

Ballymoney Borough Council

Health & Environmental Services Committee Meeting No 380 – 24th April 2012

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BALLYMONEY BOROUGH COUNCIL

Minutes of Health & Environmental Services Committee Meeting No 380, held in the McKinley Room, Riada House, Ballymoney on Tuesday 24th April 2012 at 7.01 pm.

IN THE CHAIR: Councillor C McLaughlin, Vice-Chair

PRESENT:

Aldermen
F Campbell
H Connolly
C Cousley, MBE

Councillors
J Atkinson
W Blair
J Finlay
R Halliday
I Stevenson, Mayor

APOLOGIES: Alderman B Kennedy
Councillor A Cavlan
Councillor E Robinson

IN ATTENDANCE: Director of Borough Services
Committee Clerk

380.1 MINUTES - Meeting No 379 – 27th March 2012

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

to recommend that the minutes of Meeting Number 379 – 27th March 2012, as circulated, be confirmed as a correct record.

MATTERS FOR CONSIDERATION**ENVIRONMENTAL SERVICES****380.2 VEHICLE TENDER – 26T GVW REAR LOADING RCV**

In accordance with Council Procurement Policy fixed price tenders were sought for the supply and delivery of 1 no. 26t GVW Rear Loading Refuse Collection Vehicle by 12.00 noon, Wednesday 4th April 2012.

The tenders received were opened by the Committee Chair and Head of Environmental Services on Wednesday 11th April 2012 and a schedule detailing the tenderers and products offered was circulated to members.

IT IS RECOMMENDED that the Borough Council accept the tender from Castlereagh Motors Limited in the sum of £139,978 for a Mercedes-Benz Econic 2633L/NLA chassis fitted with a Farid T1M body and Zoeller Euro Delta bin lift.

At the request of Alderman Campbell, the Director of Borough Services clarified that this 26t GVW Rear Loading Refuse Collection Vehicle will replace a vehicle currently in the Council's fleet.

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

to recommend that the Borough Council accept the tender from Castlereagh Motors Limited in the sum of £139,978 for a Mercedes-Benz Econic 2633L/NLA chassis fitted with a Farid T1M body and Zoeller Euro Delta bin lift.

380.3 VEHICLE TENDER – SMALL PANEL VAN

In accordance with Council Procurement Policy fixed price tenders were sought for the supply and delivery of 1 no. Small Panel Van by 12.00 noon, Wednesday 4th April 2012.

The tenders received were opened by the Committee Chair and Head of Environmental Services on Wednesday 11th April 2012 and a schedule detailing the tenderers and products offered was circulated to members.

IT IS RECOMMENDED that the Borough Council accept the tender from Turtles of Rathkenny in the sum of £10,217.12 for a Peugeot Partner SE LI 1.6HDi 75 small panel van.

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

to recommend that the Borough Council accept the tender from Turtles of Rathkenny in the sum of £10,217.12 for a Peugeot Partner SE LI 1.6HDi 75 small panel van.

380.4 NWRWMG MIXED DRY RECYCLATES TENDER

This matter was further considered by the North West Region Waste Management Group Joint Committee at its meeting on 12th April 2012. Then the NWRWMG Joint Committee approved the result of the evaluation and also agreed to recommend award of the contract to Re-Gen to Member Councils. A copy of the Tender Evaluation Report (April 2012) was circulated to members.

- This tender has been designed to maximise the return to Councils in respect of the materials currently collected through the Blue Bin System.
- It represents a share mechanism whereby Councils will be paid for supplying the materials for recycling as opposed to paying for the recycling of the said materials as has previously been the case.

- The payment is variable each month as it is based on a basket of the published monthly prices for the various materials collected. This means that the payment can rise or fall each month.
- The payment Councils would receive at today's price (based on March 2012 verified market prices index), is £40.58 per tonne.
- The price includes collection of the material from a named council facility within each council area.

IT IS RECOMMENDED that Council endorse the recommendation of the NWRWMG Joint Committee that the result of the evaluation be approved and agree to award the contract for the receipt, transfer and processing/brokerage to end markets of wheeled bin, kerbside collected co-mingled dry recyclables to Re-Gen.

The Director of Borough Services advised that the stand still period required under EU procurement law had been extended as a result of a query from one of the remaining tenderers until 30th April.

