

## Ballymoney Borough Council

### Health & Environmental Services Committee Meeting No 349 – 28<sup>th</sup> April 2009

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**BALLYMONEY BOROUGH COUNCIL**

Minutes of Health & Environmental Services Committee Meeting No 349 held in the McKinley Room, Riada House, Ballymoney on Tuesday 28<sup>th</sup> April 2009 at 7.00 pm.

**IN THE CHAIR** Councillor E Robinson

**PRESENT**

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

**Councillors**  
A Cavlan  
M McCamphill

**APOLOGIES** B Kennedy  
A Patterson

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

**348.1 MINUTES – MEETING NO 348 – 24<sup>TH</sup> MARCH 2009**

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

*that the minutes of meeting No 348 on 24<sup>th</sup> March 2009 be confirmed as a correct record.*

**MATTERS FOR CONSIDERATION****ENVIRONMENTAL SERVICES****349.2 RASHARKIN CRISP ENVIRONMENTAL IMPROVEMENT SCHEME**

It is pleasing to report that the above Scheme, which Council agreed to deliver on behalf of Rasharkin Community Association, is now substantially complete.

Recently, however, Rasharkin Community Association has written to Council regarding certain village litter bins. The letter dated 3<sup>rd</sup> April plus photograph received were circulated.

Committee is asked to consider the request made and make a recommendation to Council.

At the meeting the Director advised that the cost of cast iron bins, the type mentioned in the letter from the Community Association, would be exorbitant and such expense was not something Council had budgeted for. He stated that as the matter was time critical and in order to fit in with the proposed timescale for finishing the footpaths in the scheme area it would be possible to replace three litter bins ex stock and **RECOMMENDED** that this be done and the Community Association so advised. Members were also advised that this provision would use up half of the available litter bin budget for 2009-2010.

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

***to recommend that three new litter bins be provided replacing those in the CRISP Scheme area and that the Director write to Rasharkin Community Association advising it of this.***

## ENVIRONMENTAL PROTECTION

### 349.3 WATER (NI) ORDER 1999: EFFLUENT CONSENT APPLICATION

NIEA Water Management Unit has advised that it has received the undernoted application –

<u>Applicant</u>	<u>Location</u>
Richard McConaghy	218 Castlecat Road, Derrykeighan, Ballymoney.

In that NIEA will set levels as to the quality of effluent to be discharged to a waterway, **IT IS RECOMMENDED** that Council note the application.

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

***to recommend that Council note the application.***

### 349.4 POLLUTION PREVENTION & CONTROL (NORTHERN IRELAND) REGULATIONS 2003

#### **TOBER RECYCLING, 71 TOBER ROAD, DUNLOY, BT44 9BG.**

An application has been received to operate a furnace for the extraction of non-ferrous metal from scrap at the above address. A permit has been prepared, and was circulated to members, having considered the information contained in the Process Guidance Note PG No. 2/1 (04) relevant to the operation. The operator and statutory consultees have had the opportunity to consider the conditions contained within the permit and make comments.

**IT IS RECOMMENDED** that approval be granted for the permit of a prescribed process to the operator of the business in the form contained in the proposed permit, together with supporting plans and documents and that the annual subsistence fee be applied pro rata as required by statute.

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

***to recommend that Council grant approval for the permit of a prescribed process to the operator of the business in the form contained in the proposed permit, together with supporting plans and documents and that the annual subsistence fee be applied pro rata as required by statute.***

## **FOOD CONTROL**

### **349.5 FOOD SERVICE PLAN 2009-2010**

A Borough Food Service Plan, as circulated, has been devised for the period 1<sup>st</sup> April 2009 to 31<sup>st</sup> March 2010. It includes information on service provision, performance targets and standards, and incorporates a review of the period 2008-2009.

***IT IS RECOMMENDED*** that Council adopt, publish via the Council's website and implement the Borough Food Service Plan 2009-2010.

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

***to recommend that Council adopt, publish via the Council's website and implement the Borough Food Service Plan 2009-2010.***

## **HEALTH & SAFETY**

### **349.6 BOROUGH HEALTH & SAFETY PLAN 2009-2010**

A Borough Health & Safety Plan, as circulated, has been drawn up for the period 1<sup>st</sup> April 2009 – 31<sup>st</sup> March 2010. It includes information about the Councils enforcement service and its corporate health and safety responsibilities, performance targets and standards, together with review and reporting mechanisms.

***IT IS RECOMMENDED*** that Council adopt, publish via the Council's website and implement the Borough Health and Safety Plan 2009-2010.

Councillor Robinson referred to the importance of staff development and training in the workplace and requested clarification on training and costs. The Director advised that training is provided on an annual basis to delegated, competent officers with regular updates provided and that costs can be met from existing budgets.

