

**BALLYMONEY BOROUGH COUNCIL  
HEALTH AND ENVIRONMENTAL SERVICES COMMITTEE MEETING No. 319  
25<sup>th</sup> July 2006**

**SUMMARY OF RECOMMENDATIONS**

**319.3 Director's Report, together with the recommendations contained therein be adopted -**

- Item 1            Air Quality Review and Assessment Addendum – Domestic Fuel Combustion - Stage 4 Air Quality Review and Assessment for Domestic Fuel combustion provided by NETCEN be incorporated into the Air Quality Updating and Screening Assessment dated April 2006 and that the existing monitoring programme be continued to substantiate these results and to that end a grant application be submitted to DOE EHS Air Quality Management Unit to cover expenditure.**
  
- Item 2            The Transmissible Spongiform Encephalopathies Regulations (NI) 2006 – Grant authorisation**
  
- Item 3            The Transmissible Spongiform Encephalopathies Regulations (NI) 2006 – revoke authorization.**
  
- Item 4            Renew Petroleum Spirit Licence**
  
- Item 5            Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 – renew Indoor Entertainment Licence**
  
- Item 6            Business of Tooting, ear piercing and Electrolysis – register person and business**
  
- Item 7            Cancel Officer Authorisation for Miss Margaret Sarah Elaine Stewart – Send letter to thank her for all her hard work and dedication whilst working to Ballymoney Borough Council**
  
- Item 8            Register Dog Breeding Establishments**
  
- Item 9 & 10      Renew Mobile Street Trading Licence**
  
- Item 11          Note Building Control Applications**
  
- Item 26          Send letter to Ms Colleen Macauley to thank her for all her hard work and dedication whilst working to Ballymoney Borough Council**
  
- 319.4            Fair Trade – Implement plan and promotional strategy**

**Committee Meeting No: 319 held in the McKinley Room, Riada House,  
Ballymoney, on 25<sup>th</sup> July 2006 at 4:30 pm**

**IN THE CHAIR**

Councillor E. Robinson

**PRESENT****Aldermen**

F. Campbell

C. Cousley

**Councillors**

A. Cavlan

M. McCamphill

D. McKay

T. McKeown

A. Patterson

I. Stevenson

**IN ATTENDANCE**Deputy Director of Borough Services  
Clerical Assistant**319.1 APOLOGIES**

Apologies were received from Councillor Finlay, Councillor McGuigan, Councillor Storey and Councillor Wilson.

**319.2 MINUTES OF MEETING NO. 318 – 27<sup>th</sup> June 2006**

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

*that the minutes of Committee Meeting No. 316 held on 27<sup>th</sup> June 2006, as circulated, be confirmed as a correct record.*

**319.3 DIRECTOR OF BOROUGH SERVICES' REPORT TO THE HEALTH & ENVIRONMENTAL SERVICES COMMITTEE, BALLYMONEY BOROUGH COUNCIL 14<sup>TH</sup> JULY 2006**

**MATTERS FOR CONSIDERATION****ENVIRONMENTAL PROTECTION****1. Air Quality Review and Assessment Addendum- Domestic Fuel Combustion**

Further to Committee minute 318.5.3, members will recall that work was continuing on a stage 4 review and assessment for PM<sub>10</sub>. The consultant's report has now been received. Computer modelling was based on the conversion of approximately 360 dwellings across the modelled area (within the current AQMA) to gas as their primary fuel source. The report concludes that an exceedance of regulated objectives is not predicted **provided a conversion to gas in the order previously mentioned is implemented.** The existing monitoring programme should be continued in order to provide data to substantiate these model results.

The Directorate are continuing to work closely with NIHE to encourage gas conversion to ensure the 2010 air quality targets are met.

**IT IS RECOMMENDED** that the stage 4 Air Quality Review and Assessment for Domestic Fuel combustion provided by NETCEN be incorporated into the Air Quality Updating and Screening Assessment dated April 2006.

**IT IS FURTHER RECOMMENDED** that the existing monitoring programme be continued to substantiate these results and to that end a grant application be submitted to DOE EHS Air Quality Management Unit to cover expenditure.

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

**to recommend to Council that the Stage 4 Air Quality Review and Assessment for Domestic Fuel combustion provided by NETCEN be incorporated into the Air Quality Updating and Screening Assessment dated April 2006 and that the existing monitoring programme be continued to substantiate these results and to that end a grant application be submitted to DOE EHS Air Quality Management Unit to cover expenditure.**

## FOOD CONTROL

### 2. The Transmissible Spongiform Encephalopathies Regulations (NI) 2006

#### **Authorisation to remove Specified Risk Material (Bovine Vertebral Column) from Animals aged 24-30 Months in Butchers Shops**

Further to Committee Minute HES 315.3.15, applications have been received from 2 butchers within the Borough to enable them to remove bovine vertebral column (VC) and specified risk material from 24-30 month cattle.

