands of Integrated Emergency Management on a local authority before, during and after an emergency.
- Understanding responsibilities as an elected member in the context of civil protection.

The cost per delegate is £330 plus VAT.

IT IS RECOMMENDED that a minimum of three elected Members attend the course on 11th February 2008, with fees paid from existing emergency planning budget.

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

to recommend that Council appoint a minimum of three elected members to attend the above course, with fees paid from existing emergency planning budget, nominations to be made by party leaders.

* Alderman Connolly left the meeting at 7.58 pm.

OFFICER AUTHORISATIONS

335.17 HEALTH AND SAFETY AT WORK (NI) ORDER 1978

Further to Committee Minute 322.11 (24th October 2006) following review and assessment of the above officer's authorisation, **IT IS RECOMMENDED** that the Borough Council gives effect to the following resolution:

that Damian John Gavin, District Environmental Health Officer

be appointed by Ballymoney Borough Council in exercise of the powers conferred on it by Article 21(1) of The Health and Safety at Work (NI) Order 1978 as an inspector of Health & Safety for carrying into effect the relevant statutory provisions (as defined in that Order) within the Councils field of responsibility and specifies that he may in that connection exercise the powers conferred on an inspector by Article 22(2)(a) to (m), Article 23, 24, 25 and 27 and furthermore hereby also indemnify the aforesaid officer as provided for by Article 28 of the said Order and Section 48 of the Local Government Act (NI) 1972.

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

to recommend that Council authorise the officer as detailed above.

335.18 CANCELLATION OF OFFICER AUTHORISATION – NORTHERN GROUP SYSTEMS

Members are advised that Mr. Maurice Young, SEHO (Consumer Protection) has recently been appointed as Chief Environmental Health Officer, Magherafelt District Council. As a result, further to Committee Minutes EHC 228.3.2.3 (CM 614.10.1), HES 272.11.1 (CM727.12.3) and HES 322.12 (CM 850.8.2), it is necessary to formally revoke that officer's instrument of appointment.

IT IS RECOMMENDED that Ballymoney Borough Council formally revoke the authorisation of the above-named officer only in respect to the minutes listed above.

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

to recommend that Council revoke the authorisation of the officer as detailed above.

BUILDING CONTROL

335.19 BUILDING CONTROL APPLICATIONS

IT IS RECOMMENDED that Council note the **Applications, Building Notices and Regularisation Certificates** as detailed in Appendix 2, which are in accordance with the requirements of the Building Regulations (NI) 2000.

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

to recommend that Council note the Applications, Building Notices and Regularisation Certificates as detailed in Appendix 2.

NAMING OF HOUSING DEVELOPMENT

335.20 25 DWELLINGS AT STROAN ROAD, DERVOCK, BALLYMONEY, FOR POLLOCK DEVELOPMENTS LTD, 10 VOW ROAD, BALLYMONEY

The developers have written by letter dated 10/12/2007 requesting that Council name the above new housing development.

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

1. **“Station Cottages”**.
2. **“Stroan Cottages”**.
3. **“Dervock Cottages”**.

The first preference name is in accordance with the general policy that street names should have some connection with the local area in which they are located (the development is located on the disused former Ballycastle narrow gauge Railway line).

IT IS RECOMMENDED therefore that Council approve the name **“Station Cottages”** for the overall development.

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

to recommend that Council approve the name "Station Cottages" for the development.

MATTERS FOR INFORMATION

ENVIRONMENTAL SERVICES

335.21 MUNICIPAL WASTE RETURNS

<u>Waste Type</u>	<u>Nov 2007</u>	<u>Year to Date</u>
Mixed Residual Waste (waste to landfill)	874.74t -14.39%	7,635.48t -3.96%
Mixed Dry Recyclables (blue bin recycling)	138.56t +10.53%	1,100.94t +9.66%

Waste to Landfill (Apr 06 to Nov 07)