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

***to recommend that Council adopt, publish via the Council's website and implement the Borough Health and Safety Plan 2009-2010.***

### **349.7 PETROLEUM (REGULATION) ACTS (NORTHERN IRELAND) 1929 AND 1937 PETROLEUM SPIRIT LICENCE (RENEWAL)**

Application has been received for the renewal of petroleum spirit licence as follows: -

<b><u>Premises</u></b>	<b><u>Applicant</u></b>
Bushview Filling Station 58 Coolkeeran Road BALLYMONEY BT53 8XN	Mr Shane McMahon

The renewal of licence as detailed above is ***RECOMMENDED*** subject to the receipt of a satisfactory electrical test certificate.

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

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

## **HEALTH GENERAL**

### **349.8 BOROUGH SERVICES DIRECTORATE PLAN 2009-2010**

Further to committee report item 348.11 and to satisfy a requirement of Local Government Audit, it is considered that the following matter should be included:-

A review of each business area will be undertaken and a Business Continuity Management Plan will be prepared and implemented in accordance with the principles of BS 25999.

The budget approved by Council in respect of its Borough Services Directorate is detailed below by the respective Head of Service remits:- Amenities, Building Control, Environmental Health & Community Safety and Environmental Services.

#### **Borough Services Directorate Budget 2009-2010**

	<b><u>Expenditure</u></b>	<b><u>Income</u></b>
<b>AMENITIES</b>		
Town Hall	104,010	18,000
Sports Grounds, Parks & Open Spaces	769,168	35,000
Tourist Facilities	125,919	105,000
Community Services	67,246	6,000
Cemeteries	76,721	19,000

Public Conveniences	49,443	0
Other Community Assets	54,630	0
Minor Works	4,550	0
	<b>1,251,687</b>	<b>183,000</b>

#### **BUILDING CONTROL**

Building Control	251,024	149,000
	<b>251,024</b>	<b>149,000</b>

#### **ENVIRONMENTAL HEALTH**

Environmental Health	564,643	202,234
Licensing	21,588	8,450
Emergency Planning	5,000	0
Community Safety	76,847	76,847
	<b>668,078</b>	<b>287,531</b>

#### **ENVIRONMENTAL SERVICES**

Dog Control	86,610	17,000
Street Cleansing	215,346	15,250
Waste Collection	713,988	248,500
Waste Disposal	1,212,110	44,500
	<b>2,228,054</b>	<b>325,250</b>
	<b><u>4,398,843</u></b>	<b><u>944,781</u></b>

***IT IS RECOMMENDED*** that the above paragraphs be inserted in the Borough Services Directorate Plan 2009-2010.

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

***to recommend that the above paragraphs be inserted in the Borough Services Directorate Plan 2009-2010.***

#### **349.9 CONSULTATION ON THE DRINK DRIVING LIMIT IN NORTHERN IRELAND, PENALTIES AND POLICE POWERS TO DETECT DRINK DRIVERS.**

By virtue of the above Consultation the DoE is seeking the Council's views on a range of proposed measures aimed at deterring people from drinking and driving. The current legal blood alcohol content limit applicable to all drivers in Northern Ireland is 80mg of alcohol per 100ml of blood. The penalties for exceeding this limit range from a minimum 12 month driving disqualification up to 14 years imprisonment and unlimited fines. There are higher penalties for high risk offenders.

The consultation paper assesses the impact of drinking and driving, both in terms of the effect of alcohol on driving ability and the deaths and injuries caused by drink driving in Northern Ireland. It considers the need for change, reports on the

outcomes of alternative approaches in other jurisdictions and proposes changes to our current legislation to tackle our problems.

The Consultation Executive Summary together with the Feedback Questionnaire was circulated to members.

The closing date for consultation responses is 31<sup>st</sup> July 2009.

Committee is invited to make **RECOMMENDATIONS** to Council as the DoE Consultation on the Drink Driving Limit in Northern Ireland, Penalties and Police Powers to Detect Drink Drivers.

Members considered how they might respond to the consultation document taking into consideration that the Borough Road Safety Committee and the DPP may also have views on the issue, and also the fact that members may wish to make a party and/or individual response.

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

***to recommend to Council that the views of the Borough Road Safety Committee and the DPP be sought, that members would be made aware of the consultation so that by the date of its June meeting would be in a position to formulate a suggested response for Council.***

### 349.10 CERTIFICATE OF FITNESS

#### THE PRIVATE TENANCIES (NORTHERN IRELAND) ORDER 2006 ARTICLE 36 (4)

##### Landlord

Mr Ambrose Wales

Mr H Kirkpatrick

Mr James Fleck

##### Dwelling- House

11 Eastermeade Gardens  
BALLYMONEY BT53 6BD

123 Moyan Road  
BALLYMONEY BT44 9AZ

15 Ballynaloob Road  
Dunloy  
BALLYMENA BT44 9AX

Fitness inspections of the above dwellings have been conducted within the report period. The dwelling houses meet the fitness standard for human habitation as set out in Article 46 of the Housing (NI) Order 1981.

