

**BALLYMONEY BOROUGH COUNCIL
HEALTH & ENVIRONMENTAL SERVICES COMMITTEE
MEETING NO. 318 - 27TH JUNE 2006**

SUMMARY OF RECOMMENDATIONS

- 318.1 ELECTION OF CHAIR - Councillor Robinson
- 318.2 ELECTION OF VICE CHAIR Councillor McCamphill
- 318.4 MINUTES OF MEETING NO. 316 – 23rd May 2006 - approved
- 318.5.1 - Vehicle Tenders
Accept tender from Castlereagh Motor, £140,823 for a Mercedes Econic chassis fitted with a Farid Sport series 22 body.
- 318.5.2 - Municipal Waste Returns
(a) Write to the Department of Environment and insist that a Waste Characterisation Study be carried out without further delay.
(b) write to Tesco's seeking the introduction of bio-degradable bags and not those which are cheaper and will cause environmental damage; and copy to DOE.
- 318.5.5 - Noise Complaint: Existing Commercial Business Without Planning Permission.
notice be served on the owner of the commercial premises under Article 38(1) of the Pollution Control and Local Government (NI) Order 1978 requiring the abatement of the noise nuisance, and that a time period of 56 days (8 weeks) for compliance be given.
- 318.5.10 - Application for Re-Approval of a Dairy Products Premises under Regulation (EC) No.853/2004. - Causeway Cheese Company, Unit 1, Loughgiel Millennium Centre, Lough Road, Loughgiel, Ballymena, BT44 9JN. approved
- 318.5.11 - Application for Re-Approval of Meat Products Premises under Regulation (EC) No.853/2004. - McKeown Fine Foods, 296 Townhill Road, Rasharkin, Ballymena, BT44 8RW. - approved
- 318.5.12 - Food Complaint No. FC/805/C/02/06 – Alleged maggot in yoghurt -
No further be taken other than informing the complainant in writing of the outcome of the investigation.
- 318.5.13 - Review of Borough Food Safety Plan 2005-2006
Review to be published on the Council's website.
- 318.5.14 - Petroleum (Regulation) Acts (Northern Ireland) 1929 and 1937
Petroleum Spirit Licence (Renewal) - licenses renewed.
- 318.5.15 - Review of Borough Health and Safety Plan 2005-06 –
Review to be published on the Council's website.
- 318.5.16 - Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985
Licence Application (Full) Renewal Village Inn Dunloy approved
- 318.5.17 - Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985
Licence Application (14 Unspecified Days) - Stranocum Hall renewed.
- 318.5.18 - Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985
Licence Application (14 Unspecified Days (Grant) John Bartlett's Shed renewed.
- 318.5.19 - The Business of Tattooing, Ear Piercing and Electrolysis – Registration of
Persons and Premises – Part V Provisions - premises registered.

318.5.20 - Betting, Gaming, Lotteries & Amusements (NI) Order 1985

Application has been received from the undernoted Society for registration by the Borough Council (Article 136 of the 1985 Order refers):- Stranocum & District Community Association registered.

318.5.21 - Streetwise/Bee Safe 2006

Contribution £150 to St. Patricks Parish Church, in respect of the use of the Parish Centre for Streetwise/Bee Safe 2006; and letter to Mr Warner Kirkpatrick for his excellent work as regards the promotion of home safety in the Borough.

318.5.23 - Officer Authorisation – Mr Gareth Thomson DEHO

318.5.24 - Fair Trade - defer for one month to check budget provision.

318.5.26 - Building Regulations Administration Officer authorisation

J Michael Director of Borough Services.

318.5.27 - Authorisation of Group Building Control Officers - Building Control Officers employed by Derry City Council

318.6 WASTE MANAGEMENT GRANT SPEND

Defer the decision until the July 3rd Council meeting so that members could discuss the issue their party colleagues

318.7 NORTHERN GROUP SYSTEMS (ENVIRONMENTAL HEALTH) COMMITTEE

Councillor Mrs Robinson, Chair, appointed to take over this position from Councillor Finlay

**BALLYMONEY BOROUGH COUNCIL
HEALTH & ENVIRONMENTAL SERVICES COMMITTEE**

**Committee Meeting No: 318 held in the McKinley Room, Riada House,
Ballymoney, on 27th June 2006 at 7:30 pm**

IN THE CHAIR

The Mayor [item 1]
Councillor E. Robinson [from item 2]

PRESENT

Aldermen

F. Campbell
C. Cousley

Councillors

A. Cavlan
J. Finlay
B. Kennedy
M. McCamphill
P. McGuigan
D. McKay
T. McKeown
A. Patterson
I. Stevenson
R. Wilson

IN ATTENDANCE

Director of Borough Services
Clerical Assistant

The Director asked the Mayor if he would take the Chair for the Election of Chair.