The premises are:

<b>Name of Premises</b>	<b>Applicant name/Address</b>	<b>Date Received</b>	<b>Application</b>
JD Hart & Sons	Brian Hart 64 Main Street Ballymoney	08.05.06	
Choice Cuts	David Millar 30 Main Street Ballymoney	25.05.06	

Officers from this department are satisfied that suitable procedures are in place to comply with the requirements of the above regulations.

**IT IS RECOMMENDED** that the council grant authorisation to the above butchers to enable them to remove Specified Risk Material from animals aged 24-30 months under the Transmissible Spongiform Encephalopathies Regulations (NI) 2006, paragraph 14, Schedule 6.

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

to recommend that Council grant authorisation to the above butchers to enable them to remove Specified Risk Material from animals aged 24 - 30 months under the Transmissible Spongiform Encephalopathies Regulations (NI) 2006, paragraph 14, Schedule 6.

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3. **The Transmissible Spongiform Encephalopathies Regulations (NI) 2006**

**Revocation to remove Specified Risk Material (Bovine Vertebral Column) from Animals aged 24-30 Months in Butchers Shops**

Council should note that George Backus, 73 Main St, Ballymoney, who holds an authorisation to remove Specified Risk Material (SRM) is no longer operating. Therefore in accordance with Regulation 9, paragraph 1c of the Transmissible Spongiform Encephalopathies Regulations (NI) 2006 the premises authorisation should be revoked.

***IT IS RECOMMENDED*** that the council revoke the authorisation held by Mr George Backus, 73 Main St, Ballymoney as the premises has closed and is no longer used for the purposes of SRM removal.

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

to recommend that Council revoke the authorisation held by Mr George Backus, 73 Main Street, Ballymoney as the premises has closed and is no longer used for the purposes of SRM removal.

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## HEALTH & SAFETY AT WORK

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**

PM Services  
254 Frocess Road  
Cloughmills  
BALLYMENA  
BT44 9PX

**Applicant**

Mr Patrick Molloy

***IT IS RECOMMENDED*** the above licence be renewed.

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

to recommend that Council renew the above licence.

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## LICENSING

### 5. Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 - LICENCE APPLICATION (14 UNSPECIFIED DAYS) (RENEWAL)

#### Premises

St Patricks Parochial  
Hall  
77 Castle Street  
BALLYMONEY  
BT53 6JT

#### Applicant

Rev P O Forde, PP  
81 Castle Street  
BALLYMONEY  
BT53 6JT

***IT IS RECOMMENDED*** that the Borough Council renew the Indoor Entertainments Licence 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 file also apply.

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

**to recommend that Council renew the Indoor Entertainments Licence as detailed above.**

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### 6. The Business of Tattooing, Ear Piercing and Electrolysis – Registration of Persons and Premises – Part V Provisions

#### Applicant

Ms Hazel Cochrane  
(Electrolysis/Ear Piercing)

#### Premises

17A Navery Road  
BALLYMONEY  
BT53 8NN

***IT IS RECOMMENDED*** that the above-mentioned person and business be registered accordingly.

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

**to recommend that Council register the above person and business.**

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## OFFICER AUTHORISATION

### 7. Cancellation of Officer Authorisation

Members are advised that Miss Margaret Sarah Elaine Stewart, District Environmental Health Officer, tendered her resignation from the post on the 28th June with effect from the 31st July 2006. She has accepted a similar post with Antrim Borough Council. The filling of this permanent post is the subject of a separate report to the Finance and General Purposes Committee.

**IT IS RECOMMENDED** that Council formally revoke this officer's instrument of appointment, Committee minutes 247.2.12, 252.10.1, 256.3.14.2, 288.3.11.1, 288.3.11.2, 293.4.47 and 312.4.22 refer.

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

**to recommend that Council formally revoke this officer's instrument of appointment, Committee minutes 247.2.12, 252.10.1, 256.3.14.2, 288.3.11.1, 288.3.11.2, 293.4.47 and 312.4.22 refer.**

**that a letter of thanks be written to Miss Stewart for her work and dedication during her time at Ballymoney Borough Council.**

## **DOG CONTROL**

### **8. 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:-

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
Mr John Campbell	4 Donaghbrook Drive, Ballymoney, BT53 7EQ.
Mr John McNaughton	185 Corkey Road, Loughguile, Ballymena, BT44 9JQ

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

Declaration  
of Interest

Alderman Campbell declared an interest before this discussion due to the fact that he is related to Mr John Campbell and left the room.