In the general discussion which ensued the Director responded to a number of member questions regarding transfer arrangements, likely material quantity, haul price, material quality and likely contract commencement date. He stressed the need to continue the good education work being done to get more suitable materials out of the black bin and into the blue bin without increasing contamination levels and drew attention to how the resources retained in the last budgetary round, which were not ideal, would be used to achieve this objective once the new contract was in place. The Council's transfer facility at Crosstagherty was discussed including how there was a need to improve the facility given the different types of material being dealt with and the Director advised that as the new arrangements in respect of blue bin material was to be let on a haul / process basis this would [when the facility was again operational] mean that Crosstagherty would be the point of resolution as regards any contamination queries.

* Councillor Stevenson joined the meeting at 7.20pm.

The type of additional educational literature was also discussed, with members making suggestions as to what was required.

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

to recommend that Council endorse the recommendation of the NWRWMG Joint Committee that the result of the evaluation be approved and agree to award the contract for the receipt, transfer and processing/brokerage to end markets of wheeled bin, kerbside collected co-mingled dry recyclables to Re-Gen.

380.5 NWRWMG TENDER RE. COLLECTED RESIDUAL MUNICIPAL WASTE

It is understood that at its meeting on 7th March 2012 the North West Region Waste Management Group Joint Committee approved an officer recommendation that in order to assist NWRWMG Councils meet their respective NILAS targets in 2012-2013 etc. that tender documentation for the "haulage, treatment and disposal of local authority collected residual municipal waste" be prepared and tenders sought for a short term/interim service.

IT IS RECOMMENDED that Council approve the tendering of the service being sought by the NWRWM Group on its behalf.

The Director responded to members' questions on the tonnage included in tender, the timescale envisaged, the impact of waste separation on NILAS targets, the estimated waste tonnages compared to NILAS targets, the likely cost of the proposed interim service compared to landfill and the cost to Council were it to exceed its NILAS targets.

* Alderman Cousley joined the meeting at 7.37pm.

Members noted the changes in the waste services provided by Council in recent years and that this particular tender was an interim measure in light of the NWRWMG Waste Infrastructural Project; being specifically designed to assist constituent councils to meet their respective NILAS targets in the current and next financial years.

It was proposed by Councillor Finlay, seconded by Councillor Atkinson and
AGREED:

to recommend that Council approve the tendering of the service being sought by the NWRWM Group on its behalf.

HEALTH AND SAFETY

380.6 PETROLEUM (REGULATION) ACTS (NORTHERN IRELAND) 1929 AND 1937 PETROLEUM SPIRIT LICENCE (RENEWAL)

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

Premises

Milltown Filling Station,
4 Milltown Road,
BALLYMONEY, BT53 6LE.

Applicant

Mr. Crawford Henderson,
Henderson Foodhalls Ltd.

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

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

to recommend the renewal of the licence as detailed above.

ENVIRONMENTAL HEALTH GENERAL

380.7 THE PRIVATE TENANCIES (NORTHERN IRELAND) ORDER 2006 ARTICLE 36 (4) CERTIFICATE OF FITNESS

Landlord

Mr. Adrian Jamison

Dwelling- House

63 Knockahollet Road,
Dunloy,
BALLYMENA, BT44 9BA.

A fitness inspection of the above dwelling has been conducted and the dwelling house meets 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 Article 36 (4) Certificate of Fitness in respect of the above dwelling house.

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

to recommend that the Borough Council grant Article 36 (4) Certificate of Fitness in respect of the above dwelling house.

LICENSING

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

Premises

The Diamond Bar,
2 High Street,
BALLYMONEY, BT53 6AG.

The Glen Bar,
24 Glenbush Road,
Armoy,
BALLYMONEY, BT53 8YG.

The Bush Tavern,
15-17 Market Street,
BALLYMONEY, BT53 6EA.

Joey's Bar,
15 Seymour Street,
BALLYMONEY, BT53 6JR.

Applicant

Mr. Martin Doyle

Mr. James Patrick McMullan

Mr. James Craig Black

Mrs. Linda Muriel Dunlop

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licences as detailed above and in the cases of The Diamond Bar, The Glen Bar and Joey's Bar subject to the proviso that approved electrical test certificates are received. 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 Atkinson, seconded by Alderman Connolly and
AGREED:

to recommend that the Borough Council renew the Indoor Entertainment's Licences as detailed above and in the cases of The Diamond Bar, The Glen Bar and Joey's Bar subject to the proviso that approved electrical test certificates are received. 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.

STREET TRADING

380.9 STREET TRADING ACT (NI) 2001 MOBILE STREET TRADING LICENCE - RENEWAL

Application for renewal of Mobile Street Trading Licence has been made to this Directorate as follows:-

<u>Purpose</u>	<u>Applicant</u>
Ice Cream Van	Mr. Stephen James Morrison, 11 Westgate, BALLYMONEY, BT53 6LD.

