

Ballymoney Borough Council
Health & Environmental Services Committee Meeting No 368 – 25th January 2011

Table of Contents

368.1	Minutes - Meeting No 366 – 22 nd December 2010 Meeting No 367 – 13 th January 2011	<i>Adopted</i>
368.2	Local Government (Misc Provisions) (NI) Order 1985 – Licence Application (Full) (Renewal)	<i>Renew licences</i>
368.3	Local Government (Misc Provisions) (NI) Order 1985 – Licence Application (Fourteen Unspecified Days) (Renewal)	<i>Renew licences</i>
368.4	The Business of Tattooing, Ear Piercing and Electrolysis – Registration of Persons & Premises – Part V Provisions	<i>Register person & premises</i>
368.5	Betting, Gaming, Lotteries & Amusements (NI) Order 1985	<i>Renew registrations</i>
368.6	Dogs (NI) Order 1983 Article 13 – Registration of Dog Breeding Establishment	<i>Register premises</i>
368.7	Provisions of Sandbags to Councils	<i>Permit Rivers Agency to store sandbags at the Council's depot for deployment by Rivers Agency</i>
368.8	Building Control Applications	<i>Note</i>
368.9	Building Regulations (NI) Order 1979 – Deposit of Plans to be of No Effect After Certain Interval	<i>Note</i>
FOR INFORMATION – 368.10-368.13, 368.15-368.25, 368.27-368.29		
368.10	Municipal Waste Returns	<i>For information</i>
368.11	Joint Council Bio-Diversity Officer	<i>For information</i>
368.12	Amendment of Body Corporate Legislation for Waste Management Joint Committees	<i>For information</i>
368.13	Expansion of Recycling Services	<i>For information</i>
368.14	Waste Haulage Contract Tenders 2011-2012	<i>To engage BrickKiln Waste Ltd. to haul its municipal waste during 2011-2012</i>
368.15	Pollution Prevention & Control Regulations (NI) 2003 Register of Public Information	<i>For information</i>
368.16	Waste Management Licensing Regulations (NI) 2003	<i>For information</i>

368.17	Food Hygiene Regulations (NI) 2006 Regulation 6, Hygiene Improvement Notices	<i>For information</i>
368.18	Level 2 Award in Food Safety in Catering	<i>For information</i>
368.19	The Flavourings in Food Regulations (NI) 2010	<i>For information</i>
368.20	Food Hygiene Rating Scheme	<i>For information</i>
368.21	Health and Safety Audit	<i>For information</i>
368.22	Licensing (NI) Order 1996	<i>For information</i>
368.23	Under Age Sales Initiative	<i>For information</i>
368.24	Planning Consultation Responses	<i>For information</i>
368.25	Road Safety Project	<i>For information</i>
368.26	Bonfire Site Clearance 2010	<i>Seek an explanation from NIEA</i>
368.27	Emergency Planning	<i>For information</i>
368.28	Draft Planning Bill: An Environmental Health Perspective	<i>For information</i>
368.29	Rethink Waste 2	<i>For information</i>

BALLYMONEY BOROUGH COUNCIL

Minutes of Health & Environmental Services Committee Meeting No 368 held in the McKinley Room, Riada House, Ballymoney on Tuesday 25th January 2011 at 7.00pm.

IN THE CHAIR Councillor E Robinson

PRESENT

Aldermen
C Cousley, MBE, Deputy Mayor

Councillors
A Cavlan
J Finlay
R Halliday
B Kennedy, The Mayor
M McCamphill
T McKeown
C McLaughlin
A Patterson
I Stevenson

APOLOGIES

F Campbell
H Connolly
J Simpson
P McGuigan
M Storey, MLA

IN ATTENDANCE Director of Borough Services
Committee Clerk

368.1 MINUTES – MEETING NO 366 & 367 – 22ND DECEMBER 2010 & 13TH JANUARY 2011

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

that the minutes of meeting No 366 & 367 on 22nd December 2010 & 13th January 2011 be confirmed as a correct record.

The Director of Borough Services confirmed that minutes of meeting no 367 – 13th January 2011 were adopted at the Special Council meeting on 19th January 2011.

MATTERS FOR CONSIDERATION

LICENSING

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

Premises

Applicant

Blackwater Bar & Restaurant,
250/252 Castlecatt Road,
Dervock,
BALLYMONEY, BT53 8BP.

Mr. Stephen and Mrs Sharon
McKillop

Rafters Snooker Club,
18 Seymour Street,
BALLYMONEY, BT53 6JR.

Mr. Samuel Trevor Wylie

Se Og's Bar,
15 Main Street,
Rasharkin,
BALLYMENA, BT44 8PT.

Mr. Stephen Hardy

Ballymoney Rugby Football Club,
63 Kilraughts Road,
BALLYMONEY, BT53 7HL.