***IT IS RECOMMENDED*** that the Borough Council grant an Article 36 (4) Certificate of Fitness in respect of the above dwelling houses.

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



***to recommend that Council grant an Article 36 (4) Certificate of Fitness in respect of the above dwelling houses.***

## LICENSING

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

**Premises**

**Applicant**

The Diamond Bar  
2 High Street  
BALLYMONEY BT53 6AY

Mr Martin Doyle

Bush Tavern  
15-17 Market Street  
BALLYMONEY BT53 6EA

Mr James Craig Black

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

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

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

## DOG CONTROL

### 349.12 DOGS (NORTHERN IRELAND) ORDER 1983 ARTICLE 13 – REGISTRATION OF DOG BREEDING ESTABLISHMENTS

Applications as undernoted have 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 dog breeding establishments:-

**Applicant**

**Premises**

Mr. Noel Black

86 Hamilton Park, Ballymoney, BT53 6HL.

Mr. John Sharpe

13 Railway View, Macfin, Ballymoney, BT53 6QU.

Mrs. Jennifer Dickson

24 Friary Road, Ballymoney, BT53 8XZ.

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

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

*to recommend to Council, registration of the above mentioned premises*

## **STREET TRADING**

### **349.13 STREET TRADING ACT (NI) 2001 TEMPORARY STREET TRADING LICENCES**

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

**Purpose**

Catering Trailer at Townhead Car Park on 13<sup>th</sup> July 2009 (8am – 8pm).

**Applicant**

Mr Brian J A Warke

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

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

*to recommend that Council grant the Temporary Street Trading Licence as detailed above.*

## **EMERGENCY PLANNING**

### **349.14 ELECTED MEMBERS – YOUR ROLE IN CIVIL PROTECTION 11<sup>TH</sup> MAY 2009**

The above course is being offered by Emergency Planning Solutions on behalf of the Emergency Planning College. The aim of the course is to develop elected members' awareness of civil protection issues and obligations under the Civil Contingencies Act and the NI Civil Contingencies Framework and outline their community leadership role in preparing for responding to and recovering from emergencies (4 members have previously been nominated to attend this course: Ald. Simpson, Cllrs. Robinson, Cavlan and McCamphill).

***IT IS RECOMMENDED*** that nominations be sought for two further members to attend with the fees being paid for from the current emergency planning budget.

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

*to recommend that Alderman Cousley and Alderman Connolly attend.*

## COMMUNITY SAFETY

### 349.15 FUTURE ARRANGEMENTS FOR LOCAL PARTNERSHIP WORKING ON POLICING AND COMMUNITY SAFETY

Minister of State for Northern Ireland, Paul Goggins, has issued a document on the future delivery of CSP and DPP functions. The paper recognises that both partnerships have contributed greatly to improvements in public confidence, police effectiveness and community safety but that the time is now right to plan to maximize opportunities presented by the RPA changes.

The consultation paper sets out a brief background to the current CSP and DPP arrangements, the rationale for review and identifies three options with a short critique of each. The options put forward are as follows: -

- (1) To continue as at present with CSP's and DPP's operating at District Council level;
- (2) To maintain both CSP's and DPP's rationalising some of the duplicate functions, and bringing administration of the two partnerships together;
- (3) To create an integrated partnership responsible for all the current functions of CSP's and DPP's.

The latter option is the Government's clear preference, claiming that the integrated model would bring together engagement and delivery, allowing the needs of local communities to be better met and thereby enhancing public confidence in the police and other justice agencies. It would allow Councils to demonstrate civic leadership given the foremost concern in neighbourhood surveys is safety and it would place policing and community safety to the fore in anticipation of the introduction of community planning. It would also allow a larger share of available resources to be targeted on projects and initiatives that could make a difference at local level rather than administration and it would fully align planning, monitoring and engagement activities.

A summary of the procedure to create integrated partnerships is listed in Annex A. The main questions to the consultation paper are provided in Annex B and a possible model set out in Annex C. The reports were circulated for Members information. Responses have been sought by Thursday 30<sup>th</sup> April 2009. The next scheduled meeting of the Community Safety Partnership is Wednesday 6<sup>th</sup> May 2009.