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

**to recommend that Council register the above mentioned premises accordingly.**

## **STREET TRADING**

### **9. Mobile Street Trading Licence**

Application has been received for the renewal of Mobile Street Trading Licence as follows:-

<b><u>Name</u></b>	<b><u>Address</u></b>	<b><u>Articles to be Sold</u></b>	<b><u>Fee Paid</u></b>
Mrs Drina Stewart	44 Margaret	Ice Cream/	£130.00

Avenue Confectionery  
 BALLYMONEY  
 BT53 6BY

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

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

**to recommend that Council renew the Mobile Street Trading Licence.**

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#### 10. **Mobile Street Trading Licence**

Application has been received for the renewal of a Mobile Street Trading Licence as follows:-

<b><u>Name</u></b>	<b><u>Address</u></b>	<b><u>Articles to be Sold</u></b>	<b><u>Fee Paid</u></b>
Mr Stephen Laverty	9 Royal Terrace Balnamore BALLYMONEY BT3 7PZ	Hot Food	£130-00

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

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

**to recommend that Council renew the Mobile Street Trading Licence.**

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## **BUILDING CONTROL**

#### 11. **Building Control Applications**

***IT IS RECOMMENDED*** that Council note the **Applications, Building Notices and Regularisation Certificates** as detailed in Appendix 1 (page 11) to this report, which are in accordance with the requirements of the Building Regulations (NI) 2000.

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

**to recommend that Council note the Applications, Building Notices and Regularisation Certificates as detailed in Appendix 1 (page 11) to this report, which are in accordance with the requirements of the Building Regulations (NI) 2000.**

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## **MATTERS FOR INFORMATION**

### **ENVIRONMENTAL SERVICES**

#### **12. Arena Network Environmental Management Survey**

Arena Network have recently advised of the results of their 8<sup>th</sup> Annual Environmental Management Survey. I am pleased to advise that the Borough Council, through the Directorate were awarded an overall score of 74.3% compared to the Northern Ireland average of 67% and a sector average of 54%. As a result the Council have achieved a position within the second quintile.

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#### **13. Municipal Waste Returns**

<b><u>Waste Type</u></b>	<b><u>June 2006</u></b>	<b><u>Year to Date</u></b>
Mixed Residual Waste (waste to landfill)	1,033.02t +2.81%	3,023.20t +2.03%
Mixed Dry Recyclables (blue bin recycling)	123.72t +1.58%	371.88t +3.83%

Members discussed these figures which they felt were commendable but suggested that the Director could look to see if there was any grant aid available for re-education of usage of blue bins.

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### **ENVIRONMENTAL PROTECTION**

#### **14. Drinking Water Quality Report 2005**

Water Service have recently issued the above report showing an overall summary of water supplied in Northern Ireland by the agency during 2005. The report is produced in accordance with the requirements of the Water Supply (Water Quality) Regulations (NI) 2002.

The report shows that the drinking water supplied by Water Service has improved its compliance from 98.65% in 2004 to 99.02% in 2005 with respect to the regulatory standards.

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#### **15. Water (NI) Order 1999 Consent to Discharge**

The Department of Environment, EHS Water Management Unit, have issued a consent to discharge, consent No 236/06 to J.G. Bradley Ltd, Craigall Quarry, Cullyrammer Road, Kilrea, BT51 5YF. This allows discharge to a waterway in the event of an emergency only from a pumping station serving a housing development at the former supermarket site, Meetinghouse Street, Ballymoney, BT53 6JN. The consent issued is subject to a number of conditions.

Councillor Cavlan requested that the EHS be contacted with reference to the dumping of sewage sludge at Avro to find out how they monitor this and what tests



are carried out on this sewage sludge. It was agreed that the Assistant Director of Borough Services should request this information before Council Meeting on 7<sup>th</sup> August.