Mr. Trevor Fleming

Ballymoney United Football,
Recreation and Social Club,
35 Castle Street,
BALLYMONEY, BT53 6JT.

Mr. Gerry McAleese

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 7th October 1985 the additional conditions detailed on the premise files also apply.

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

to recommend 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 7th October 1985 the additional conditions detailed on the premise files also apply.

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

<u>Premises</u>	<u>Applicant</u>
Trinity Presbyterian Church Hall, 28 Queen Street, BALLYMONEY, BT53 6JJ.	Mrs. Anne Backus
Rasharkin Presbyterian Church Hall, 13 Moneyleck Road, Rasharkin, BALLYMENA, BT44 8QB.	Mr. Richard John Wilson
The Robinson Hall, 56 Moyan Road, BALLYMONEY, BT53 8NX.	Mr. Maurice F. R. Christie
First Ballymoney Presbyterian Church Hall, 65 Meetinghouse Street, BALLYMONEY, BT53 6JN.	Mrs. Andrea Sara Carton
Allen & Adair Memorial Hall, 233 Castlecatt Road, Dervock, BALLYMONEY, BT53 8BP.	Mr. Thomas J. Johnston
John Armstrong Hall, Dalriada School, 1-9 St. James's Road, BALLYMONEY, BT53 6BL.	Mr. David R. Balmer

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licence as detailed above and in the cases of Rasharkin Presbyterian Church Hall, The Robinson Hall, Allen & Adair Memorial Hall and John Armstrong Hall, Dalriada School, subject to the receipt of an approved electrical test certificate. In addition to the Borough Council's "Conditions of Licence" adopted on 7th October 1985 the additional conditions detailed on the premise files also apply.

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

to recommend that the Borough Council renew the Indoor Entertainment's Licence as detailed above and in the cases of Rasharkin Presbyterian Church Hall, The Robinson Hall, Allen & Adair Memorial Hall and John Armstrong Hall, Dalriada School, subject to the receipt of an approved electrical test certificate. In addition to the Borough Council's "Conditions of Licence" adopted on 7th October 1985 the additional conditions detailed on the premise files also apply.

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

Applicant

Rolanda Hughes
(Acupuncture/
Electrolysis)

Premises

Chi Beauty
164a Tullaghans Road,
Dunloy,
BALLYMENA, BT44 9AF.

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

It was proposed by Councillor McLaughlin, seconded by Councillor Cavlan and
AGREED:

to recommend that the above person and premises be registered.

BETTING, GAMING, LOTTERIES AND AMUSEMENTS (NORTHERN IRELAND) ORDER 1985

368.5 Applications have been received from the undernoted Societies for renewal of registration by the Borough Council (Article 136 of the 1985 Order refers):-

<u>Society</u>	<u>Lottery Promoter</u>	<u>Fee</u>
Ballinagarvey Independent LOL33	Mr Frank McClure, 5 Bannview Park, BALLYMONEY, BT53 7LL.	£17.50
Druckendult & District Community Association	Mr Frank A. Campbell, 3 Drumdult Park, BALLYMONEY, BT53 6NG.	£17.50
Ballymoney Voluntary Welfare	Ms. Elizabeth Anderson 8 Greenville Avenue, BALLYMONEY, BT53 7BJ.	£17.50
Ballymoney Homing Pigeon Society	Mr. D. McMullan, 20 Straham View, Dervock, BALLYMONEY, BT53 8BQ.	£17.50
Cloughmills Vintage Club	Mr. Ryan McGarry, 78 Corkey Road, Loughgiel, BALLYMENA, BT44 9JJ.	£17.50
Compass Advocacy Network Ltd.	Ms. Janet Schofield, 14 Redwood Park, COLERAINE, BT51 3GH.	£17.50

<u>Society</u>	<u>Lottery Promoter</u>	<u>Fee</u>
Dalriada Prep. PTA	Ms. Oonagh Ogborne, 58 Boyland Road, BALLYMONEY, BT53 8LJ.	£17.50

IT IS RECOMMENDED that the Borough Council renew the registrations of the above-mentioned Societies.

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

to recommend that the Borough Council renew the registrations of the above-mentioned Societies.

DOG CONTROL

368.6 DOGS (NORTHERN IRELAND) ORDER 1983 ARTICLE 13 – REGISTRATION OF DOG BREEDING ESTABLISHMENT

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

<u>Applicant</u>	<u>Premises</u>
Mr. Noel Black	86 Hamilton Park, Ballymoney, BT53 6HL.

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

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

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

In response to the Chair, the Director of Borough Services advised there was no update on the Welfare of Animals Bill.

* Councillor Finlay joined the meeting at 7.09pm.