31.8.1 ELECTION OF CHAIR

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

***that Councillor Robinson be elected Chair of the Committee for
the ensuing year.***

*Councillor Cavlan, Councillor McGuigan and Councillor McKay entered the meeting at 7:34 pm

318.2 ELECTION OF VICE CHAIR

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

***that Councillor McCamphill be elected Vice Chair of the
Committee for the ensuing year.***

318.3 APOLOGIES

Apologies were received from Councillor Storey.

318.4 MINUTES OF MEETING NO. 316 – 23rd May 2006

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

that the minutes of Committee Meeting No. 316 held on 23rd May 2006, as circulated, be confirmed as a correct record.

318.5 DIRECTOR OF BOROUGH SERVICES' REPORT TO THE HEALTH & ENVIRONMENTAL SERVICES COMMITTEE, BALLYMONEY BOROUGH COUNCIL 16TH JUNE 2006

ENVIRONMENTAL SERVICES

1. Vehicle Tenders

As Members are aware fixed price tenders were sought for the supply and delivery of 1 no. 26t GVW Side-Loading Refuse Collection Vehicle by 12.00 noon, Tuesday 6th June 2006. The 4 no. tenders received were opened by the Committee Chair and Director of Borough Services on 6th June 2006 and a schedule detailing the tenderers and products offered, together with an evaluation report is to be found as Appendix 1, page 14, to this report.

IT IS RECOMMENDED that Council accept the tender from Castlereagh Motors in the sum of £140,823 for a Mercedes Econic chassis fitted with a Farid Sport series 22 body.

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

to recommend that Council accept the tender from Castlereagh Motors in the sum of £140,823 for a Mercedes Econic chassis fitted with a Farid Sport series 22 body.

2. Municipal Waste Returns

| <u>Waste Type</u> | <u>May 2006</u> | <u>Year to Date</u> |
|---|------------------------|----------------------------|
| Mixed Residual Waste (waste to landfill) | 1,020.16t +0.3% | 1,990.18t +1.63% |
| Mixed Dry Recyclables (blue bin recycling) | 130.38t +9.99% | 248.16t -1.1% |

*Councillor Kennedy entered the meeting at 8 pm

In the ensuing discussion the Director responded to Members questions. He advised that Environment & Heritage Service had stated in the new NI Waste Management Strategy – 'Towards Resource Management' that it would undertake

a Waste Characterisation Study in 2006. He indicated that this may be very helpful to NI district councils, as more recent work in carried out on the mainland had given figures for biodegradable municipal waste of 68% and 63% whereas the NI 2000 survey figure for the province was 71%.

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

to recommend that Council write to the Department of Environment and insist that a Waste Characterisation Study be carried out without further delay.

The Chair informed the Committee that new plastic bags to be introduced by Tesco would not be bio-degradable as previously thought but would instead be degradable which means that they will just break up into small pieces. It was felt that this would not be good for the environment.

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

to recommend that Council write a letter to Tescos seeking the introduction of bio-degradable bags and not those which are cheaper and will cause environmental damage; and

that Council copy of this correspondence to the Department of the Environment.

ENVIRONMENTAL PROTECTION

3. Updating and Screening Assessment 2006

Ballymoney Borough Council is under a statutory obligation to review and assess air quality from time to time. This is known as local air quality management (LAQM).

The Council has already completed the first round of review and assessment of local air quality in April 2001 and has now undertaken the second round. A phased approach is used to review and assess air quality. The first stage of the review and assessment process is an updating and screening assessment. This identifies any changes that have occurred since the first round that may have an effect on air quality and which require a more detailed assessment.

An updating and screening assessment has been completed for Ballymoney Borough and has been circulated electronically to members. The conclusion of this report was that no further detailed assessments are required for any pollutants.

IT IS RECOMMENDED that Council note the conclusion of the updating and screening assessment that no further detailed assessments are required for any pollutants.