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## **FOOD CONTROL**

**16. Statutory Food Law Code of Practice and associated Practice Guidance for Northern Ireland**

The FSA NI have now finalised and issued the above Code of Practice and associated guidance for Northern Ireland. The documents run to 177 and 203 pages respectively and give guidance on the operation and management of the food service delivery and enforcement function. A number of changes have been made since the last draft versions (August and December 2005). These are currently being incorporated into departmental procedures to ensure compliance. The COP and Practice Guidance may be accessed at <http://www.food.gov.uk/enforcement/foodlaw/copni>

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**17. Outbreak of Foot and Mouth Disease in Botswana**

DARD NI have advised of Declaration D29/06, prohibiting meat including offal derived from bovine, ovine and caprine animals slaughtered after 20<sup>th</sup> April 2006 from region BW-1 in Botswana. The declaration came into force at 1200 hours on the 23<sup>rd</sup> June 2006.

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**18. The Plastic Materials & Articles in Contact with Food Regulations (Northern Ireland) 2006**

The above Regulations made on the 5<sup>th</sup> June came into effect on the 1<sup>st</sup> July. The legislation revokes and replaces the 1998 Regulations of the same title as amended and provides for the execution and enforcement of Commission Regulation EC No 1895/2005 on the restriction of use of certain epoxy derivatives in materials and articles intended to come into contact with food.

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**19. Miscellaneous Transferred Excise Duties Act (NI) 1972 – Tesco Game Licence**

Notice has been given to Council by solicitors acting on behalf of Tesco Stores Limited, Castle Street, Ballymoney of their intent to apply on Friday, 7<sup>th</sup> July 2006, for a Certificate under Section 36 of the Miscellaneous Transferred Excise Duties Act (NI) 1972 authorising the issue of a licence to deal in game at their premises.

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**20. Food Hygiene Training**

During the report period 1 no. food hygiene course was delivered by the Department. A total of 11 candidates achieved a pass grade.

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**HEALTH & SAFETY AT WORK****21. The Management of Health and Safety at Work (Amendment) Regulations (Northern Ireland) 2006**

The above Regulations made on the 8<sup>th</sup> June, came into effect on the 17<sup>th</sup> July 2006. They make amendments to the 2000 Regulations of the same title concerning civil liability. The effect of a previous amendment was to permit civil claims to be brought against employers and employees who are in breach of duties imposed on them by those regulations but the amendment provided that claims could not be brought against employers insofar as the duty applies for the protection of persons not in their employment, that is third parties. The effect of these regulations is to extend to employees that protection against claims by third parties, in circumstances where employees may owe a duty to third parties under regulation 14 of the 2000 Regulations.

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**22. Plant Protection Products (Amendment) Regulations (NI) 2006**

DARD NI have recently made the above Regulations which amend Schedule 1 of The Plant Protection Products Regulations (NI) 2005. The amendment authorises a further eleven (11) active substances used in plant protection products.

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**ENVIRONMENTAL HEALTH GENERAL****23. The Unauthorised Encampments (Northern Ireland) Order 2005**

The above legislation came into effect on the 19<sup>th</sup> July 2006. Its introduction had been deferred until the Northern Ireland Housing Executive had provided an adequate number of transit or emergency halting sites. The Department for Social Development has recently issued a guide to the order for public authorities or other parties that may be involved in dealing with issues relating to unauthorised encampments. The Order gives the Police power to direct people who camp illegally to leave land and to remove vehicles and other property in certain circumstances. Those who fail to comply may have their vehicles seized and if prosecuted, face imprisonment and a fine of up to £2500. A copy of the guide has been placed in the members' room for information.

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## INVESTING FOR HEALTH

### 24. Tackling Fuel Poverty : A Partnership Approach.

The Department for Social Development has recently issued the first annual report of the Northern Ireland Fuel Poverty Advisory Groups' work. The report identifies the substantial progress made to date and the challenges across government departments to develop or adjust policy in order to eradicate fuel poverty. The report will inform the work and priorities of the inter departmental group on fuel poverty and will encourage that group to look differently on fuel poverty and to respond by developing initiatives that address the dynamics which have a causal relationship in respect of fuel poverty, i.e. the energy efficiency of dwellings, the price of energy and household income. The report outlines 37 recommendations. The document may be accessed at [www.dsdni.gov.uk/dsd\\_tac\\_fuel\\_poverty.pdf](http://www.dsdni.gov.uk/dsd_tac_fuel_poverty.pdf)

### 25. Tackling Fuel Poverty: the Inter Departmental Group Report.

The Department for Social Development in conjunction with the above has issued the first inter-departmental group report on fuel poverty. The report outlines the achievements since the launch of the Northern Ireland Fuel Poverty Strategy in November 2004. Fuel Poverty is the inability to heat a home to an acceptable level for reasons of cost and can be attributed to three factors:- income, energy efficiency and energy costs. In 2005/06 the fuel poverty strategy has been taken forward through a range of programmes including:

- Warm Homes Schemes
- Energy Efficiency Partnership Schemes
- Social Housing New Build Programme
- Housing Executive and Housing Association house improvement and maintenance programmes
- Payment of benefits-including Winter Fuel Payment and implementation of programmes to encourage benefit uptake.