EMERGENCY PLANNING

368.7 PROVISION OF SANDBAGS TO COUNCILS

Rivers Agency have approached Local Government Emergency Management Group (LGEMG) offering a limited number of sandbags to Councils following a review of responses to recent flooding events. The purpose of the offer is to try and improve the efficiency to the public of the response to flooding and improve co-ordination and co-operation between Rivers Agency and Local Government. In the correspondence Rivers Agency have clarified the following:-

- (a) The proposal to supply sandbags to Councils arose as a number of Councillors/MLAs enquired after the August 2008 flooding if Rivers Agency would consider supplying sandbags.
- (b) All Rivers Agency premises already hold supplies of sandbags. Rivers Agency also has a number of "satellite stores". Proposal to expand this is merely to have sandbags closer to any potential source of flooding which in effect would mean that sandbags could be placed earlier in a flooding event and therefore possibly reduce the number of properties flooded.
- (c) The original proposal was to supply some sandbags to Council premises for placement by Council staff and in addition to store sandbags on Council premises. There is no requirement to accept either but if a Council does not want its staff to place sandbags they can still decide to allow Rivers Agency to store some sandbags on its premises for Rivers Agency's use. The two proposals are mutually exclusive.
- (d) Where Councils were content to use their workforce to place sandbags under Rivers Agency supervision this is acceptable.
- (e) The most contentious issue was the following "The Council would indemnify Rivers Agency against any claims that may arise as a result of members of the public or the Councils workforce handling or placing the sandbags". For clarity this was merely trying to make it clear that if a Council employee hurt himself/herself lifting/placing a sandbag that Rivers Agency would expect that any claim arising would be against the Council.

* Councillor Kennedy joined the meeting at 7.11pm.

The Director of Borough Services detailed the suggested options. He added that the Council did have sand bags for use at Council premises vulnerable to flooding such as Riverside Park and Drumahelis Marina.

In response to Councillor Cavlan, the Director of Borough Services advised deteriorated sandbags would be split and new bags refilled. The sandbags must be stored in conditions where they could be utilised when required.

IT IS RECOMMENDED that Committee consider the above proposals and make recommendation to Council.

Councillor Kennedy questioned whether Council should be involved at all in the storage or placing of sandbags as he felt that if Council were to hold a supply of sandbags and it did not have personnel available when sandbags may be required to assist in their placement that this may be viewed by those affected by flooding as unsatisfactory. Some members felt that Council ought to facilitate Rivers Agency by allowing that organization to store a supply of sandbags at the Council's depot for use in any emergency by Rivers Agency personnel. Agreeing with other members Councillor Finlay stated that he had no objection in principle to Council facilitating Rivers Agency.

The Director advised that Council conscious of past flooding at its own premises maintained a stock of both bogs and sand at the depot and had because of a member of staff had been on site been able to make sandbags available to a local business severely affected by the floods of 16th August 2008 eluded to earlier by Councillor Finlay.

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

to recommend Council allow Rivers Agency to store a quantity of sandbags at its depot for deployment by that organisation.

BUILDING CONTROL

368.8 BUILDING CONTROL APPLICATIONS

IT IS RECOMMENDED that Council note that during the report period, its Building Control Service approved various applications, which were in accordance with the requirements of the Building Regulations (Northern Ireland) 2000 as follows:-

<u>Application Type</u>	<u>Approvals</u>
	<u>December</u>
Full Plans	15
Building Notices	10
Regularisations	2
TOTAL:-	27

It was proposed by Councillor Cavlan, seconded by Councillor Halliday and
AGREED:

to recommend that Council note that during the report period, its Building Control Service approved various applications, which were in accordance with the requirements of the Building Regulations (Northern Ireland) 2000 as detailed.

368.9 BUILDING REGULATIONS (NORTHERN IRELAND) ORDER 1979 – DEPOSIT OF PLANS TO BE OF NO EFFECT AFTER CERTAIN INTERVAL

Under the Building Regulations (Northern Ireland) Order 1979 an application for building work is valid for three years from the date of its making an application to Building Control. Article 19 of the Order makes provisions for district councils to declare the deposit of plans to be of no effect where works to which the plans relate have not been commenced within three years from the date of deposit of the plans.

Article 19 is a discretionary power within the Order. It helps to ensure that when building work is undertaken it is done so in accordance with the most recent building regulations. In practice this ensures that buildings are constructed to modern standards of design, safety, and accessibility and that the use of fuel and power within buildings is conserved as much as possible.

In recent years, due to the greatly increased activity in the building industry, Building Control has not had the resources to cancel the backlog of applications which have been made but where no work has commenced within the three year period. This has resulted in very significant numbers of applications remaining on the system when they could have been cancelled. Failure to address this issue could result in many buildings within the Council area being built to older standards that are now no longer in use.