4. **Industrial Pollution Control (NI) Order 1997 Register Of Public Information**

The Industrial Pollution and Radiochemical Inspectorate has provided stock emission test results dated 4th May 2006 in respect of plant operated at Ballyboyland Quarry, Ballymoney for inclusion in the public register. The results were within the emissions limits.

5. **Noise Complaint: Existing Commercial Business Without Planning Permission.**

The department has received a complaint from an occupier of residential premises affected by noise from a commercial property adjacent. A number of visits have been made to the premises with a view to resolving the issue. The owner of the commercial premises had agreed in writing, dated 18th January 2006 to enclose the noise source thus reducing the impact on the neighbouring property. To date no works have been completed. The noise originates from a dust extraction unit located at the front of the commercial premises and approximately 45m from the façade of the complainants dwelling. BS 4142:1997, "Rating of Industrial Noise affecting Mixed Residential and Industrial Areas" rates the likelihood of complaints in terms of how far the intruding noise is above the background noise level. A difference of 10dB or higher indicates that complaints are likely.

Noise level measurements taken by this department were found as follows:-

Daytime

- | | |
|---|---------|
| (1) Level adjacent to the front entrance of complainants dwelling | 64dB(A) |
| (2) Background level (noise source inaudible) | 40dB(A) |

Determination of rating level in accordance with BS4142 : 1997.

| | | |
|----------------------------|------------------------|--------------|
| Specific Noise Measurement | LA _{eq} (5mm) | 64 dB |
| Character Correction | | +5 dB |
| Rating Level | | 69 dB |
| Background Level | LA ₉₀ (5mm) | <u>40 dB</u> |
| Assessment Level | 69 – 40 = | +29 |

Conclusion: Complaints very likely.

Council is asked to determine whether a statutory noise nuisance exists.

Where Council is satisfied that a statutory noise nuisance exists, or is likely to occur or recur, then Council shall serve a notice under Article 38(1) of the Pollution Control and Local Government (NI) Order 1978, requiring the abatement of the nuisance or prohibiting or restricting its occurrence or recurrence. The notice shall specify the time or times within which the requirements of the notice are to be complied with.

IT IS RECOMMENDED that a notice be served on the owner of the commercial premises under Article 38(1) of the Pollution Control and Local Government (NI)

Order 1978 requiring the abatement of the noise nuisance, and that a time period of 56 days (8 weeks) for compliance be given.

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

to recommend to Council that a notice be served on the owner of the commercial premises under Article 38(1) of the Pollution Control and Local Government (NI) Order 1978 requiring the abatement of the noise nuisance, and that a time period of 56 days (8 weeks) for compliance be given.

*Councillor Stevenson entered the meeting at 8:20 pm

FOOD CONTROL

NEW LEGISLATION

6. The Contaminants in Food Regulations (Northern Ireland) 2006

These Regulations which came into operation on 1st June make provision for the execution and enforcement of Commission Regulation (EC) No. 466/2001 setting maximum levels for contaminants in foodstuffs.

7. The Ceramic Articles in Contact with Food Regulations (Northern Ireland) 2006

The above Regulations which came into operation on 20th May 2006 and 2007, apply to ceramic articles which are intended to come into contact with food and set limits on the amount of lead and cadmium which may migrate from such articles.

8. Eat Safe Award Scheme – Changes to Scheme, Scope and Criteria.

The FSA have recently reviewed the above scheme's criteria to take account of the new food hygiene regulations and to allow more businesses to have access.

All catering operations in Northern Ireland, irrespective of whether members of the public have access to them or not, are now included within the scope of the scheme and are eligible to receive an award if they meet the criteria. Previously the award was limited to catering operations open to the public.

On the introduction of the Food Hygiene Regulations (NI) 2006, all catering businesses are required to meet higher food hygiene standards, specifically in respect of training in the application of HACCP principles. The Eat Safe assessment criteria have been amended to accommodate this additional training requirement and requires that all staff responsible for the development and maintenance of food safety management systems have received appropriate training in the application of HACCP principles. A further minor change has also been made to the criteria to reflect changes to the food hygiene training qualifications offered by the CIEH.

There are currently four premises within the Borough that have achieved the award and almost 200 province-wide.