Month	2006/07 Tonnage	2007/08 Tonnage	% Diff (Monthly)	2006/07 Cumulative Tonnage	2007/08 Cumulative Tonnage	% Diff (Y.t.d.)
April	970.02	1,016.92	4.83	970.02	1,016.92	4.83
May	1,020.16	876.38	-14.09	1,990.18	1,893.30	-4.87
June	1,033.02	922.54	-10.69	3,023.20	2,815.84	-6.86
July	969.14	1,004.74	3.67	3,992.34	3,820.58	-4.30
August	1,001.02	995.8	-0.52	4,993.36	4,816.38	-3.54
September	936.88	853.16	-8.94	5,930.24	5,669.54	-4.40
October	997.98	1,091.40	9.36	6,928.22	6,760.94	-2.41
November	1,021.82	874.74	-14.39	7,950.04	7,635.68	-3.96
December	882.28			8,832.32		
January	1,140.34			9,972.66		
February	960.78			10,933.44		
March	950.32			11,883.76		

335.22 ECO SCHOOLS PROGRAMME

Balnamore Primary School has recently achieved the Bronze Award as part of the Eco Schools Programme. This is the first of three stages towards obtaining the Green Flag and it is envisaged that the school will continue to work towards this in 2008. The project is supported by the Recycling and Education Officer.

335.23 TETRA PAK RECYCLING

Banks have been installed at both Civic Amenity sites for the collection of Tetra Pak beverage and food cartons. The banks have been publicised and users of the sites are responding favourably. There are no costs associated with these.

ENVIRONMENTAL PROTECTION

335.24 AIR POLLUTION IN NORTHERN IRELAND 2006

The Planning & Environmental Policy Group at DoE has furnished the 5th Annual Report on Air Quality in Northern Ireland. It is intended to provide a summary of air quality monitoring carried out on behalf of Government and by District Councils during 2006.

The brochure was circulated to members for their information.

335.25 SUSTAINABILITY

The abstract from a recent e publication was circulated, which indicates that **NI HOUSEHOLDS WASTE MILLIONS EVERY YEAR.**

335.26 KEY FACTS & FIGURES ON THE UK ENVIRONMENT

Included with Member Committee papers is a useful and informative DEFRA publication: The environment in your pocket 2007.

335.27 THE WASTE MANAGEMENT LICENSING REGULATIONS (NI) 2003 APPLICATION FOR EXEMPTION

COMPASS ADVOCACY NETWORK T/A CAN CAN RECYCLING, 20 SEYMOUR STREET, BALLYMONEY, BT53 6JR.

EHS Licensing and Authorisations section have advised by correspondence dated 10th December that an exemption certificate has been issued for activities under paragraphs 12 and 17 of Schedule 2, Part 1 of the above Regulations. The details of the exempt activity are specified as the sorting of 1,000 tonnes of waste textiles per week and the sorting and crushing of waste aluminium cans or aluminium foil, which will lead to their recovery and re-use together with secure storage of same.

FOOD CONTROL

335.28 PESTICIDES (MAXIMUM RESIDUE LEVELS IN CROPS, FOOD AND FEEDING STUFFS) (AMENDMENT NO. 2) REGULATIONS (NI) 2007

The Department of Agriculture and Rural Development have advised that the above Order comes into effect on the 19th December 2007. It implements as regards Northern Ireland the remainder of Directive 2007/7/EC and Directions 2007/8/EC, 2007/9/EC, 2007/11/EC and 2007/12/EC, amending the 2006 Regulations of the same title.

335.29 LEVEL 2 AWARD IN FOOD SAFETY IN CATERING COURSE

During the report period the Directorate delivered 1 Level 2 Award in Food Safety in Catering course. A total of 19 candidates attended and all passed the examination.

The Directorate will deliver a food hygiene refresher course on the 13th December at Loughguile Community Association.

339.30 FOOD SAFETY AT CHRISTMAS

The Directorate will be distributing leaflets to all butchers and retailers throughout the Borough likely to be selling turkeys this Christmas. The leaflet, produced by Safefood, provides useful information on how best to safely cook your turkey. This leaflet can also be viewed on the Council's website.