It is therefore proposed to commence a process to declare plans to be of no effect, in accordance with Article 19 of the Order. In advance of declaring any plans to be of no effect it is proposed to issue a warning letter to the occupier three months before the application becomes invalid. The letter will ask if any works have been undertaken and inform the occupier that their plans will be declared to be of no effect should work not commence within three years of the application being made.

It is proposed to start issuing warning letters to occupiers/applicants from 1st February 2011, with plans declared to be of no effect from 1st May 2011.

The proposals outlined above are fully in accordance with the Building Regulations (NI) Order and are standard practice across the vast majority of other district councils. Should any plans be cancelled and a new application submitted for substantially the same works, no additional fee will be requested from the applicant.

IT IS RECOMMENDED that the Borough Council note the decision to declare plans to be of no effect where work has not commenced within three years from the deposit of the plans, as outlined under Article 19 of the Building Control (Northern Ireland) Order 1979.

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

to recommend that the Borough Council note the decision to declare plans to be of no effect where work has not commenced within three years from the deposit of the plans, as outlined under Article 19 of the Building Control (Northern Ireland) Order 1979.

Members mentioned the impact incomplete developments had on residents of occupied property including the issue of unfinished roads.

MATTERS FOR INFORMATION

ENVIRONMENTAL SERVICES

368.10 MUNICIPAL WASTE RETURNS

<u>Waste Type</u>	<u>Dec 2009</u>	<u>Dec 2010</u>	<u>Apr – Dec 09</u>	<u>Apr – Dec 10</u>
Mixed Residual Waste (waste direct to landfill)	807.16t	779.00t -3.49%	7,023.85t	6,983.14t -0.58%
Mixed Dry Recyclables (blue bin recycling)	140.56t	132.58t -5.68%	1,214.04t	1,210.63t -0.28%
Garden Waste* (brown bin recycling)	n/a	n/a	1,153.66t	1,201.52t +4.15%
Waste Recovery (segregated CA site waste)	68.98t	32.48t -52.91%	790.30t	711.96t -9.91%

<u>Waste Type</u>	<u>Dec 2009</u>	<u>Dec 2010</u>	<u>Apr – Dec 09</u>	<u>Apr – Dec 10</u>
Cardboard Recycling	5.22t	9.31t +78.35%	62.64t	60.99t -2.63%
Timber **	n/a	8.38t	n/a	30.62t

* Brown bin service suspended 1st November 2010.

** Timber recycling commenced 1st November 2010.

The Director of Borough Services explained that following the putting in place of a bulking up facility at Crosstagherty, funded via the DoE Rethink Waste Programme, timber was now being dealt with separately and therefore at a reduced cost to Council and that this change in service operations which commenced on 1st November 2010, would account for the waste recovery tonnage reduction. The Chair pointed up the fact that in order that Council would meet its NILAS targets and thus avoid potential fines for non compliance, it was essential that a marked improvement in the tonnage of mixed dry recyclables be achieved so reducing the amount of waste disposed of to landfill. She stated that everyone ought to be encouraged to recycle more and make better use of the various facilities provided by Council to achieve this.

368.11 JOINT COUNCIL BIO-DIVERSITY OFFICER

Rachel Bain took up employment as bio-diversity officer with Coleraine Borough Council in December 2010. Although Coleraine is the employing authority the officer will work across the three Boroughs – Ballymoney, Coleraine and Limavady. The joint project, as members are aware, is primarily funded by a grant from NIEA together with equal contributions from the three Council partners. In that regard Coleraine has revised its earlier cost projection for the project to advise that Council partner costs in year one would be £2,763.13 and in year two £6,581.06. The work in both Ballymoney and Limavady will initially relate to habitat research and audit in order to produce a Borough Bio-Diversity Report and Action Plan.

WASTE MANAGEMENT JOINT COMMITTEES – LEGISLATIVE PROPOSALS

368.12 AMENDMENT OF BODY CORPORATE LEGISLATION FOR WASTE MANAGEMENT JOINT COMMITTEES

The DoE has advised as to the outcome of the consultation exercise in the above regard which closed on 15th October 2010 and the Ministers proposals. “In light of comments received, the Minister has therefore decided to amend existing legislation to apply the provisions of Part I and clause 41 of the Local Government Finance Bill to arc21 and SWaMP2008. Work is now underway to draft the legislation; we anticipate that this will take the form of a consolidating order, replacing and amending the 3 existing body corporate orders for waste management joint committees.”

368.13 EXPANSION OF RECYCLING SERVICES

Following the award of grant funding in September 2010 from the DOE Rethink Waste Fund, segregated timber is now collected at Knock Road and Crosstagherty civic amenity sites. Timber collected at both sites is stored in a recently constructed bulking up bay at Crosstagherty Waste Handling & Transfer Facility, prior to being sent to a wood reprocessor where the material is used to make chipboard.