An action plan for the next twelve months is included in the report setting targets for individual Departments. £120 Million will be directed towards schemes and programmes that will directly contribute to the eradication of fuel poverty in the 06/07 financial year. The full report may be downloaded at [www.dsdni.gov.uk/fuel\\_poverty](http://www.dsdni.gov.uk/fuel_poverty)

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## STAFF MATTERS

### 26. Resignation of Temporary Community Safety Coordinator

Members are advised that Ms Colleen Macauley has tendered her resignation from the above post on the 30<sup>th</sup> June with an effective date 31<sup>st</sup> July 2006. She takes up the post of Community Relations Officer with the Irish Football Association on the 1<sup>st</sup> August. The filling of this contract position and its designation as a job share post is the subject of a separate report to the Finance and General Purposes committee.

It was agreed that a letter of thanks be written to Ms Macauley for her work and dedication during her time at Ballymoney Borough Council.

## LICENSING (NORTHERN IRELAND) ORDER 1996

27.	<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
	Lorna E Savoury The Anglers Rest 139 Vow Road BALLYMONEY	Occasional Licence (Ballymoney Showgrounds, 26/8/06 from 8.00pm to 1.00am) (Finvoy Young Farmers Club)	27/6/06

- Councillor Stevenson arrived during this discussion at 5:30 pm
- Councillor McKeown left during this discussion at 5:30 pm

## DOG CONTROL

### 28. Seizure of Dogs of the type known as "The Pit Bull Terrier"

On 6 July 2006 in response to three complaints received by this department the Council's Environmental Warden seized two dogs of the said type from an address in Dervock. On 10 July 2006 a person was interviewed in connection with the keeping of the dogs. A third dog was also seized on 11 July 2006. Each of the dogs were positively identified as of the type known as "The Pit Bull Terrier" by an expert from the USPCA. The dogs are currently being cared for in kennels pending further enquiries. The matter will be fully reported to Council at a later stage.

### 29. Farm Collie Neutering Scheme

The Department reports that the initiative aimed at local farmers was a resounding success. Approximately 25 dogs were neutered or spayed as a result of the scheme. A display was placed and manned at the North Antrim Agricultural Show to raise awareness of the scheme which ran from 15<sup>th</sup> May 2006 to 26<sup>th</sup> June 2006. Correspondence has been forwarded to Dogs Trust thanking them for sponsoring this event and also to all the local vets that participated.

## COMMUNITY SAFETY

### 30. Knife Amnesty

A total of 886 items were handed in during the knife amnesty between 24 May and 14 June. The breakdown for this across District Council areas is;

Antrim: 26	Down: 4
Ards: 26	Dungannon/South Tyrone: 38
Armagh: 22	Fermanagh: 28
Ballymena: 29	Larne: 26
Ballymoney: 23	Limavady: 22
Banbridge: 63	Lisburn: 62
Belfast: 102	Magherafelt: 11
Carrickfergus: 31	Moyle: 8
Castlereagh: 35	Newry and Mourne: 8
Coleraine: 42	Newtownabbey: 46
Cookstown: 17	North Down: 48

Craigavon: 40

Omagh: 33

Derry City: 33

Strabane: 7

The other 56 items were surrendered to bins managed by the Harbour police and Ministry of Defence.

Ballymoney ranked 18<sup>th</sup> out of the 26 council districts and is comparable to Ards, Antrim, Larne, Fermanagh and Ballymena. This indicates significant success for the 3-week duration of the Amnesty.

During the report the Deputy Director responded to members questions. He undertook to seek information from EHS Waste Management licencing in respect of disposal activity within the Borough.

#### **319.4 FAIR TRADE**

Councillor McKay asked if a check had been made to see whether there was the £1,000 initially required in a corporate budget to fund the Fairtrade Implementation Plan and Promotional Strategy.

The Assistant Director of Borough Services reported that there was money in the Departmental Budget to cover this implementation plan and promotional strategy and that money for Fair Trade Products would be covered by the hospitality budgets in each department.

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

**to recommend that Council implement the Fairtrade Plan and Promotional Strategy.**

There being no further business the meeting closed at 6 pm