9. Safer Food Better Business for Retailers (SFBB)

The FSANI have advised of the launch at the end of May 2006 of the Safer Food, Better Business pack for retailers. The pack developed by the FSA working with trade representatives, has been designed for small convenience stores, newsagents and health food shops who sell pre-packed food where the cold chain must be maintained. It includes a "cooking and preparation" section that covers specific activities that are commonly undertaken in small retail shops such as "baking off" bought in products and preparing ready to eat foods. A quantity of the packages are available through the Borough Services Directorate. Businesses may order packs free from the FSA publications helpline, 0845 606 0667, by email foodstandards@ecgroup.uk.com or downloading from the agency's website www.food.gov.uk/retail. The FSA are currently developing a training booklet for local authority enforcement officers on SFBB food safety management.

10. Application for Re-Approval of a Dairy Products Premises under Regulation (EC) No.853/2004.**Causeway Cheese Company, Unit 1, Loughgiel Millennium Centre, Lough Road, Loughgiel, Ballymena, BT44 9JN.**

Further to HES Committee Meeting 307 dated 30th August 2005 and Council Meeting 814 dated 5th September 2005 at which approval was originally granted for the operation of the above establishment, it is now necessary to re-approve these premises due to a change in food hygiene regulations from 1st January 2006. The premises have been inspected and comply with the relevant requirements of the Regulations.

IT IS RECOMMENDED that Council grant approval for Causeway Cheese Company, Unit 1 Loughgiel Millennium Centre, Lough Road, Loughgiel, Ballymena, BT44 9JN, to operate as a dairy products premises which complies with the relevant requirements of Regulation (EC) No. 853/2004.

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

to recommend that Council grant approval for Causeway Cheese Company, Unit 1 Loughgiel Millennium Centre, Lough Road, Loughgiel, Ballymena, BT44 9JN, to operate as a dairy products premises which complies with the relevant requirements of Regulation (EC) No. 853/2004.

11. Application for Re-Approval of Meat Products Premises under Regulation (EC) No.853/2004.**McKeown Fine Foods, 296 Townhill Road, Rasharkin, Ballymena, BT44 8RW.**

Further to HES Committee Meeting 225 dated 1st December 1998 and Council Meeting 604 dated 8th December 1998 at which approval was originally granted for the operation of the above establishment, it is now necessary to re-approve these premises due to change in food hygiene regulations from 1st January 2006. The

premises have been inspected and comply with the relevant requirements of the Regulations.

IT IS RECOMMENDED that Council grant approval for McKeown Fine Foods Ltd, 296 Townhill Road, Rasharkin, to operate as a meat products premises which complies with the relevant requirements of Regulation (EC) No.853/2004.

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

to recommend that Council grant approval for McKeown Fine Foods Ltd, 296 Townhill Road, Rasharkin, to operate as a meat products premises which complies with the relevant requirements of Regulation (EC) No.853/2004.

12. **Food Complaint No. FC/805/C/02/06 – Alleged maggot in yoghurt**

During the report period 1 no. formal food complaint investigation was completed. The complainant will be advised in writing as to the outcome of the department's investigation.

| <u>Ref. No.</u> | <u>Nature of Complaint</u> | <u>Date Received</u> |
|-----------------|----------------------------|----------------------|
| FC/805/C/02/06 | Alleged maggot in yoghurt | 18.05.06 |

IT IS RECOMMENDED that no further be taken other than informing the complainant in writing of the outcome of the investigation.

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

to recommend to Council that no further be taken other than informing the complainant in writing of the outcome of the investigation.

13. **Review of Borough Food Safety Plan 2005-2006**

A review of service delivery in respect of the food function has been completed in accordance with the above plan.

93% of planned food hygiene inspections were achieved. The overall number of 'A' risk premises has fallen from 10% to 3% during the year, primarily as a result of increased standards and confidence in management. 72 food standards inspections were completed. 20 were new premises, 43 were planned for in the year 2005/2006 and 9 were brought forward from the year 2006/2007.

The FSA had issued a change of advice as to how food standards premises were risk scored. As a result a number of premises have changed categories and inspection dates rescheduled. These will be included within this years planned inspection programme.

The department delivered a total of three foundation certificate courses in food hygiene (Level 1), two update courses and one intermediate course with 66 candidates being successful overall. It is intended that the revised CIEH courses, Level 2 award in food safety in catering be offered as part of an extended training programme by the department within the current year.

Two additional premises within the Borough achieved the provincial 'Eat Safe Award' promoted by the Food Standards Agency.