There is merit in supporting the principle of an integrated approach, which has the potential to increase efficiency and effectiveness. Clearly any new administration (post RPA) would wish to comment on the final functions, accountabilities and structures put in place and will be dependent upon the resources made available to it. A further consultation would be welcomed to agree outline proposals and options that may be presented to an incoming devolved Minister. Should Members wish to reply directly comments should be sent to: Future Partnership Working Consultation, Community Safety Unit, 4<sup>th</sup> Floor Millennium House, Great Victoria Street, Belfast, BT2 7AQ or [msp-dppconsultation@nio.x.gsi.gov.uk](mailto:msp-dppconsultation@nio.x.gsi.gov.uk). It is intended to advise the NIO that the matter will be considered by the Community Safety Partnership at their next meeting and a response submitted thereafter.

The Director advised that as the consultation period had been extended to the end of May he would **RECOMMEND** that the matter now be placed on the agenda for Council's Consultation Committee meeting on 18<sup>th</sup> May, as this would enable Council, when making its response, to take into account both the views of the CSP and DPP, both partnerships meeting in May.

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

***to recommend that the consultation be placed on the agenda of the Council's Consultation Committee to be held on 18<sup>th</sup> May 2009.***

## **BUILDING CONTROL**

### **349.16 BUILDING CONTROL APPLICATIONS**

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

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

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

### **349.17 TEXTILE RECYCLING**

The Director advised members of correspondence received relating to textile recycling.

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

***that this business be referred to the NILAS Working Group for consideration,***

### **349.18 CIVIC AMENITY SITE WASTE RECOVERY**

The Director advised that correspondence had recently been received from the company which dealt with the Council's CA Site waste advising of its revised gate fee for 2009-2010. He stated that on the basis of the tonnage projections used for Rates Estimates purposes the increase applied would lead to a budget overspend of £7,500. He asked that Council note this. He further recommended that the NILAS Working Group meet prior to the May Committee meeting to discuss the progress being made as regards Council meeting its NILAS targets.

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

***that the possible budget overspend be noted and that the NILAS Working Group meet at a date to be agreed at Council's meeting on 5<sup>th</sup> May.***

- \* **Alderman Connolly left the meeting at 8.45 pm.**

### **349.19 SERVICES PROVIDED ON PUBLIC HOLIDAYS**

The Director placed in front of Committee a schedule detailing the proposed Public Holiday Arrangements 2009-2010 [see Appendix 2]. He intimated that normal service would apply on 10 out of the 12 dates, the exceptions being '12<sup>th</sup> July' [the actual holiday being Monday, 13<sup>th</sup> July] with that day's collection being made the preceeding Saturday, 11<sup>th</sup> July and Christmas Day when Squad E would uplift the missed Friday collections on various dates as listed. He **RECOMMENDED** that the proposals be adopted.

Committee then debated the present working arrangements for public holidays and considered whether the long standing practice of trying to minimise disruption to householders by having refuse collection crews work public holidays ought to be changed in order to reduce service costs. There was consensus that the service operated as regards the collection of household waste worked very well and ought to be retained without change.

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

***to recommend to Council, the proposed working arrangements for public holidays in 2009-2010.***

- \* **Alderman Simpson left the meeting during the discussion at 9.03 pm.**

## **MATTERS FOR INFORMATION**

### **ENVIRONMENTAL SERVICES**

#### **349.20 MUNICIPAL WASTE RETURNS**

<b><u>Waste Type</u></b>	<b><u>Mar 2009</u></b>	<b><u>Apr 08 – Mar 09</u></b>	<b><u>Apr 07 – Mar 08</u></b>
Mixed Residual Waste (waste to landfill)	744.12t -21.08%	10,048.00t -11.75%	11,385.82t
Mixed Dry Recyclables (blue bin recycling)	135.30t + 4.41%	1,634.98t - 0.93%	1,650.32t
Garden Waste (brown bin recycling)	47.88t	1,096.62t	n/a

	<u>Mar 2009</u>	<u>Sept 08 – Mar 09</u>	<u>Apr 07 – Mar 08</u>
Waste Recovery (segregated CA site waste)	95.68t	574.30t	n/a
Cardboard Recycling	6.72t	53.54t	n/a

Councillor Robinson was pleased to note the downturn in waste to landfill of almost 12% over the year.

## ENVIRONMENTAL PROTECTION

### 349.21 CONSULTATION PAPER ON DRAFT REVISED NIEA ENFORCEMENT POLICY

The NI Environment Agency has issued a consultation paper on its draft revised enforcement policy which will apply to enforcement activity across the Agency. The purpose of the policy is to demonstrate the Agency's more balanced approach to regulation and enforcement as advocated by the Government's Better Regulation Programme.

Comments have been invited by 22<sup>nd</sup> June 2009.

NIEA states that a further consultation is planned for Autumn 2009 to take into account the responses from this initial consultation and the outworking of the new Environmental Crime Unit.