In June 2010, a dedicated skip for soil collection was introduced at Crosstagherty civic amenity site.

Members were reminded by the Director that the NWRWMG is presently tendering a variety of recycling services, including the collection of mixed dry recyclables via blue bins. He stated that at the conclusion of this particular tendering process, it was hoped that householders will be able to recycle mixed glass via their blue bins. He advised that he was involved with both the blue bin contract and with another which would deal with the processing of organic waste collected by certain NWRWMG councils. Councillor McCamphill welcomed the possibility of putting glass into blue bins. The Director explained the various collection options and advised that where glass to be added to the list of recyclates it may be necessary to deploy only RCVs of certain type on blue bin collection rounds.

* Councillor McKeown left the meeting at 8.00pm.

368.14 WASTE HAULAGE CONTRACT TENDERS 2011-2012

Tenders were invited, by public advertisement, regarding the transport of the Council's municipal waste from its Crosstagherty Waste Handling & Transfer Facility to various specified locations. The closing date for tenders was 12.00 noon, Wednesday 19th January 2011.

The eight tenders received were opened by the Chair of the Council's Health & Environmental Services Committee, together with the Head of Environmental Services on 20th inst. at 10.00am. The tender prices submitted are detailed in the table below. In order to preserve commercial confidentiality, the lowest price for each site is identified by letters – A, B, C, etc.

1. Transport of Residual Municipal Waste to the Council's Nominated Landfill Site

Contractors	Magheraglass Landfill Site – price per tonne (£)
Brickkiln Waste Ltd., 23 Heather Road, Creevagh, DERRY, BT48 9XD.	A
Coleraine Skip Hire & Recycling Ltd, 56 Craigmore Road, Ringsend, GARVAGH, BT51 5HF.	A + £2.25
McBride Contracts Ltd., 84 Lisnagrot Road, KILREA, BT51 5SG.	A + £3.75
Wasteline, 9 Ballynaloob Road, Dunloy, BALLYMENA, BT44 9AX.	A + £5.35

Contractors	Magheraglass Landfill Site – price per tonne (£)
Re-Gen Waste Ltd., Shepherds Drive, Carnbane Industrial Estate, NEWRY, Co. Down, BT35 6JQ.	A + £5.85
Organic Waste Recycling Ltd., 161 Quarry Heights, North Road, NEWTOWNARDS, BT23 7SZ.	A + £7.97
B. P. McKeefry Ltd., 114 Grove Road, SWATRAGH, BT46 5QZ.	A + £9.20
R. Heatrick Ltd., 341 Tandragee Road, PORTADOWN, BT62 3RB.	A + £12.85

2. Transport of CA & Bulky Household Waste to the Council's Nominated Waste Reprocessor Site

Contractors	Brickkiln – price per tonne (£)	City Waste – price per tonne (£)
Brickkiln Waste Ltd., 23 Heather Road, Creevagh, DERRY, BT48 9XD.	B	C
Coleraine Skip Hire & Recycling Ltd, 56 Craigmore Road, Ringsend, GARVAGH, BT51 5HF.	B + £1.25	C + £1.25
McBride Contracts Ltd., 84 Lisnagrot Road, KILREA, BT51 5SG.	B + £3.77	C + £3.77
Wasteline, 9 Ballynaloob Road, Dunloy, BALLYMENA, BT44 9AX.	B + £5.35	C + £5.35
Re-Gen Waste Ltd., Shepherds Drive, Carnbane Industrial Estate, NEWRY, Co. Down, BT35 6JQ.	B + £17.35	C + £17.35
Organic Waste Recycling Ltd., 161 Quarry Heights, North Road, NEWTOWNARDS, BT23 7SZ.	B + £8.48	C + £8.48
B. P. McKeefry Ltd., 114 Grove Road, SWATRAGH, BT46 5QZ.	B + £9.41	C + £10.03

Contractors	Brickkiln – price per tonne (£)	City Waste – price per tonne (£)
R. Heatrick Ltd., 341 Tandragee Road, PORTADOWN, BT62 3RB.	B + £15.35	C + £15.35