A total of 2061 officer hours were devoted to the delivery of the food service. Following the previous years review, a number of improvements were introduced to enhance internal monitoring and improve service delivery. The service was subject to an internal audit by officers from Northern Group Systems and additional recommendations are to be incorporated during the current plan to ensure continuous improvement. Further use has been made of the Councils website to promote food safety matters to the general public. It is intended to focus on this area during 2006-2007.

IT IS RECOMMENDED that this review be published on the Councils website.

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

to recommend to Council that this review be published on the Councils website.

HEALTH & SAFETY AT WORK

14. Petroleum (Regulation) Acts (Northern Ireland) 1929 and 1937 PETROLEUM SPIRIT LICENCE (RENEWAL)

Applications have been received for the renewal of petroleum spirit licences as follows:-

Premises

Route Service Station
8 Ballybogey Road
BALLYMONEY
BT53 6QD

Applicant

Mr Glenn Biesty

Premises

Tyco Healthcare (UK) Manufacturing
Ltd
20 Garryduff Road
BALLYMONEY
BT53 7AP

Applicant

Tyco Healthcare (UK) Manufacturing
Ltd

Paints and Components
13-17 Seymour Street

Mr Raymond Wallace

BALLYMONEY
BT53 6EQ

BKL Woodfinishers
Units 10/11 Acorn Business Centre
2 Riada Avenue
BALLYMONEY
BT53 7LH

Mr Taylor Woods

Riverside Self-Serve
2 Ballymena Road
BALLYMONEY
BT53 7AB

Mr Patsy Trolan

IT IS RECOMMENDED the above licences be renewed, and in the case of Paints and Components, subject to receipt of a fully completed electrical test certificate.

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

to recommend to Council that the above licences be renewed, and in the case of Paints and Components, subject to receipt of a fully completed electrical test certificate.

15. Review of Borough Health and Safety Plan 2005-06

Following completion of the annual return to the HSENI a review of the plan for the financial year 05-06 has been completed.

72% of all planned inspections were completed. This equated to 67% high risk and 75% of low risk premises. As an alternative enforcement strategy, two seminars were held targeting low risk premises. 22 businesses were represented with a number of businesses sending more than one employee. Those premises that did not accept the invitation to attend were issued with self-inspection questionnaires.

60 informal notices were issued detailing a range of health and safety contraventions. All reported accidents and complaints made to the department were investigated and a number of provincial initiatives following the HELANI Strategic Plan were supported. These included musculoskeletal disorders, stress management, falls from heights, care in the sun and noise control.

In partnership with Coleraine Borough Council, Moyle District Council, Northern Group Systems and the Northern Tobacco Control Group, a seminar was held to promote smoke free workplaces in advance of proposed smoke free legislation. Advice was given on the introduction of smoking policies award schemes and cessation support.

The CIEH foundation certificate in health and safety was again offered by the department with 7 candidates being successful. It is proposed to increase service delivery in line with demand during 2006-2007. A total of 883 hours were devoted to health and safety enforcement during the plan period. A number of improvements were put in place to improve service delivery during the year and this will continue during 2006-2007.

IT IS RECOMMENDED that this review be published on the Councils website.

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

**to recommend to Council that this review be published on the
 Council's website.**

INDOOR ENTERTAINMENT LICENSING

16. Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 - LICENCE APPLICATION (FULL) (RENEWAL)

Premises

The Village Inn
 1 Bellaghy Road
 Dunloy
 BALLYMENA
 BT44 9AE

Applicant

Messrs Patrick and Daniel
 Dixon

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licence 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 file also apply.

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

***to recommend to Council that the Borough Council renew the Indoor
 Entertainment's Licence 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 file also apply.***

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

Premises

Stranocum Hall
 Stables & Marquee
 139 Fivey Road
 Stranocum
 BALLYMONEY
 BT53 8HY

Applicant

Mr Wm W O'Neill

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

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

to recommend to Council that the Borough Council renew the Indoor Entertainment's Licence as detailed above at items 15 & 16, and 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.

18. Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 - LICENCE APPLICATION (14 UNSPECIFIED DAYS) (GRANT)

Premises

Applicant

John Bartlett's Shed
Adjacent to 21 Killyrammer Road
BALLYMONEY
BT53 8LZ

Kilyrammer & District Community
Association

IT IS RECOMMENDED that the Borough Council grant the Indoor Entertainment's Licence 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 McCamphill, seconded by Councillor Cavlan and **AGREED:**

to recommend to Council that the Borough Council renew the Indoor Entertainment's Licence as detailed above and in addition to the Borough Council's "Conditions of Licence" adopted on 7th October 1985 the additional conditions detailed on the premise file also apply.