No comments were offered.

### 349.22 CONSULTATION ON THE ENVIRONMENTAL LIABILITY (PREVENTION AND REMEDIATION) REGULATIONS (NORTHERN IRELAND) 2009

The DOE Planning and Environmental Policy Group has issued a consultation (dated 25<sup>th</sup> March 2009), seeking views on the proposed new Regulations to transpose the Environmental Liability Directive (2004/35/EC). The main aim of the Regulations is to impose obligations on operators of activities which cause or threaten to cause environmental damage. Environmental damage is defined by the Regulations and generally includes only the more serious damage to certain species and habitats, water and land.

Responses have been sought by 21<sup>st</sup> May 2009

No comments were offered.

### 349.23 NI WATER LIMITED: PPC PERMIT APPLICATION

Documentation has been received from the NI Environment Agency on 17<sup>th</sup> April 2009 regarding a PPC Permit Application on behalf of NI Water Limited for a WWTW Sludge Thickening Plant at Glenstall, Ballymoney.

The NIEA letter poses a number of questions primarily within the Councils environmental health remit and asks that a written response be made no later than 18<sup>th</sup> May 2009.

It is anticipated that the response sought will be made within the deadline set by NIEA.

No comments were offered.

#### **349.24 SLIEVEANORRA AND CROAGHAN AREA OF SPECIAL SCIENTIFIC INTEREST NOTIFICATION UNDER ARTICLE 28 OF THE ENVIRONMENT (NORTHERN IRELAND) ORDER 2002**

The DoE (NIEA) has advised that the Department has made a declaration that the area delineated and described on the map, as circulated, is an Area of Special Scientific Interest. A copy of the 'Declaration' was also circulated for Members' benefit. The Department has advised that should Council wish to make representations or objections to this declaration, then same must be made in writing by 15<sup>th</sup> July 2009.

During discussion, Alderman Connolly raised issues which local farmers had regarding the proposed ASSI management measures as regards – winter stock numbers, drainage ditch cleaning, heather burning and the rights to cut turf.

The Director advised Members that as Council wished to see present walking access to Croaghan retained the issue in respect of designation would also feature on the agenda of the May Leisure and Amenities Committee meeting. He suggested that thereafter a co-ordinated proposed response could be prepared. This was accepted.

## **WASTE MANAGEMENT INFORMATION**

#### **349.25 CONSULTATION DOCUMENT – PROPOSALS FOR A WASTE BILL**

The DoE has, this month, published a consultation paper seeking views on proposals planned for inclusion in a forthcoming Waste Bill. The proposals relate to –

- Changes to the existing legislative framework for waste management and contaminated land in Northern Ireland.
- Additional legislation relating to local government contracts for waste management.
- Enabling legislation for a Single Waste Disposal Authority.
- Minor amendment to the Producer Responsibility Obligations Order 1998.

Comments in relation to the Consultation Paper are invited by 3<sup>rd</sup> July 2009.

**It was agreed** that this item would again be considered at the May meeting of Committee following consultation with the NWRWM Group.

### 349.26 NWRWM GROUP JOINT COMMITTEE MINUTES

The Minutes of the North West Region Waste Management Group Joint Committee held on 4<sup>th</sup> March 2009 were circulated for members' information.

## FOOD CONTROL

### 349.27 THE AQUATIC ANIMAL HEALTH REGULATIONS (NORTHERN IRELAND) 2009

The above Regulations have been brought in by DARD to implement EC Directive 2006/08/EC. They came into operation on 27<sup>th</sup> March 2009.

The key aim of the Regulations is the prevention and control of serious fish disease and they update the existing regime established by Council Directive 91/67/EEC by providing for more transparent regulation and control systems, including a public register of authorised production businesses, the implementation of a risk based surveillance scheme at fish farms, requirements in relation to the transport of aquaculture animals, controls on movements of potential vector and susceptible species and measures for the control of listed diseases and emerging diseases in aquaculture animals.

The main new feature of the Regulations is the requirement that businesses which handle aquaculture animals (i.e. fish farms and other operations handling live fish) are required to be authorised by the competent authority and put and take fisheries and non-commercial installations must be registered.

