

## Ballymoney Borough Council

### Health & Environmental Services Committee Meeting No 385 – 25<sup>th</sup> October 2012

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<b>385.4</b>	Petroleum (Reg) Acts (NI) 1929 and 1937 Petroleum Spirit Licence (Renewal)	<i>Renew licence</i>
<b>385.5</b>	Local Government (Misc. Prov.) (NI) Order 1985 – Licence Application (Full) (Renewal)	<i>Renew licences</i>
<b>385.6</b>	Local Government (Misc. Prov.) (NI) Order 1985 – Licence Applications (Fourteen Unspecified Days) (Renewal)	<i>Renew licence</i>
<b>385.7</b>	DHSSPS Strategy Document Consultation: “Fit & Well, Changing Lives 2012-2022”	<i>Respond on Council’s behalf by deadline</i>
<b>385.8</b>	Consultation on Proposals for the Building (Prescribed Fees) (Amendment) Regulations (NI) 2013	<i>Endorse response</i>
<b>385.9</b>	Consultation Paper on a Bill on the Numbering of Individual Properties within Townlands	<i>Respond on Council’s behalf by deadline</i>
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<b>385.11</b>	Municipal Waste Returns	<i>For information</i>
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<b>385.16</b>	Licensing (NI) Order 1996	<i>For information</i>
<b>385.17</b>	Tobacco Advertising & Promotion Act 2002 (As Amended) The Tobacco Advertising & Promotion (Display) Regs (NI) 2012 The Tobacco Advertising & Promotion (Display of Prices) Regs (NI) 2012 The Tobacco Advertising & Promotion (Specialist Tobacconists) Regs (NI) 2012	<i>For information</i>

**BALLYMONEY BOROUGH COUNCIL**

Minutes of Health & Environmental Services Committee Meeting No 385, held in the McKinley Room, Riada House, Ballymoney on Thursday 25<sup>th</sup> October 2012 at 7.01pm.

**IN THE CHAIR:** Alderman H Connolly

**PRESENT:** **Aldermen**  
F Campbell  
C Cousley, MBE

**Councillors**  
J Atkinson  
A Cavlan  
R McAfee  
C McLaughlin  
E Robinson, Mayor  
I Stevenson

**APOLOGIES:** Alderman B Kennedy  
Councillor J Finlay  
Councillor P McGuigan  
Councillor M Storey, MLA

**IN ATTENDANCE:** Director of Borough Services  
Committee Clerk

**385.1 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**385.2 MINUTES - Meeting No 384 – 27<sup>th</sup> September 2012**

It was proposed by Alderman Cousley, seconded by Alderman Campbell and

**AGREED:**

***to recommend that the minutes of Meeting Number 384 – 27<sup>th</sup> September 2012, as circulated, be confirmed as a correct record.***

## **MATTERS FOR CONSIDERATION**

### **ENVIRONMENTAL SERVICES**

#### **385.3 NWRWMG INFRASTRUCTURE PROJECT**

I have been asked to draw to Council's attention the presentation which was made to the North West Region Waste Management Group Joint Committee at its meeting held on 3<sup>rd</sup> October 2012. The presentation which ***IT IS RECOMMENDED*** all Members give careful consideration to was circulated previously.

At the meeting the Director gave a short introduction to the work undertaken on the constituent councils' behalf to deliver the sub-region waste infrastructure project. The Mayor, the present Chair of the NWRWMG Joint Committee, also commented on the project, commended the Director on his contribution to the work and highlighted what had been achieved with the limited staff resources available. The Director of Borough pointed out that the date of the proposed special meeting of the Joint Committee had been changed and stressed the importance of timely decisions to ensure that the plant envisaged to deliver the project is commissioned on time. Members' questions were also dealt with.

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

***to recommend that all members give careful consideration to the information provided in the presentation on NWRWG Waste Infrastructure Project.***

### **HEALTH & SAFETY**

#### **385.4 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**

136 Corkey Road,  
Loughguile,  
BALLYMENA, BT44 9JQ.

**Applicant**

Mr. L. Reid

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

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

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

## LICENSING

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

#### Premises

#### Applicant

Minor, Main Sports Hall,  
Joey Dunlop Leisure Centre,  
33 Garryduff Road,  
BALLYMONEY, BT53 7DB.

Mr. Paul Lyness

Social Centre,  
12 Edward Street,  
BALLYMONEY, BT53 6JE.