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

Applicant

Premises

Ms Geraldine McErlain
(Electrolysis/Ear Piercing)

3A Silver Springs
Market Street
BALLYMONEY
BT53 6RD

Ms Isobel McHenry
(Electrolysis/Ear Piercing)

13A Main Street
BALLYMONEY
BT53 6AN

IT IS RECOMMENDED that the above-mentioned persons and businesses be registered accordingly.

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

to recommend to Council that the above-mentioned persons and businesses be registered accordingly.

BETTING, GAMING, LOTTERIES & AMUSEMENTS (NI) ORDER 1985

20. Application has been received from the undernoted Society for registration by the Borough Council (Article 136 of the 1985 Order refers):-

| <u>Society</u> | <u>Lottery Promoter</u> | <u>Fee</u> |
|---|--|------------|
| Stranocum & District Community Association | Mrs Elizabeth McIlhatton 88A Gracehill Road Stranocum BALLYMONEY BT53 8JD. | £35-00 |

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

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

to recommend to Council register the above-mentioned society.

HOME SAFETY

21. **Streetwise/Bee Safe 2006**

This event was held from 22nd – 25th May 2006 in the Parish Centre, Queen Street, Ballymoney. As in other years, P7 children were put through safety scenarios set up by HAP Ballymoney, Environmental Services, PSNI, Health Visitors, Fire & Rescue Service, DPP, Translink, NIE, Coastguard and for the first time students from the Ballymoney Campus of Causeway Institute.

Some 220 children attended the event and feedback has been very positive.

Permission is sought to make the usual donation to St. Patricks Parish Church as the Councils contribution to the running of the event.

IT IS RECOMMENDED that Council contribute £150 to St. Patricks Parish Church, in respect of the use of the Parish Centre for Streetwise/Bee Safe 2006.

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

to recommend that Council contribute £150 to St. Patricks Parish Church, in respect of the use of the Parish Centre for Streetwise/Bee Safe 2006; and

that a letter be written to Mr Warner Kirkpatrick for his excellent work as regards the promotion of home safety in the Borough.

LICENSING (NORTHERN IRELAND) ORDER 1996

| 22. | <u>Applicant</u> | <u>Purpose</u> | <u>Date</u> |
|-----|--|---|-------------|
| | James Stevenson Kelly's Bar 21 Church Street BALLYMONEY | Occasional Licence (Ballymoney Showgrounds, 2/6/06 from 11.30am to 1.00am 3/6/06 from 11.30am to 6.00pm) | 31/5/06 |
| | Noel Peacock Kosy Korner Linenhall Street BALLYMONEY | Occasional Licence (Stranocum Hall from 7.00pm on 24/6/06 – 1.00am on 25/6/06) | 1/6/06 |
| | Noel Peacock Kosy Korner Linenhall Street BALLYMONEY | Occasional Licence (Stranocum Hall from 9.00pm to 1.00am on 4/8/06 and 9.00pm to 1.00am on 5/8/06) | 13/6/06 |
| | James Stevenson Kelly's Bar 21 Church Street BALLYMONEY | Occasional Licence (Masonic Hall, 122 Vow Road, Ballymoney from 9.00pm to 12.00 midnight on 24/6/06) | 16/6/06 |

OFFICER AUTHORISATION

23. Gareth Thompson, District Environmental Health Officer, currently employed by Ballymena Borough Council is to be engaged for 4 weeks during the period 17th July to 13th October 2006 to provide service in the absence of one of the Councils own District Environmental Health Officers. In that regard, the following recommendations are made:-

That **Gareth Thompson**, District Environmental Health Officer

be authorised generally to exercise within the Ballymoney Borough the functions powers and duties exercisable by persons so authorised contained in the undernoted legislation or any amendment thereof made from time to time, or in any statutory instrument, regulation or byelaw made thereunder:-