## HEALTH & SAFETY

### 349.28 HEALTH & SAFETY NEW LEGISLATION

Members are asked to note that by virtue of the Health and Safety (Fees) Regulations (Northern Ireland) 2009, which came into operation on 27<sup>th</sup> April 2009, the fees relating to applications for petroleum spirit licences, effective from that date are as undernoted:-

Regulation 2

SCHEDULE 1  
FEES RELATING TO APPLICATIONS FOR PETROLEUM-SPIRIT LICENCES

Column 1	Column 2	Column 3
Provision under which a fee is payable	Purpose of application	Fee

*Petroleum (Consolidation)  
Act (NI) 1929 (1929 c.13)*

**Section 4**

(see notes 1 and 2)

**Licence to keep  
petroleum-spirit of a  
quantity -**



not exceeding 2,500 litres	£40 for each year of licence
exceeding 2,500 litres but not exceeding 50,000 litres	£55 for each year of licence
exceeding 50,000 litres	£115 for each year of licence

*Petroleum (Transfer of Licences) Act (NI) 1937 (1937 c.4)*

<b>Section 1(4)</b>	<b>Transfer of petroleum-spirit licence</b>	£8
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Notes:

1. In the case of a solid substance for which by virtue of an order made under section 19 of the Petroleum (Consolidation) Act (Northern Ireland) 1929 a licence is required, the fee payable under this Schedule shall be calculated as if one kilogram of the substance is equivalent to one litre.
2. The fee payable for a licence of more or less than one year's duration shall be the fee set out above increased or decreased, as the case may be, proportionately according to the duration of the period for which the licence is granted or renewed.

### **349.29 RISK ASSESSMENT MADE EASY SEMINAR**

The Directorate have organised training for business owners/managers in the form of a half-day Risk Assessment Seminar on the 28<sup>th</sup> May 2009 from 2pm to 5pm in the Town Hall, Ballymoney. The seminar will assist local businesses to comply with the Management of Health & Safety at Work Regulations (NI) 2000 to conduct a suitable and sufficient risk assessment.

The seminar cost is £20 per person and will be tailored to the situations encountered typically in the type of businesses attending giving practical guidance on how to comply and improve safety. Environmental Health Officers will be available to give practical advice on the day. For information on making bookings Contact the Borough Services Directorate.

## **LICENSING**

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

<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Brooke Huey Glynns Bar 23 Church Street BALLYMONEY	Occasional Licence (BBQ & Dance at McMullan's Farm on 4/7/09 – 5/7/09)	2/4/09

Kim Man Aw  
15 Carncullagh Road  
Dervock  
BALLYMONEY

Transfer of Licence

6/4/09

## PLANNING CONSULTATIONS

### 349.31 PLANNING CONSULTATION RESPONSES

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

Application	Address	Proposal	Comments
D/2008/0288/F	Layde View House, 50 Raceview Drive, BALLYMONEY.	Demolition of existing buildings and erection of 2 storey nursing home with associated car parking and landscaping (amended plans).	Condition requested regarding noise assessment as per previous consultation (6/1/09). Revised refuse storage arrangements satisfactory.

## HEALTH GENERAL

### 349.32 SMOKE FREE LEGISLATION IN NORTHERN IRELAND: A ONE YEAR REVIEW

30<sup>th</sup> April 2007 was a landmark day for the people of Northern Ireland. As the DHSSPS Minister – Michael McGimpsey, states in his foreword to the report: “Smoke Free Legislation in Northern Ireland: A One Year Review” – “It was on this day that we took a huge step forward in protecting the population from the harmful effects of second-hand smoke”.

The Review (March 2009) Executive Summary was circulated for members’ information.

### 349.33 LBRO PRIMARY AUTHORITY GUIDANCE

LBRO (Local Better Regulation Office), which deals with making local regulations more consistent across the UK, launched its Primary Authority Guidance this month.

With the commencement of Primary Authority (under the Regulatory Enforcement and Sanctions Act 2008 and its associated Orders), for the first time companies

have the right to form a statutory partnership with a single local authority, which then provides robust and reliable advice to other Councils, need to take into account when carrying out inspections or dealing with non-compliance. The concept gives a fresh means of applying environmental health, licensing and trading standards legislation that is still linked to area priorities, but co-ordinated more widely.

## **HEALTH & WELL BEING**

### **349.34 BALLYMONEY BOROUGH COUNCIL EMPLOYEE HEALTH FAIR, 24<sup>TH</sup> MARCH 2009**

A health fair was held on 24<sup>th</sup> March 2009 in the Joey Dunlop Leisure Centre for the benefit of all employees on Ballymoney Borough Council. Twenty exhibitors attended the event providing staff with a wide range of information on health and well-being issues. Taster sessions on reflexology and chiropody were also provided. The health fair was well attended and feedback from the event was very positive.

As a follow up to the health fair the Action Cancer Big Bus will be at the Joey Dunlop Leisure Centre for Ballymoney Borough Council staff on 29<sup>th</sup> April 2009.

## **EDUCATION**

### **349.35 CAREERS AND HIGHER EDUCATION CONVENTION, BALLYMONEY TOWN HALL, 2<sup>ND</sup> APRIL 2009**

Ballymoney Learning Community held a careers event based on the theme of "employability skills". Environmental Health Officers presented a stand at this event giving information and advice on all aspects of environmental health work in local councils. Approximately 600 pupils from the three post primary schools attended along with over 50 representatives from third level education, business and industry.