HEALTH & SAFETY

339.31 HEALTH AND SAFETY AUDIT FRAMEWORK

A framework for a Health and Safety Audit is expected to be issued in January 2008. The framework has been written to permit in depth scrutiny of arrangements that will not only validate compliance with mandatory guidance but also internal quality and performance matrix scores produced by Councils. The Health and Safety Liaison Group has agreed which elements of each question set are considered essential and which are deemed best practice. The audit report will identify essential and best practice elements met and validate recent quality and performance matrix scores. It is anticipated that four Councils across Northern Ireland will be audited before the end of the current financial year although these have yet to be identified. Auditors will be accompanied by an auditor from either Belfast City Council or another Group area and HSENI will also be invited to attend.

PLANNING

335.32 CEHOG: PLANNING APPLICATION CONSULTATION CHECKLIST

The Chief Environmental Health Officers Group and DoE Planning Service – Development Control Liaison Group have jointly produced an application consultation checklist to be completed when responding to planning consultations. It is an Aide Memoire to ensure that key aspects of a development application have been consistently addressed and that a record of the decision-making process underlying the recommendation to Planning Service is retained. In addition to general comments, noise, air pollution, general amenity, ambient air quality and contaminated land aspects will be provided. A completed checklist will be returned with every application consulted on and will be implemented from 1st January 2008.

DOG CONTROL

335.33 SHEEP WORRYING

During this report period an unprecedented number of sheep worrying complaints were received by the Directorate. A total of eleven incidents were recorded. The attacks took place in three different areas of the Borough.

Two of the incidents occurred in the Gruig Lane area and the Mullan Road area of the Borough. The remaining incidents took place in the areas of the Bendooragh Road, Vow Road, Bann Road and Glenstall Road (the townland of Enagh) of Ballymoney. Two incidents resulted in no injuries or trauma being caused to livestock. The remaining incidents resulted in the death of forty-nine sheep in total. A further twenty-six sheep are currently missing from the area of the Glenstall Road, Ballymoney. A large number of sheep are still recovering from injuries received.

Extensive enquiries were made with regard to these attacks, including house to house visits and also the use of media coverage to highlight the problem.

On Thursday 29th November two dogs were seized in an early morning incident in the Vow Road/Bann Road area. The dogs were taken to a local vets where one dog was found to have wool in the contents of its stomach after sickness was induced. The vet was unsuccessful in inducing sickness in the second dog. However, both dogs were subsequently humanely put to sleep on 29th November with the permission of their owners.

Two other dogs were detected on 30th November as the result of an early morning attack on the Mullan Road, Ballymoney. Those dogs were both shot as a direct result of the incident.

The cases in which dogs have not been detected currently remain open.

Committee noted that Council had been congratulated for the extensive work carried out in order to investigate the various incidents. Councillor Finlay thanked the staff involved, particularly the Environmental Warden, for all their hard work.

HOME SAFETY

335.34 HAZARD HOUSE

During November and December, Hazard House has had approximately 200 visitors from 12 different groups including Ballymoney – Northern Regional College, Balnamore Little Acorns Parent Group and 4th Ballymoney Boys Brigade.

500 Hazard House Christmas Safety Cards have been posted to Councillors, community groups, churches, parent and toddler groups etc in Ballymoney, Coleraine and Moyle Council areas. As part of a marketing campaign to raise awareness of the facility and promote a Christmas home safety message, Council Chief Executives and Chief Environmental Health Officers across Northern Ireland have also been included on the mailing list.

Councillor Robinson commended this initiative.

335.35 AWARENESS RAISING

A seasonal safety talk was given to Ballymoney Reformed Presbyterian Church Senior Citizens' Group on the 13th December.

HEALTH AND WELL BEING

335.36 BALLYBOGEY OVER 50'S

Between the months of September to December, the Directorate presented a programme to Ballybogey Over 50's club, which addressed issues such as food, recycling and energy efficiency. September's programme looked at Food Safety within the Home, November's programme covered Recycling and Waste Minimisation and December's programme looked at Warmer Homes and Energy Efficiency. Each session lasted about 1 hour and the group comprised of approximately 20 persons.