The Public Health (Ireland) Acts 1878-1967
The Rag Flock Act 1911

The Rats and Mice (Destruction) Act 1919
 The Petroleum (Regulation) Acts (Northern Ireland) 1929 and 1937
 The Hairdressers Act (Northern Ireland) 1939
 The Caravans Act (Northern Ireland) 1963
 European Communities Act 1972
 The Local Government Act (Northern Ireland) 1972
 The Poisons (Northern Ireland) Order 1976
 The European Communities Poultry Meat (Hygiene) Regulations (Northern Ireland) 1977
 The Environment (Northern Ireland) Order 2002
 The Pollution Control and Local Government (Northern Ireland) Order 1978
 The Rent (Northern Ireland) Order 1978
 The Clean Air (Northern Ireland) Order 1981
 The Dogs (Northern Ireland) Order 1983
 The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985
 The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985
 The Materials in Contact with Food Regulations (Northern Ireland) 1987
 The Consumer Protection Act 1987
 The Cinemas (Northern Ireland) Order 1991
 The Food Safety (Northern Ireland) Order 1991 as amended. Any Orders or Regulations made thereunder or relating to the foregoing or having effect by the virtue of the European Communities Act 1972 and any modification or re-enactment to the foregoing.
 The Construction Products Regulations 1991
 The Litter (Northern Ireland) Order 1994
 The General Product Safety Regulations 1994
 Imported Food Regulations (NI) 1997
 Shops (Sunday Trading &c.) (Northern Ireland) Order 1997
 The Waste and Contaminated Land (Northern Ireland) Order 1997
 The Products of Animal Origin (Import and Export) Regulations 1998
 The Street Trading (Northern Ireland) Act 2001
 The Products of Animal Origin (Third Country Imports) (NI) Regulations 2002
 All Council Byelaws

and furthermore hereby indemnifies the above officer as provided for by Section 48 of the Local Government Act (Northern Ireland) 1972.

HEALTH & SAFETY

The Ballymoney Borough Council in exercise of the powers conferred on it by Article 21(1) of **The Health & Safety at Work (N.I.) Order 1978** hereby appoints

Gareth Thompson, District Environmental Health Officer

as an Inspector of Health & Safety for carrying into effect the relevant statutory provisions (as defined in that order) within the Councils field of responsibility and specifies that he may in that connection exercise the powers conferred on an inspector by Article 22(2)(a) to (m) inclusive and furthermore hereby also indemnify the aforesaid officer as provided for by Article 28 of the said order.

FOOD and ENVIRONMENT PROTECTION ACT

Having been authorised by the Department of Agriculture for Northern Ireland under Section 19(1) of **The Food and Environment Protection Act 1985** to enforce part III of the Act the Ballymoney Borough Council in exercise of its powers

under Section 47(A) of the Local Government Act (Northern Ireland) 1972 hereby delegates to the undernoted officer:-

Gareth Thompson, District Environmental Health Officer

all those powers conferred upon it by the aforesaid authorisation, and furthermore hereby also indemnifies the aforesaid officer as provided for by Section 48 of the 1972 Act.

IT IS FURTHER RECOMMENDED that the said officer be provided with a duly authenticated warrant card as proof of identification and authorisation when carrying out official duties. The Authorisation will expire on Friday 13th October 2006.

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

to recommend to Council that Mr Gareth Thompson, District Environmental Health Officer be authorised as above.

FAIR TRADE

24. At its meeting on 5th June 2006 (CM 841) Council adopted a Fair Trade Policy. The policy tasked the Council's Director of Borough Services to devise a Fairtrade Implementation Plan. This has been done and the Fairtrade Implementation Plan/Promotional Strategy is to be found as Appendix 2 (page 15) to this report.

IT IS RECOMMENDED that Council adopt the Fairtrade Implementation Plan/Promotional Strategy.

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

to defer any decision until next month, in order that a check be made to see whether there was the £1,000 initially required in a corporate budget to fund the Fairtrade Implementation Plan & Promotional Strategy.

BUILDING CONTROL

25. **Building Control Applications**

IT IS RECOMMENDED that Council note the **Applications, Building Notices and Regularisation Certificates** as detailed in Appendix 3 (page 16) to this report, which are in accordance with the requirements of the Building Regulations (NI) 2000.

26. Building Regulations Administration

Following Council decisions on re-structuring, a review of the arrangements which are necessary for the efficient and effective delivery of the building control function has been undertaken.

It is proposed, as is presently the case, that the determination of applications made to Council and associated matters under the Building Regulations (NI) 2000 and other relevant legislation be undertaken by officers with delegated authority. Council is empowered under the Building Regulations (NI) Order 1979 (as amended) to pass or reject plans submitted under Building Regulations. The decision to pass or reject is a purely technical matter, as plans which show compliance with the Regulations must be approved and those which do not must be rejected.