## **BUILDING CONTROL**

### **349.36 WORKING ARRANGEMENTS**

In order to give effect to the savings required by Council in the current year, it has been necessary to introduce changes in working arrangements which have been and are being notified to service users. A full reception service is being operated each working day between 9.00am and 10.30am.

**The meeting closed at 9.25 pm.**

Appendices attached:

Appendix 1 Building Control Notices

Appendix 2 Public Holiday Arrangements 2009-2010

## APPENDIX 1

**Ballymoney Borough Council  
Building Control Department  
Approvals report for March 2009**

**Ref No:** B/2006/0329  
**Applicant:** Scott Homes (NI) Limited  
**Agent:** Moore Design 63 New Row, Coleraine  
**Location:** 45 Ballyweaney Road, Ballyweaney, Corkey, Ballymena  
**Description:** Dwelling and garage

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**Ref No:** B/2008/0042  
**Applicant:** Mr Alastair Henry  
**Agent:** J D Design 95 Moneydig Road, Garvagh  
**Location:** 75a Vow Road, Tate's Fort, Ballymoney  
**Description:** Dwelling and garage

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**Ref No:** B/2008/0067  
**Applicant:** Mr Brian McDonald  
**Agent:** J D Design 95 Moneydig Road, Garvagh  
**Location:** 27 Beechcroft, Ballymoney  
**Description:** Extension to dwelling

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**Ref No:** B/2008/0123  
**Applicant:** Mr David Steele  
**Agent:** Mr Richard Burnside 41 Dromona Road, Cullybackey, Ballymena  
**Location:** 6 Drumack Road, Rasharkin, Ballymena  
**Description:** Extension to dwelling

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**Ref No:** B/2008/0162  
**Applicant:** Mr Steven Scilley  
**Agent:** McGarry - Moon Architects 9 Fallahogey Road, Kilrea  
**Location:** 83a Bendooragh Road, Rushey Hill, Ballymoney  
**Description:** Dwelling and garage

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**Ref No:** B/2008/0166  
**Applicant:** Miss Elizabeth Hanna  
**Agent:** Ivan McDonald 17 Lissadell Avenue, Portstewart  
**Location:** 125 Knock Road, Knockanboy, Dervock, Ballymoney  
**Description:** Dwelling

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**Ref No:** B/2008/0174  
**Applicant:** Mr Gareth McMaster  
**Agent:** Mr Dennis R Tosh 40 Nursery Avenue, Coleraine  
**Location:** 70 Bregagh Road, Armoy, Ballymoney  
**Description:** Extensions and alterations to dwelling

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**Ref No:** B/2008/0179  
**Applicant:** Mr Joe Bamford  
**Agent:** Select Design Services 49a Main Street, Portglenone, Ballymena  
**Location:** 138 Duneany Road, Church Tamlaght, Rasharkin, Ballymena  
**Description:** Dwelling and garage

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**Ref No:** B/2008/0183  
**Applicant:** Mr Seamus Kelly  
**Agent:** Pro Design 43 Kilmandil Road, Cloughmills, Ballymena  
**Location:** 26 Main Street, Dunloy, Ballymena  
**Description:** Extensions and alterations to shop

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**Ref No:** B/2008/0191  
**Applicant:** Mr Richard Christie  
**Agent:** McCutcheon & Wilkinson 18 Linenhall Street, Ballymena  
**Location:** 95 Ballyveely Road, Lavin Lower, Loughguile, Ballymena  
**Description:** Dwelling and garage

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**Ref No:** B/2008/0196  
**Applicant:** Mr Mervyn Millar  
**Agent:** Select Design Services 49a Main Street, Portglenone, Ballymena  
**Location:** 31 Drumack Road, Drumack, Rasharkin, Ballymena  
**Description:** Dwelling and garage

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**Ref No:** B/2008/0212  
**Applicant:** Mr Ryan Fenton  
**Agent:** Mr Stephen Atkinson 18 Milltown Road, Ballymoney  
**Location:** 103a Kilraughts Road, Dunaghy, Ballymoney  
**Description:** Dwelling and garage

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**Ref No:** B/2008/0220  
**Applicant:** Triangle Housing Association Ltd  
**Agent:** Hunter Associates 8 Charlotte Street, Ballymoney  
**Location:** 60 Eastermeade Gardens, Ballymoney  
**Description:** Upgrade of fire safety measures