Mr. Gareth Doyle

Molly's,  
24 Main Street,  
BALLYMONEY, BT53 6AL.

Mr. Sammy Mullan

Town Hall,  
1 Townhead Street,  
BALLYMONEY, BT53 6BE.

Mr. Gareth Doyle

***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 Councillor McAfee, seconded by Councillor Atkinson 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 7<sup>th</sup> October 1985 the additional conditions detailed on the premise files also apply.***

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

#### Premises

#### Applicant

Garryduff Pres. Church Hall,  
Garryduff Road,  
BALLYMONEY, BT53 7DF.

Mr. Alan Patterson

***IT IS RECOMMENDED*** that the Borough Council renew the Indoor Entertainment's Licence as detailed above subject to the provision of a satisfactory electrical test certificate. 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 file also applies.

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

***to recommend that the Borough Council renew the Indoor Entertainment's Licence as detailed above subject to the provision of a satisfactory electrical test certificate. 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 file also applies.***

\* Councillor Stevenson left the meeting at 7.17pm.

## **HEALTH & WELL BEING**

### **385.7 DHSSPS STRATEGY DOCUMENT CONSULTATION: "FIT & WELL, CHANGING LIVES 2012-2022"**

The Department of Health, Social Services & Public Safety consultation was drawn to members attention at Council meeting 967 (3<sup>rd</sup> September). Responses received from both Northern Group Systems and NILGA were circulated to members. The deadline for responses to be with the DHSSPS is 31<sup>st</sup> October 2012.

***IT IS RECOMMENDED*** that Committee consider whether it ought to make a response on Council's behalf by the deadline set.

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

***to recommend that Committee endorse the responses referred to above and submit same on Council's behalf by the deadline set.***

## **BUILDING CONTROL**

### **385.8 CONSULTATION ON PROPOSALS FOR THE BUILDING (PRESCRIBED FEES) (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2013**

The Department of Finance and Personnel is consulting on proposals to amend the Building (Prescribed Fees) Regulations (Northern Ireland) 1997 (the Fees Regulations).

Article 13 of the Building Regulations (Northern Ireland) Order (as amended) allows district councils to charge fees for the performance of certain functions in relation to building regulations. The Department, through the Fees Regulations, sets the amounts chargeable by district councils for these functions in relation to applications for building regulations approvals for the construction, renovation or alteration of buildings.

The Fees Regulations have not been amended since 1997 and although fees for (mainly) non-domestic applications are based on the cost of works and have risen in line with tender prices, the cost of most domestic applications has not altered in that time. The Department considers that a revision of the prescribed fee charges

for domestic applications is necessary to correct anomalies in charges that have occurred since 1997.

The Department proposes to bring the Fees Amendment Regulations into operation from January 2013. It is intended that the revised fee charges will be introduced in two increments, the first in January 2013 and the second in October 2013.

Building Control staff have examined the proposals in detail and have prepared the draft consultation response which was circulated to members. The Department's proposals were also reproduced for the attention of Members.

***IT IS RECOMMENDED*** that the response be endorsed by Council.

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

***to recommend that Council adopt the prepared response and submit same to DFP.***

### **385.9 CONSULTATION PAPER ON A BILL ON THE NUMBERING OF INDIVIDUAL PROPERTIES WITHIN TOWNLANDS**

The Director advised members that the above consultation paper had come to his attention on 25<sup>th</sup> October 2012. The paper, issued by Phil Flanagan MLA, proposed to amend current legislation to enable local councils, if they so wish, to number properties based on the townland name, with street/road names being included after the townland name and number. Currently, the legislation does not recognise townlands as forming the principal part of the address; instead the street name is given priority. The deadline for a response is 31<sup>st</sup> October 2012. The Director covered the questions asked in the consultation paper with each being commented on by members. It was the consensus of the meeting that the option to include the property number with the townland name and give this precedence over the street name would not be practical and would indeed be confusing. Members preferred, as Council had recently agreed, that the relevant townland name be included immediately after the property number and street or road name.

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

***to recommend that Committee submit on Council's behalf by the consultation deadline the consensus agreed by Committee as above.***

## **GENERAL**

### **385.10 NIE WAYLEAVE REQUEST**

The Director advised that correspondence had been received from NIE requesting the grant of wayleave over Council controlled land at Crosstagherty in order to supply electricity to an individual home opposite on the Burnquarter Road.