Councillor Robinson thanked the Director and his staff for the programme of interesting talks arranged which had been well received.

COMMUNITY SAFETY

335.37 LSP PEER LEADERSHIP PROJECT

A night of celebration was held at the Magherabuoy Hotel in Portrush on Wednesday 21st November to salute the achievements of 47 Ballymoney youths who successfully completed their OCN Level 2 Peer Leadership training with a further 12 due to start a new course in January 2008.

Successful completion of the course leaves the participants trained and empowered to organise and implement alternative pursuits designed to promote attitudes, values and skills for personal/social development and positive citizenship among their peers.

335.38 SAFER BONFIRE COMPETITION

The October round of the Safer Bonfire Competition was judged and no prizes were awarded. In line with the current competition guidelines if tyres are burnt then the site is automatically disqualified from the competition. Tyre remnants were found at those sites that demonstrated the best prospects of winning. The un-awarded prize monies will be used to purchase trees to be planted as part of the Ballymoney carbon Sink Project.

335.39 MESSAGE IN A BOTTLE

Ballymoney Community Safety Partnership has distributed all 600 'Message in a Bottle' packs, which were allocated to the Borough. We have sourced an additional 150 bottles for distribution, which are available from Borough Services.

335.40 NIFRS LIFE SCHEME

The Community Safety Partnership has secured funding to facilitate local young people to participate in a Northern Ireland Fire and Rescue Service Local Intervention Fire Education (L.I.F.E.) Scheme. The LIFE Scheme is an intensive one-week work experience course for identified young people at risk. Through a process of hard physical work, mentoring, examining the causes and consequences of crime it aims to install discipline, team spirit, self esteem, new moral values and ultimately change mindsets. The changed mindset will in turn reduce potential for offending or re offending in relation to fire setting, hoax calls, attacks on emergency personnel, other anti social behaviour, low level neighbourhood disorder youth offending and criminality.

335.41 CHRISTMAS SAFETY MESSAGE

Ballymoney Community Safety Partnership has designed a special Christmas Card that delivers more than simply season's greetings. It offers wise advice on how to keep your property safe and sound particularly at this time of year.

By following the advice on the Partnership's specially-designed Christmas card you can help to safeguard yourself and your belongings at a time when it's easy to be caught off guard. The card, circulated to members for information, has been distributed electronically throughout the Borough.

335.42 CARBON SINK PROJECT

Ballymoney Community Safety Partnership launched the 'Ballymoney Carbon Sink' project on Friday 7th December in Riverside Park. This is a new initiative and a first steps approach to reducing Ballymoney Borough's carbon footprint. Pupils from Ballymoney Model Primary School, the Mayor, Councillor Robinson, Alderman Campbell, representatives from Borough Services and members of the Community Safety Partnership planted approximately 150 trees with the remaining 350 yet to be planted.

335.43 DRINKING WATER QUALITY IN NORTHERN IRELAND

A report by the NI Drinking Water Inspectorate published by the Environment & Heritage Service dealing with Drinking Water Quality in Northern Ireland in 2006 was received on 19th December 2007. Executive Summary report was circulated

HEALTH AND WELL BEING

335.44 NORTHERN IRELAND HMO STATUTORY REGISTRATION SCHEME

Correspondence was received on 17th inst. from the NI Housing Executive enclosing a copy of that organisation's revised Northern Ireland HMO Statutory Registration Scheme.

COMMUNITY SAFETY**335.45 EVALUATION, CELEBRATION, CONSULTATION PLANNING**

The Northern Ireland Office Community Safety Unit have advised that £12,000 is to be made available to the Community Safety Partnership for the evaluation and celebration of action plan projects developed to deliver the 2005-2008 Community Safety Strategy and the development of 2008-2011 Strategy. Quotations have been publicly sought for the evaluation, consultation and planning process with a closing date of 11th January 2008 with final report due end of March 2008. The Partnership are planning to host a celebration event during February 2008 to mark the achievements of all funded projects.

This being all the business, the meeting closed at 8.45 pm.