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**Ref No:** B/2008/0231  
**Applicant:** Tesco Stores Ltd  
**Agent:** Finch Associates Westfield 55 Carlogie Road, Carnoustie  
**Location:** 67 Castle Street, Ballymoney  
**Description:** Installation of combined heat & power unit to Tesco Store

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**Ref No:** B/2008/0239  
**Applicant:** Mr & Mrs A Campbell  
**Agent:**  
**Location:** 10 Killymaddy Road, Killymaddy, Ballymoney  
**Description:** Dwelling

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**Ref No:** B/2009/0005  
**Applicant:** Mr David McGinnis  
**Agent:** Ward Design 10 Main Street, Castledawson  
**Location:** 121 Loughabin Road, Dunloy, Ballymena  
**Description:** Extension to dwelling

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**Ref No:** B/2009/0008  
**Applicant:** N I Housing Executive  
**Agent:** Maguire Fairweather Partnership 81 Rosetta Road, Belfast  
**Location:** 26 Robinson Avenue, Ballymoney  
**Description:** Extension to dwelling

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**Ref No:** B/2009/0012  
**Applicant:** Mr Ian Moore  
**Agent:** Pro Design 43 Kilmandil Road, Cloughmills, Ballymena  
**Location:** 22 Shanaghy Road, Shanaghy Lower, Ballymoney  
**Description:** Dwelling and garage

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**Ref No:** B/2009/0015  
**Applicant:** Mr Daryl Stevenson  
**Agent:** S W Marcus Architectural Services 48 Sand Road, Galgorm, Ballymena  
**Location:** 4 Drumadoon Road, Cloughmills, Ballymena  
**Description:** Alterations to restaurant

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**Ref No:** BN/2009/0013  
**Applicant:** Mr Stephen Wilson  
**Agent:**  
**Location:** 28 Mountview Crescent, Ballybogey, Ballymoney  
**Description:** Extension to dwelling

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**Ref No:** BN/2009/0014  
**Applicant:** Mrs Imelda McGarry  
**Agent:**  
**Location:** 76 Corkey Road, Loughguile, Ballymena  
**Description:** Replacement roof covering to dwelling

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**Ref No:** BN/2009/0015  
**Applicant:** Mr James O'Loan  
**Agent:**  
**Location:** 6 McCamphill Park, Dunloy, Ballymena  
**Description:** Extension to dwelling

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**Ref No:** BN/2009/0016  
**Applicant:** Mrs Annie Twaddle  
**Agent:**  
**Location:** 30 Chestnut Grove, Ballymoney  
**Description:** Alterations to dwelling & installation of oil-fired central heating

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**Ref No:** BN/2009/0017  
**Applicant:** Ms Alison Curry  
**Agent:** Alternative Heat 11 Burrenreagh Road, Castlewellan  
**Location:** 23 Lisconnan Road, Ballymoney  
**Description:** Installation of wood pellet boiler

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**Ref No:** BN/2009/0018  
**Applicant:** Mr James McGowan  
**Agent:**  
**Location:** 40 Bann Road, Kilrea, Coleraine  
**Description:** Alterations to dwelling and upgrade to heating system

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**Ref No:** RC/2009/0002  
**Applicant:** Mr & Ms Callum Calleros  
**Agent:** Macaulay Wray 35 New Row, Coleraine  
**Location:** 6 Richmond Park, Ballymoney  
**Description:** Installation of oil-fired central heating

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

<b>Totals</b>	
B	19
BN	6
RC	1
<b>Totals</b>	<b>26</b>



**APPENDIX 2****PUBLIC HOLIDAY ARRANGEMENTS 2009-2010**

<b><u>Public Holiday</u></b>		<b><u>Alternative Collection</u></b>	
St Patrick's Day	17.03.2009	Tuesday	17.03.2009
Good Friday	10.04.2009	Friday	10.04.2009
Easter Monday	13.04.2009	Monday	13.04.2009
Easter Tuesday	14.04.2009	Tuesday	14.04.2009
May Day	04.05.2009	Monday	04.05.2009
Spring BH	25.05.2009	Monday	25.05.2009
12 <sup>th</sup> July	13.07.2009	Saturday	11.07.2009
13 <sup>th</sup> July	14.07.2009	Tuesday	14.07.2009
Summer BH	31.08.2009	Monday	31.08.2009
Christmas Day	25.12.2009	see below	
Boxing Day	28.12.2009	Monday	28.12.2009
New Year's Day	01.01.2010	Friday	01.01.2010
St Patrick's Day	17.03.2010	Wednesday	17.03.2010

Missed Collections on 25<sup>th</sup> December 2009 will be uplifted by Squad E as follows -

Trade waste	24.12.2009	[Thursday]
Squad A	29.12.2009	[Tuesday]
Squad B	30.12.2009	[Wednesday]
Squad C	31.12.2009	[Thursday]