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

*to recommend that Council grant in principal, subject to the usual conditions, the wayleave sought.*

## **MATTERS FOR INFORMATION**

### **ENVIRONMENTAL SERVICES**

#### **385.11 MUNICIPAL WASTE RETURNS**

<b><u>Waste Type</u></b>	<b><u>Sept 2011</u></b>	<b><u>Sept 2012</u></b>	<b><u>Apr 11 – Sept 11</u></b>	<b><u>Apr 12 – Sept 12</u></b>
Mixed Residual Waste (waste direct to landfill)	734.30t	577.06t -21.41%	4,501.16t	4,237.52t -5.86%
Mixed Dry Recyclables (blue bin recycling)	141.26t	143.22t +1.39%	849.15t	912.83t +7.50%
Garden Waste (brown bin recycling)	144.78t	128.14t -11.49%	1,089.82t	950.30t -12.80%
Waste Recovery (segregated HRC waste)	55.26t	68.68t +24.29%	428.30t	435.04t 1.57%
Cardboard	5.86t	3.40t -41.98%	37.85t	26.68t -29.51%
Timber	32.06t	17.20t -46.91%	181.14t	138.96t -23.29%

At the meeting the Director commented on the September 2012 figures.

#### **385.12 PROMOTING RECYCLING IN THE BOROUGH**

Council staff have been placing stickers on every black bin over the past 6 weeks notwithstanding the very inclement weather. These stickers outline the range of materials accepted in blue bins. The response has been very positive and there have been opportunities to discuss changes with householders on the doorstep. This is the first stage in what will be an ongoing campaign to heighten awareness of the need to manage waste arising in the home. The Recycling and Education Officer is delivering a number of presentations to youth groups and is available to talk to any group. A series of articles are planned for the local press and the Council's website will be updated. WRAP NI, the Waste and Resources Action Programme, funded by the DOE, is providing some staff support in designing this campaign which will increase awareness of the range of recyclable materials, what happens to the materials once collected and how householders can become more involved in waste reduction or reuse.

Councillor Robinson felt that placing the information on the range of materials accepted in the blue bins on the reverse of the letter advising residents on the last brown bin collection dates for 2012 was a very good initiative at little cost.

### **385.13 INCREDIBLE EDIBLE CLOUGHMILLS – RAISING THE PROFILE OF BALLYMONEY BOROUGH COUNCIL**

Incredible Edible Cloughmills continues to build on a highly successful year. Recently, it has been used as a case study when the Chartered Institute of Environmental Health met the Environment Committee at Stormont, one of only three case studies used. The Recycling and Education Officer along with Patrick Frew delivered a presentation on the impacts of Council & community partnerships at Stormont as part of a review by Linking Generations NI. The event was hosted by the Justice Minister, Mr David Ford and attended by a cross section of opinion formers within Northern Ireland. This same partnership also delivered a presentation at an event organized by NICHI – Networks Involving Communities in Health Improvement, a project covering the entire Northern Health Trust area. Incredible Edible Cloughmills was the only case study featured at the event and was used as a reference on numerous occasions during a follow up speech by Dr Michael McBride, the Chief Medical Officer who also expressed a desire to visit Cloughmills.

These three events indicate that the work being undertaken in Cloughmills in partnership with Council is being recognized as unique in a Northern Ireland context. It reflects well on Council even at this early stage as the project continues to expand.

Councillor Atkinson congratulated Mr Patrick Frew and all those involved in the Incredible Edible Cloughmills project on their work.

## **FOOD CONTROL AND HEALTH & SAFETY**

### **385.14 QUALITY AND PERFORMANCE MATRICES – 2011-2012**

The Chief Environmental Health Officer Group has advised by correspondence dated 25<sup>th</sup> September 2012, the quality performance and matrix grades in respect of both the Food and Health & Safety services. These are reproduced in the table below:-

2011 - 2012	FOOD			HEALTH & SAFETY		
	Manageme nt	Performanc e	Revie w	Manageme nt	Performanc e	Revie w
	A	A	A	B	A	A

It will be these grades that will be provided to the Department of Environment.

Councillor Atkinson congratulated the Director and officers concerned.