3. Transport of Organic Waste [Garden Waste only] to the Council's Nominated Composting Facility

Contractors	Greenacre Composting Enterprises Ltd. price per tonne (£)	Natural World Products price per tonne (£)	Simpro Ireland Ltd. price per tonne (£)
Brickkiln Waste Ltd., 23 Heather Road, Creevagh, DERRY, BT48 9XD.	D + £3.88	E + £4.28	F + £5.80
Coleraine Skip Hire & Recycling Ltd, 56 Craigmore Road, Ringsend, GARVAGH, BT51 5HF.	D	E + £0.72	F + £1.88
McBride Contracts Ltd., 84 Lisnagrot Road, KILREA, BT51 5SG.	D + £0.84	E	F
Wasteline, 9 Ballynalob Road, Dunloy, BALLYMENA, BT44 9AX.	D + £4.00	E + £3.10	F + £1.50
Re-Gen Waste Ltd., Shepherds Drive, Carnbane Industrial Estate, NEWRY, Co. Down, BT35 6JQ.	D + £8.06	E + £8.64	F + £11.85
Organic Waste Recycling Ltd., 161 Quarry Heights, North Road, NEWTOWNARDS, BT23 7SZ.	D + £6.48	E + £6.98	F + £6.94
B. P. McKeefry Ltd., 114 Grove Road, SWATRAGH, BT46 5QZ.	D + £8.84	E + £8.93	F + £14.59
R. Heatrick Ltd., 341 Tandragee Road, PORTADOWN, BT62 3RB.	D + £10.50	E + £9.60	F + £16.00

4. Other Transport

Contractors	Price per tonne per single journey mile (£)
Brickkiln Waste Ltd., 23 Heather Road, Creevagh, DERRY, BT48 9XD.	G + £0.09
Coleraine Skip Hire & Recycling Ltd, 56 Craigmore Road, Ringsend, GARVAGH, BT51 5HF.	G
McBride Contracts Ltd., 84 Lisnagrot Road, KILREA, BT51 5SG.	G + £1.18
Wasteline, 9 Ballynaloob Road, Dunloy, BALLYMENA, BT44 9AX.	G + £0.08
Re-Gen Waste Ltd., Shepherds Drive, Carnbane Industrial Estate, NEWRY, Co. Down, BT35 6JQ.	G+ £0.38
Organic Waste Recycling Ltd., 161 Quarry Heights, North Road, NEWTOWNARDS, BT23 7SZ.	G + £0.48 (15 mile journey) G + £0.23 (39 mile journey) G + £0.10 (63 mile journey)
B. P. McKeefry Ltd., 114 Grove Road, SWATRAGH, BT46 5QZ.	G + £13.68
R. Heatrick Ltd., 341 Tandragee Road, PORTADOWN, BT62 3RB.	G + £0.28

BrickKiln Waste Ltd. is the lowest tender as regards the work on offer.

IT IS RECOMMENDED that Council engage BrickKiln Waste Ltd. to haul its municipal waste during 2011-2012, in accordance with the Council's Specification and Contract Conditions. The contract will commence on Friday 1st April 2011.

The Director of Borough Services disclosed to members the actual lowest tender prices and in response to members' questions gave his opinion on the tenders received and the implications going forward.

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

to recommend that Council engage BrickKiln Waste Ltd. to haul its municipal waste during 2011-2012, in accordance with the Council's

Specification and Contract Conditions. The contract will commence on Friday 1st April 2011.

- * Councillor Kennedy left the meeting at 8.33pm.

ENVIRONMENTAL PROTECTION

368.15 POLLUTION PREVENTION & CONTROL REGULATIONS (NI) 2003 REGISTER OF PUBLIC INFORMATION

NIEA has provided a copy of the Annual Environmental Monitoring Report and Pollution Inventory Reporting form for Ballymoney (Glenstall WWTW) Sludge Thickening Plant PO312/09A for inclusion on the public register.

368.16 WASTE MANAGEMENT LICENSING REGULATIONS (NI) 2003

NIEA on 11th January 2011 advised that it had issued a waste management licence (LN/11/03) to Hill Campbell Smith covering premises at 72 Drones Road, Armoyle – an authorised treatment facility for the depollution and dismantling of end of life vehicles.

FOOD CONTROL

368.17 FOOD HYGIENE REGULATIONS (NI) 2006 REGULATION 6, HYGIENE IMPROVEMENT NOTICES

The following Hygiene Improvement Notices were served on the food business operators of XXX, on 5th January 2010, for failing to comply with the above regulations. The premises were in breach of Article 17(1) of the Food Hygiene Regulations (NI) 2006 in that they contravened the following community provisions:

- Regulation EC (No) 852/2004, Article 5(1) and 5(2)(g) – HACCP.
- Regulation EC (No) 852/2004, Article 4(2) and Annex II, Chapter XII, paragraph 2 - training of those responsible for HACCP.

368.18 LEVEL 2 AWARD IN FOOD SAFETY IN CATERING

During the report period one Level 2 Award Food Safety in Catering course was completed. 12 candidates were successful in passing the course.

368.19 THE FLAVOURINGS IN FOOD REGULATIONS (NORTHERN IRELAND) 2010

These Regulations which came into operation on 20th January 2011, provide for the execution and enforcement of Regulation (EC) No. 1334/2008.