IT IS RECOMMENDED that the Mobile Street Trading Licence as applied for be renewed.

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

to recommend that the Mobile Street Trading Licence as applied for be renewed.

380.10 THE HAIRDRESSERS ACT (NORTHERN IRELAND) 1939

<u>Premises</u>	<u>Applicant</u>
Hair Studio 101, 2 Riada Avenue, BALLYMONEY, BT53 7LH.	Mr. Ryan Hickinson

IT IS RECOMMENDED that the above-named person and premises be registered under The Hairdressers Act (Northern Ireland) 1939.

It was proposed by Councillor Atkinson, seconded by Councillor Finlay and
AGREED:

to recommend that the above-named person and premises be registered under The Hairdressers Act (Northern Ireland) 1939.

DOG CONTROL

380.11 DOG CONTROL ENFORCEMENT POLICY

The Northern Ireland Dog Advisory Group (NIDAG) have prepared an enforcement policy further to the recent changes to the dog control legislation. The policy has taken into consideration criteria detailed in the Code for Crown Prosecutors 2010 and Home Office Circular 30/2005 (cautioning of adult offenders). The decisions to be made where an offence is detected range from no further action, issuing an informal warning, imposing appropriate control conditions, issuing a fixed penalty notice, a formal caution, instigating legal proceedings or an appropriate combination of any of the foregoing. A copy of the policy was circulated to members.

IT IS RECOMMENDED that Ballymoney Borough Council adopt the Dog Control Enforcement Policy in respect of matters specific to this remit and that the policy be placed on the Council's website.

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

to recommend that Ballymoney Borough Council adopt the Dog Control Enforcement Policy in respect of matters specific to this remit and that the policy be placed on the Council's website.

WELFARE OF ANIMALS ACT (NI) 2011

380.12 IMPLEMENTATION OF WELFARE OF ANIMALS ACT (NI) 2011 SERVICE LEVEL AGREEMENT (RETROSPECTIVE)

From 2nd April 2012 District Councils assumed responsibility for enforcement of the powers in the Welfare of Animals Act (NI) 2011. In November 2011 local government agreed a collaborative cluster approach to service delivery. Banbridge District Council was authorized to take on the role of lead Council and a project board was established to ensure that local government was fully prepared for implementation of the Act. The implementation work has been completed. A Service Level Agreement (SLA) in this respect has been received on the 2nd April 2012 and to ensure completeness should be signed albeit retrospectively. A copy of the SLA was circulated to members.

IT IS RECOMMENDED that Ballymoney Borough Council enter into a Service Level Agreement with Banbridge District Council to facilitate the administration and project management required to ensure preparations to meet statutory obligations under the Welfare of Animals Act (NI) 2011 and **IT IS FURTHER RECOMMENDED** that the Chief Executive is authorized to sign same on behalf of Council.

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

to recommend that Ballymoney Borough Council enter into a Service Level Agreement with Banbridge District Council to facilitate the administration and project management required to ensure preparations to meet statutory obligations under the Welfare of Animals Act (NI) 2011 and to further recommend that the Chief Executive is authorized to sign same on behalf of Council.

EMERGENCY PLANNING

380.13 EMERGENCY PLAN IMPLEMENTATION

Following the Committee's consideration of this business at its meeting on 24th January 2012, work has been undertaken to ascertain the emergency response arrangements in other council areas as requested.

The information obtained to date is –

- responses have been received from eighteen councils.
- seven councils have not responded (despite reminder).
- of the 18 no. councils who have responded 14 have a formal system in place.
- 10 councils pay for the service they have implemented.

IT IS RECOMMENDED that Council determine how it now wishes to proceed regarding this matter.

It was **AGREED** that the matter be held over for further discussion at the next Committee meeting.

BOROUGH SERVICES DIRECTORATE PLANS

380.14 BOROUGH SERVICES DIRECTORATE PLAN 2012-2013

A Borough Services Directorate Plan has been devised for the period 1st April 2012 to 31st March 2013 and was circulated electronically to members. The plan identifies the work (primarily that of a pro-active nature) which will be undertaken within the resources Council has provided to the Directorate for the current financial year.

IT IS RECOMMENDED that Council endorse the Borough Services Directorate Plan 2012-2013.

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

to recommend that Council endorse the Borough Services Directorate Plan 2012-2013.