## DOG LICENSING

### 385.15 DOGS TRUST MICROCHIPPING ROADSHOW

Dogs Trust, in partnership with Ballymoney Borough Council, is hosting a Microchipping Roadshow from Tuesday 30<sup>th</sup> October to Friday 2<sup>nd</sup> November 2012. This follows the success of previous roadshows when uptake by local dog owners has been the highest in Northern Ireland. To date almost 1,000 dogs have been microchipped at the roadshows. Microchipping allows owners to licence their dog in accordance with the new dog licensing requirements introduced in April 2012.

Owners will be able to get their dog microchipped and registered free of charge, with Dogs Trust staff on hand to give advice.

The roadshow will be visiting various locations throughout the Borough on the following dates;

Tuesday 30<sup>th</sup> October 2012: Riverside Park, Armour Avenue, **Ballymoney**,  
10.00am – 12.30pm

Tuesday 30<sup>th</sup> October 2012: The Corner, Main Street, **Cloughmills**,  
1.00pm – 3.00pm

Wednesday 31<sup>st</sup> October 2012: Main St (Willowbank Terrace), **Stranocum**,  
10.00am -12.30pm

Wednesday 31<sup>st</sup> October 2012: Millennium Centre, Lough Road, **Loughgiel**,  
1.00pm - 3.00pm

Thursday 1<sup>st</sup> November 2012: Fulton Park Recreation Grounds, **Balnamore**,  
10.00am -12.30pm

Thursday 1<sup>st</sup> November 2012: Fullans Supermarket, Main Street, **Rasharkin**,  
1.00pm – 3.00pm

Friday 2<sup>nd</sup> November 2012: Riverside Park, Armour Avenue, **Ballymoney**,  
10.00am – 3.00pm

## LICENSING

### 385.16 LICENSING (NORTHERN IRELAND) ORDER 1996

<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Daniel Stevenson and Bobbie Gray, Fullerton Arms, Main Street, BALLINTOY.	Application for an Occasional Licence at Stranocum Community Centre on 27/10/12 (7.30pm – 1.30am)	17/9/12
C & R Wines Limited, Unit 2, 4 Milltown Road, BALLYMONEY.	Declaration of Final Grant of a Licence where Grant has been Provisional.	11/10/12

## **TOBACCO CONTROL**

### **385.17 TOBACCO ADVERTISING AND PROMOTION ACT 2002 (AS AMENDED) THE TOBACCO ADVERTISING AND PROMOTION (DISPLAY) REGULATIONS (NORTHERN IRELAND) 2012 THE TOBACCO ADVERTISING AND PROMOTION (DISPLAY OF PRICES) REGULATIONS (NORTHERN IRELAND) 2012 THE TOBACCO ADVERTISING AND PROMOTION (SPECIALIST TOBACCONISTS) REGULATIONS (NORTHERN IRELAND) 2012**

The law on the display of all products containing tobacco and the display of tobacco prices in Northern Ireland is changing. From 31 October 2012, the new law will affect large shops selling tobacco products (other than specialist and bulk tobacconists). All other shops and businesses selling tobacco products (including bulk tobacconists and specialist tobacconists) will be affected from 6 April 2015.

A 'large shop' is deemed to be a premise with shop-floor space in excess of 280m<sup>2</sup> (or approximately 3,000sq ft.). The new law applies to all businesses selling tobacco products to the public, not just shops but also, for example, "on-trade" licensed premises such as pubs and clubs (the start date for any businesses such as these that are not shops is 6 April 2015).

From the above dates it will be illegal to display tobacco products in the relevant shops and businesses in Northern Ireland, except to people over the age of 18 years in the limited circumstances set out in the new law. Where appropriate, age checks must be carried out before any tobacco product is shown to a customer who asks to buy tobacco or asks for information about a tobacco product.

From the above dates, it will also be illegal to display the prices of tobacco products in the relevant shops and businesses in Northern Ireland, except in the formats set out in the new law.

All premises within the Borough identified as retailing/supplying tobacco products were considered and approaches made to those which were readily identified as 'large' or 'medium' size stores. As a result, 16 premises have been visited by the Councils' Tobacco Control Officer, 4 of which now need to comply with the requirements of the new legislation by 31<sup>st</sup> October 2012. Advice has been given to ensure that the businesses can meet the new requirements by the implementation date which included

- Displaying prices and labels in the designated format;
- Display of product on demand by a customer;
- Assessing stock levels and restocking;
- Cleaning, maintenance and refurbishment
- Removal of advertising.

It is proposed that guidance material will be provided on the Council's website as a reference for businesses including frequently asked questions.

**This being all the business the meeting closed at 7.50pm.**