368.20 FOOD HYGIENE RATING SCHEME

As reported to Council on 14th December 2010 (CM 932.8 refers) the Directorate secured grant funding from The Food Standards Agency as an early adopter of the National 'Food Hygiene Rating Scheme'. The scheme is due to be launched in June 2011. Work in relation to preparing for the scheme has been ongoing since the end of November 2010.

All premises have now been scope checked to determine eligibility. To date 206 premises within the Ballymoney Borough Council area are included. In addition, all premises files have been checked to ensure there has been consistency in the food hygiene risk rating.

A mail shot has been sent to all eligible food business operators to advise them of the scheme and to invite them to information sessions (a seminar or a drop-in centre) to find out more. The information sessions are due to be held in February 2011.

HEALTH AND SAFETY

368.21 HEALTH AND SAFETY AUDIT

An audit of Council's Health and Safety Regulatory Service was conducted on 23rd September 2010, by Northern Group Systems. The health & safety audit framework devised by the NI Health & Safety Liaison Group was used and all sections of the framework were addressed during the audit. The evidence gathered relates to the period from 01 April 2009 until 30 March 2010.

The audit found that the service achieved a reasonable result for the essential elements of the audit framework attaining a score of 49 out of a maximum of 67 (73%). In addition, the service also scored reasonably well against the good practice elements, attaining a score of 27 out of a maximum of 44 (61%).

The full time equivalent resource reported for the health and safety service had increased since the last audit in 2002. A comparison of LAE1 return for the last three years indicates that health and safety inspections are falling, due to other work demands placed on the service from other core functions within the Directorate. An action plan for improvement of the service has been identified that will be delivered during the 2011-2012 Health and Safety Service Plan.

LICENSING

368.22 LICENSING (NORTHERN IRELAND) ORDER 1996

<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Coolmar Limited, 14 Antrim Road, BALLYMENA.	Transfer of a Licence Riverside Centre, 12 Rodeing Foot, BALLYMONEY, BT53 7AB.	14/1/11

THE CHILDREN AND YOUNG PERSONS (PROTECTION FROM TOBACCO) (NI) ORDER 1991

368.23 UNDER AGE SALES INITIATIVE

In order to fulfil Councils obligations in ensuring the enforcement of the above Order, it is proposed to carry out a test purchasing exercise amongst local tobacconists during the period February – March 2011. All such outlets have been advised in

writing and a press release has been prepared. Should any operator be found to be in breach of the legislation, the matter will be dealt with following the guidelines within the Enforcement Policy, which is available on the Council's website, www.ballymoney.gov.uk.

PLANNING CONSULTATIONS

368.24 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/2010/0297/F	43 Doneyshiel Road, Rasharkin, Ballymena.	Anaerobic Digestion System	Request noise and odour assessment and referral to NIEA and HSENI.

The Director of Borough Services indicated the Draft Planning Bill: An Environmental Health Perspective comments as circulated to members.

COMMUNITY SAFETY

368.25 ROAD SAFETY PROJECT

The award winning '**For My Girlfriend**' Road Safety Campaign is aimed especially at young male drivers, urging them not to hurt the ones they love through careless driving and excessive speed in the run up to Valentine's Day.

More girls die in road traffic collisions as passengers than as drivers. The For My Girlfriend campaign has two aims, firstly to make young male drivers think about the consequences of showing off, speeding, using their mobile phone, having an extra drink or taking drugs while their girlfriend is in the passenger seat and secondly to encourage girls to speak out and tell their male friends and boyfriends to slow down or stop.

This media campaign is being complemented by a road safety road show event which will be held in the Joey Dunlop Leisure Centre on **Friday 18th February 2011 at 7pm.**

The road show will depict graphically how a night out can end in tragedy and permanent disability. This event will be highly interactive to catch the imagination of drivers, especially young drivers. A free prize draw will be held on the night as an incentive to attend with a range of prizes all associated with cars and road safety. The event is open to everyone and admission is free.

Copies of the campaign resources were circulated to members.

- * Councillor Finlay and the Chair left the meeting at 8.35pm with the Chair returning at 8.36pm.

368.26 BONFIRE SITE CLEARANCE 2010

During 2010 there were 18 “traditional” bonfire sites within the Borough, thirteen in July, one in August and four in October. Of these two are sited on lands under the control of the Northern Ireland Housing Executive and two on DRD Roads Service lands.

There are 5 bonfire sites which occur on private land. The Balnamore site is negotiated annually following the relocation of the original site from NIHE ground for safety reasons. The cost of clearance of this site and that at Stranocum has traditionally been paid for from Council budgets.

The following table provides a summary.