380.15 BOROUGH FOOD SERVICE PLAN 2012-2013

A Borough Food Service Plan has been devised for the period 1st April 2012 to 31st March 2013 and was circulated electronically to members. It includes information on service provision, performance targets and standards, and incorporates a review of the period 2011-2012.

IT IS RECOMMENDED that Council adopt, publish via the Council's website and implement the Borough Food Service Plan 2012-2013.

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

to recommend that Council adopt, publish via the Council's website and implement the Borough Food Service Plan 2012-2013.

380.16 BOROUGH HEALTH & SAFETY PLAN 2012-2013

A Borough Health & Safety Plan has been drawn up for the period 1st April 2012 – 31st March 2013 and was circulated electronically to members. 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 2012-2013.

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

that Council adopt, publish via the Council's website and implement the Borough Health and Safety Plan 2012-2013.

380.17 BOROUGH BUILDING CONTROL PLAN 2012-2013

A Borough Building Control Service Plan has been devised for the period 1st April 2012 to 31st March 2013. The plan was circulated electronically to members.

IT IS RECOMMENDED that Council adopt and implement the Borough Building Control Service Plan for the year 2012-2013.

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

to recommend that Council adopt and implement the Borough Building Control Service Plan for the year 2012-2013.

MATTERS FOR INFORMATION

ENVIRONMENTAL SERVICES

380.18 MUNICIPAL WASTE RETURNS

<u>Waste Type</u>	<u>Mar 2011</u>	<u>Mar 2012</u>	<u>Apr 10 – Mar 11</u>	<u>Apr 11 – Mar 12</u>
Mixed Residual Waste (waste direct to landfill)	824.90t	721.12t -12.58%	9,404.36t	9,180.08t -2.38%
Mixed Dry Recyclables (blue bin recycling)	143.78t	160.42t +11.57%	1,641.36t	1,717.72t +4.65%
Garden Waste (brown bin recycling)	n/a	62.50t	1,201.52t	1,262.46t +5.07%
Waste Recovery (segregated HRC waste)	94.34t	100.12t +6.13%	918.54t	855.22t -6.89%
Cardboard	5.62t	3.06t -45.55%	80.23t	65.41t -18.47%
Timber*	38.82t	26.00t -33.00%	n/a	318.62t

* Timber recycling commenced 1st November 2010.

380.19 CA SITE WASTE REPROCESSING SERVICES

As Members are aware, residual black bin waste and builders rubble collected at the Councils 2 no. Recycling Centres at Knock Road and Crosstagherty are sent for reprocessing as part of the measures undertaken to limit the amount of waste sent to landfill. The present service provider has intimated that with effect from 1st April 2012 the cost of these services will increase by 9.7% and 5.1% respectively.

380.20 NWRWMG JOINT COMMITTEE MINUTES

The minutes of the North West Region Waste Management Group Joint Committee meetings held on –

6 th July 2011	4 th January 2012
7 th September 2011	1 st February 2012
5 th October 2011	7 th March 2012
7 th December 2011	

are reproduced and circulated for the benefit of Members.

FOOD CONTROL

380.21 FOOD HYGIENE REGULATIONS (NI) 2006 REGULATION 6, HYGIENE IMPROVEMENT NOTICE

It was reported to Council on 2nd April 2012 (CM 959) that a Hygiene Improvement Notice was served on xxx. An inspection to assess compliance with the notice was carried out on 21st March 2012. The premises was noted to have complied with the requirement of the Notice.

FUEL POVERTY

380.22 PILOT TO TACKLE FUEL POVERTY

Following recommendation at the February meeting of the Health & Environmental Services Committee, an expression of interest was submitted to the Department for Social Development to participate in its area based pilot to tackle fuel poverty.

The Department has engaged the University of Ulster to produce maps for those Councils involved in the pilot; these will illustrate fuel poverty risk scores at Census Output Area level (approximately 125 households). Officers are to meet with representatives from the Department in mid-April to discuss the pilot further and to consider any staffing and resource implications.

COMMUNITY SAFETY

380.23 PRESENTATION AT FINAL CSP MEETING

A copy of the presentation made to the final meeting of the CSP of its' achievements from 2002 – 2012 was circulated to members. The presentation gives an overview of the main projects, events and awareness raising campaigns.

OTHER BUSINESS

380.24 PEST CONTROL SERVICES

The Director advised that with the demise of the service operated by NGS, interim arrangements had been put in place to acquire necessary professional services [as had been deployed recently at an amenities facility] and that it was understood that the environmental health departments within the Causeway cluster were presently looking at the possibility of letting a joint contract for pest control services.

This being all the business the meeting closed at 8.04pm.