IT IS RECOMMENDED that Ballymoney Borough Council in exercise of its powers under Section 47(A) of the Local Government Act (Northern Ireland) 1972 delegates to

JOHN CAMPBELL MICHAEL, Director of Borough Services

its authority under the Building Regulations (NI) Order 1979 (as amended) to

- (1) pass or reject plans submitted;
- (2) approve building notices;
- (3) issue notices of contravention; and
- (4) issue regularisation and completion certificates;

and furthermore hereby also indemnifies the aforesaid officer as provided for by Section 48 of the 1972 Act.

IT IS FURTHER RECOMMENDED that in accordance with the provisions of Section 47(A) and 124 of the Local Government Act (Northern Ireland) 1972 that where Council is empowered to issue documents associated with the administration of the Building Regulations, that **JOHN CAMPBELL MICHAEL, Director of Borough Services**, be duly authorised to authenticate notices, orders or other documents and that he has the authority to duly authorise other officers under his direction to authenticate notices, orders or other documents and Council hereby also indemnifies these officers as provided for by Section 48 of the 1972 Act.

As it presently the case decisions made as regard Building Regulations administration will be reported to Council in retrospect by the Director of Borough Services.

Should it be necessary to institute legal proceedings this will be initiated by report to Council in order to seek its specific authority.

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

to recommend to Council that the Director of Borough Services, Mr John Michael be authorized as above.

27. Authorisation of Group Building Control Officers

Under the provisions of the Local Government (Employment Group Building Control Staff) Order (Northern Ireland) 1994 Council may authorise Group Building Control Officers to undertake, as may be required, any building control function that may be carried out by an officer employed directly by Council.

When so engaged such officers will work under the direction of this Council's Director of Borough Services and the Head of Building Control.

IT IS RECOMMENDED that Councils authorise Building Control Officers employed by Derry City Council under the Local Government (Employment of Group Building Control Staff) Order (Northern Ireland) 1994, to undertake any building control function exercisable by an officer of Ballymoney Borough Council within the Borough of Ballymoney.

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

to recommend that Council authorise Building Control Officers employed by Derry City Council under the Local Government (Employment of Group Building Control Staff) Order (Northern Ireland) 1994, to undertake any building control function exercisable by an officer of Ballymoney Borough Council within the Borough of Ballymoney.

28. Building Control Service Delivery

A review of how best to deliver the Councils building control function has been undertaken. As Members are aware the technical staff compliment was reduced by one officer when Council granted early retirement to its former Chief Building Control Officer. It is also the case that workload has not reduced.

As a consequence a number of changes are being introduced and trialed over the next three months. Members need to be aware that operational changes are being made and that this process may not be universally popular with service customers.

*Councillor Stevenson left the meeting at 9:45 pm.

318.6 WASTE MANAGEMENT GRANT SPEND

The Director clarified for Members that grant could be spent on 'bin' distribution and for new vehicle purchases if the vehicle was used to collect recyclates then that percentage use could be claimed. There was agreement that the 2005-2006 carry over money remain earmarked for 'brown' bins; that the newly acquired RCV used 50% for the collection of 'blue' bins be put forward as part of the claim for 2006-07 and that the 2007-2008 grant [£33,595] be used to further recycling activity. Discussion then ensued as to whether the remainder of the 2006-07 grant [£117,565 - £70,411] namely £47,154 ought to be applied to further recycling measures or to the purchase of a replacement vehicle [a Big Bite] sought but not

allowed in this years budgetary round. The Director advised that the replacement vehicle option was the more realistic to deliver in the timescale available.

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

to defer the decision until the July 3rd Council meeting so that members could discuss the issue their party colleagues; and

that the Director would furnish relevant financial information to party leaders.

318.7 NORTHERN GROUP SYSTEMS (ENVIRONMENTAL HEALTH) COMMITTEE

Councillor Finlay informed the Committee that due to his other commitments as Mayor and with work he did not feel that he had the time to commit to the Northern Group Systems (Environmental Health) Committee and although re-appointed at the Councils AGM he felt that the present Committee Chair ought to be a Council representative.

It was proposed by Councillor Finlay seconded by Councillor Wilson and
AGREED:

to recommend to Council that the Committee Chair, Councillor Robinson, take over this position.

The meeting finished at 10:10 pm.