July				August			October		
	Location	Land Owner	Site Used	Location	Land Owner	Site Used	Location	Land Owner	Site Used
1	Ballybogey	Council	Yes	Carnfinton Park	NIHE	Yes	Ballyknock	Council	Yes
2	Balnagarvey	Council	Yes				Macfin	Council	Yes
3	Balnamore	Private	Yes				Magherahoney	Council	Yes
4	Bendooragh	Private	Yes						
5	Carnany	Private	No				Rockend	Council	Yes
6	Clintyfinnan	Council	Yes						
7	Cloughmills	Private	No						
8	Dervock	Council	Yes						
9	Dunaghy	Council	Yes						
10	Finvoy	DRD	Yes						
11	Glebeside	NIHE	Yes						
12	Lislagan	DRD	Yes						
13	Macfin	Council	Yes						
14	Killyrammer	Council	Yes						
15	Stranocum	Private	Yes						

- The Bonfire Sub Group which operates under the umbrella of Ballymoney Community Safety Partnership draws membership from the Council, NIHE, PSNI and DRD Roads Service.
- The total tonnage of waste debris collected from all sites (excluding August 2010) was 77.76 tonnes, an increase of 5 tonnes from the previous year.
- The total cost to Council for waste disposal, excluding all labour costs etc., was £6,609.56.
- The total tonnage originating from all sites for which Council has responsibility was 37.76 tonnes.
- The total tonnage from the two DRD Road Service sites was 39.84 tonnes. This accounted for just over 51% of the total waste debris arising during 2010.

- The full cost incurred by Council to clear the DRD Road Service site at Finvoy is being sought.
- DRD Roads Service eventually cleared the remaining debris from the July 2010 bonfire from Lislagan on the 11th January 2011, on condition that the disposal costs would be borne by Ballymoney Community Safety Partnership on a one off basis.
- The total cost for tyre disposal from all sites for 2010 was £1,407.00.
- A bonfire incentive scheme was introduced in 2010 which resulted in a reduction in sites used from 20 to 18. This included the use of cages, continuous dialogue with bonfire builders, community groups and local residents.
- A large number of tyres were burnt at two sites at Corkey during October, one being on private ground, the other within the Council's play area.
- Intelligence was passed to NIEA in relation to the above but concerns remain in relation to the availability of such goods despite the duty of care provisions and the disposal requirements enforced by NIEA with respect to same.
- Community Safety project money to clear sites would be better spent on the delivery of initiatives to address crime, fear of crime and anti social behavior.
- The Bonfire Sub Group should focus on those sites at which most debris arises in an attempt to reduce clearance costs through innovative education programmes.

The Director advised that given Government budgetary pressures that it was very unlikely that external funding would be available going forward to Council to assist it to pay for the disposal of tyres arising from their indiscriminate placement on bonfires.

Concerns were raised that NIEA were informed by Council and PSNI of the build-up of tyres at Corkey in October, however no action appears to have been taken by NIEA.

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

to recommend that Council seek an explanation from NIEA as to why no action was taken when tyres were burnt at Corkey in October 2010.

EMERGENCY PLANNING

368.27 On Thursday 23rd December 2010 Council received a request from the DoE NI through the officers of Local Government Emergency Management Group (LGEMG) to "be prepared" to open humanitarian assistance centres (HAC) to cater for the needs of those who may find themselves without heat water or electricity during the severe cold weather. As a result the Council's Emergency Management Team (EMT) was convened and plans put in place to respond should a request be received from any of the lead agencies.

The EMT met again on the 29th and 30th December to consider the ongoing crisis. Information was being provided via LGEMG and the Northern Group Systems Emergency Planning Co-Ordinator with specific local information from elected Members. No official request to open a Humanitarian Assistance Centre was received, although the identification of bottled water pick up points and water bowser locations at the Joey Dunlop Leisure Centre, and Dunloy respectively were agreed with elected members. It was apparent that the area did not suffer in general terms to the same extent as other parts of the province on this occasion. As part of the review of the overall handling of the crisis a response has been submitted via LGEMG for consideration. This focused on communication, the necessity of clear and timely information, and clarity of roles and responsibilities.

368.28 DRAFT PLANNING BILL: AN ENVIRONMENTAL HEALTH PERSPECTIVE

Comments have been prepared by the CEHOG Pollution Sub-Group in relation to the impacts of the draft Planning Bill on the environmental health function and were provided for member information. It is understood that the deadline for comments on the proposed measure was extended to 21st January 2011.

368.29 RETHINK WASTE 2

The Director of Borough Services updated members on a successful application to Rethink Waste 2 for funding [£20,700] for a second compactor to be installed at Crosstagherty Civic Amenity Site. The funding is conditional on it being spent and equipment operational at the site by 31 March 2011. In response to the Chair the Director confirmed that the funding would cover all to be costs incurred.

* Councillor Stevenson left the meeting at 8.48pm.

This being all the business the meeting closed at 8.50pm.