Appendices attached:

- Appendix 1 Minutes of NILAS Working Group – 13.12.07
- Appendix 2 Building Control Notices

APPENDIX 1**NILAS WORKING GROUP****MEETING NO. 4**

**Held on Thursday 13th December 2007
at 3.30pm in Riada House**

Present	Councillor Robinson (Chair) Councillor Cavlan Alderman Connolly Alderman Cousley Councillor Finlay Councillor McCamphill Councillor McKeown
Apologies	Councillor Kennedy Councillor McKay
In Attendance	Director of Borough Services Head of Environmental Services Recycling & Education Officer

Item 1: Civic Amenity Waste

Members were advised that consideration was still being given as to how best to contract for the processing of the Councils CA and bulky waste. Mention was made of a tender led by Limavady in which both Ballymoney and Coleraine had been named as possible participants.

The Director updated members on the proposed visits to Brickkiln and City Industrial Waste to view their respective operations for the recovery of civic amenity site waste. Members were informed that it had not been possible to find a suitable date in December and that the visits would therefore take place in January.

IT WAS AGREED that visits to Brickkiln and City Industrial Waste be arranged for either the weeks commencing 7th or 14th January 2008 and that this would constitute the next meeting date of the NILAS Working Group.

Item 2: Additional Recycling

The Chair initiated a discussion regarding the provision a glass collection service to Borough households. The Director advised that a costing of such a service provided by Council had not yet been undertaken. He advised as to service elements and gave indicative costs. Mention was made that presently Council provides 15 collection points for glass via its civic amenity sites and community recycling centres throughout the Borough.

The Recycling & Education Officer informed members that the last waste characterization study indicated that the Councils mixed residual waste contained approximately 300 tonnes of glass. Members were advised that currently 180 tonnes of glass is collected via the Councils bring sites.

The Director mentioned to members a current consultation sponsored by the DoE which proposed to activate the power for Councils to issue fixed penalty to householders who misused waste receptacles.

The Chair suggested that members give consideration to highlighting issues concerning waste in the local press.

Item 3: Brown Bins

The Director reported that the distribution of brown bins would begin in mid-January, with the first collection taking place the week commencing Monday, 17th March. In phase one, brown bins would be distributed to 7,300 households located in 'urban settings' and as Council had agreed only green/garden waste would be collected initially. Detail was given as to what was meant by the term 'urban settings'. It was emphasized that in the absence of a GIS system it would be the responsibility of the distribution team supervisors to ensure that brown bins were distributed to relevant homes which had gardens. 10 collection routes had been devised, with the distributed brown bins collected by one refuse collection vehicle, crewed by one driver and one loader, over a fortnightly cycle. The Director emphasized that the proposed staffing level was less than that currently deployed to collect both black and blue bins from the 'urban' parts of the Borough and assumed a participation rate of less than 50%. He advised that were the participation rate to exceed the assumed level, it would be necessary to employ a second loader.

The information pack householders would receive with their brown bin was shown to and discussed with members. The information pack will consist of a letter outlining how the brown bin scheme works, a colour A4 sticker illustrating items suitable for the brown bin and a collection calendar. In addition the new scheme would be publicized via the local media and also via the new information panels being installed on the Councils refuse collection vehicles.

The Director again stressed that the implementation of a third [brown] bin to over 7,000 homes in the Borough was a major undertaking which would not only will take up considerable directorate resources but would require additional temporary personnel. Members were advised that it was probable that work deemed as non-urgent would not get done in the usual timescale and asked for members to be aware of this.

Members were advised that the brown bin scheme would operate under the same rules as those applicable to both black and blue bins, with the exception that only one brown bin would issue per household, as the bin was for the collection of green/garden waste the special arrangements relating to large households or medical need did not apply. As the scheme was about increasing the Councils recycling rates and so diverting waste from landfill it was envisaged that brown bins issued would not subsequently be taken back as unwanted. It was again mentioned that where a household was deemed as being unlikely to produce any green/garden waste then a brown bin would not be supplied.

The Chair instigated a discussion as to whether the proposed brown bin collection service should operate throughout the year or be withdrawn during the winter months.

The Recycling & Education Officer highlighted a number of difficulties that Councils who operate a brown bin scheme and suspend the service over winter period encounter, such as the need to communicate again the scheme to households when it recommences, the breaking of the collection routine and the increasing demand for an all year round service.

IT WAS AGREED that the implementation arrangements outlined by the Director be accepted as the manner in which the Councils brown bin scheme would operate initially, that the scheme should operate on a year round basis and that a review be undertaken after the first 12 months of the service had been completed.

Item 4: Trade Waste

Councillor Finlay indicated that he had been approached by a local trader regarding the possibility of the Council providing a recycling service to businesses similar to that enjoyed by householders. The Director advised that this could indeed be done but that a charge would apply and such a scheme would need to be devised. He pointed out that a number of private sector recyclers offered a free service to Borough businesses provided waste was separated and stored appropriately.

* This being all the business the concluded at 5.00pm.

BUILDING CONTROL APPLICATIONS – APPENDIX 2

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

Ref No: B/2006/0266/
Applicant: Mr Gavin Doherty
Agent: Seamus Bailey 9 Glenview Road Ballycastle
Location: 66 Drones Road Armoy Ballymoney
Description: Extensions and alterations to dwelling

Ref No: B/2007/0047/
Applicant: Mr Thomas Hill
Agent: Bell Architects 65 Main Street Ballymoney
Location: Gracehill Road Clontyfinnan West Armoy Ballymoney
Description: Dwelling and garage

Ref No: B/2007/0055/
Applicant: Mr & Mrs M Smiley
Agent: Hunter Associates 8 Charlotte Street Ballymoney
Location: 16 Mallaboy Lane Ballymacaldrack Dunloy Ballymena
Description: Dwelling

Ref No: B/2007/0057/
Applicant: Mr & Mrs McNally
Agent: Mr Drew Kyle 6 Grangefield Toomebridge
Location: 7A Shanaghy Road Shanaghy Upper Ballymoney
Description: Dwelling with integral garage

Ref No: B/2007/0062/
Applicant: Mr Gregory Connolly
Agent: Pro Design 43 Kilmandil Road Ballymena
Location: 34 Friary Road Armoy Ballymoney
Description: Garage/Store

Ref No: B/2007/0082/
Applicant: Mr Patrick McGarry
Agent: George Shaw 18 Sandmount Park Ballymena
Location: Site A Corkey Road Loughguile Ballymena
Description: Dwelling

Ref No: B/2007/0083/
Applicant: Mr Patrick McGarry
Agent: George Shaw 18 Sandmount Park Ballymena
Location: Site B Corkey Road Loughguile Ballymena
Description: Dwelling

Ref No: BN/2007/0140/
Applicant: N I Housing Executive
Agent: H & A Mechanical Services 28 Fivemile Straight Draperstown
Location: 6 Whitehill Cottages Cloughmills Ballymena
Description: Installation of oil-fired central heating

Ref No: BN/2007/0141/
Applicant: Ms Brenda Heywood
Agent: Mr F Quigg 30 Agivey Road Kilrea
Location: 191 Castlecat Road Derrykeighan Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2007/0142/
Applicant: Ms Patricia Lerwill
Agent: Mr F Quigg 30 Agivey Road Kilrea
Location: 19 The Meadows Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2007/0143/
Applicant: Mrs Janet Kathleen McCaughey
Agent:
Location: 10 Downview Crescent Ballymoney
Description: Roofspace conversion to dwelling

Ref No: BN/2007/0144/MAST
Applicant: N I Housing Executive
Agent: N I Housing Executive Design & Planning Service Ballymena
Location: 13 - 26 Carnfinton Park Rasharkin Ballymena
Description: Extension and alterations to 14 dwellings

Ref No: BN/2007/0145/
Applicant: Mr Jim R Taylor
Agent: O'Kane Plumbing & Heating 46 Dunamore Road Cookstown
Location: 9 Queens Avenue Ballymoney
Description: Installation of oil-fired central heating

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

	Total
B	7
BN	6
Total	13

