

**BALLYMONEY BOROUGH COUNCIL**  
**HEALTH AND ENVIRONMENTAL SERVICES COMMITTEE MEETING NO 314**  
**28<sup>th</sup> MARCH 2006**

**SUMMARY OF RECOMMENDATIONS**

**314.2 Public Consultation Event regarding Councils proposed Waste Management Plan to be held on Tuesday, 11<sup>th</sup> April at 7.30pm in the Shiels Room, Ballymoney Town Hall.**

**1.0 Director's Report, together with the recommendations contained therein be adopted –**

- Item 1 Purchase single person operated 6 x 4 double drive 26t RCV, 600kgs panel van, litter bins, portable CCTV equipment, 4t 2 post vehicle/plant lift, and parts washer and that the Committee Chair or Vice-Chair, together with the Director or his nominee, be authorized to open tenders received for report to Committee and Council.
- Item 2 Approve the attendance of Alderman Cousley, Alderman Campbell, Alderman Simpson, Councillor Finlay, Councillor Wilson, Councillor Robinson, Councillor Patterson and the Director or his nominee at the DoE/NILGA District Council Consultation Event on 27<sup>th</sup> April 2006 in the Glenavon House Hotel, Cookstown.
- Item 5 Adopt Borough Food Service Plan 2006-2007.
- Item 7 Note food complaint.
- Item 8 Adopt Enforcement Policy.
- Item 10 Adopt Policy to Improve Enforcement Officers contacts with Employees and employers on health and safety issues.
- Item 11 Adopt Borough Health and Safety Service Plan 2006-2007.
- Item 12 Renew Petroleum Spirit Licence.
- Items 13&14 Renew Indoor Entertainments Licences
- Item 15 Adopt new Local Government Order 2005 provisions.
- Item 16 Register Dog Breeding Establishment.
- Item 21 Maintain position regarding CCTV application to NIO.
- Item 22 Support Knife Amnesty Scheme.
- Item 23 Adopt Building Control Service Plan 2006-2007.

Item 24      Note Building Control Applications Approvals.

Item 26      Adopt Borough Services Directorate Plan 2006-2007.

**[This summary of recommendations has been provided to assist Members. The text is neither comprehensive nor definitive and ought to be considered as such.]**

**Minutes of Ballymoney Borough Council's Health & Environmental Services  
Committee Meeting No: 314 held in the McKinley Room, Riada House,  
Ballymoney, on 28<sup>th</sup> March 2006 at 7:30 pm**

**IN THE CHAIR**

Councillor J. Finlay

**PRESENT****Aldermen**

C. Cousley

F. Campbell

**Councillors**

A. Patterson

R. Wilson

D. McKay

E. Robinson

I. Stevenson

B. Kennedy

**IN ATTENDANCE**Director of Health and Environmental Services  
District Policing Partnership Clerical Assistant**314.1 MINUTES OF MEETING NO. 313 – 27<sup>th</sup> February 2006**

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

*that the minutes of Committee Meeting No. 313 held on 27<sup>th</sup>  
February 2006, as circulated, be confirmed as a correct record.*

**314.2 MATTERS ARISING MEETING NO. 313 – 27.2.06****1. Refuse Collection – Public Holiday Arrangements 2006-2007**

The Director confirmed, in response to a question from Councillor Robinson, that the arrangements put before Committee at its last meeting and agreed by Council on 6<sup>th</sup> March had been allowed for in the 2006-2007 budget.

**2. Blue Bin – Recycling at Home**

The Director confirmed, in response to a question from Councillor Stevenson, that it was Council policy only to issue one blue bin per new Borough household.

**3. Public Consultation Event re. Councils Waste Management Plan.**

The Director reminded members that the Council's Public Consultation Event on its proposed Waste Management Plan 2006-2020 would be held on Tuesday, 11<sup>th</sup> April 2006 at 7.30pm in the Shiels Room at Ballymoney Town Hall.

**314.3 DIRECTOR OF HEALTH & ENVIRONMENTAL SERVICES' REPORT TO THE HEALTH & ENVIRONMENTAL SERVICES COMMITTEE, BALLYMONEY BOROUGH COUNCIL 17<sup>TH</sup> MARCH 2006**

## **ENVIRONMENTAL SERVICES**

### **1. Vehicle & Equipment Purchases**

It is proposed to progress the following vehicle and equipment purchases which were budgeted for by Council for 2006-2007 –

1. Single Person Operated 6 x 4 double drive 26t RCV
2. 600kgs panel van
3. Litter bins
4. Portable CCTV equipment
5. 4t 2 post vehicle/plant lift
6. Parts washer

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

***TO RECOMMEND that the above purchases be made and that the Committee Chair or Vice-Chair, together with the Director or his nominee, be authorized to open the tenders received for report to Committee and Council.***

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### **2. District Council Consultation Event – 27.4.06**

The DoE/NILGA has given advanced notice of the above event to be held on 27<sup>th</sup> April at the Glenavon House Hotel, Cookstown.

The Waste Infrastructure Task Force was established in April 2005, its overarching aim being to facilitate the delivery of the waste infrastructure necessary to enable Northern Ireland to meet national and European waste management targets up to the year 2020.

The Task Force draws its membership from both central and local government and has focussed its work on three broad areas:

- Structural arrangements for the procurement of waste infrastructure;
- Location, type and cost of infrastructure; and
- Procurement and funding

8 nominees are to be invited from each Council to consider a package of proposals which the Task Force has developed.

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

***TO RECOMMEND that Council be represented by: Alderman Cousley, Alderman Campbell, Alderman Simpson, Councillor Finlay, Councillor Wilson, Councillor Robinson, Councillor Patterson, together with the Director or his nominee.***

## ENVIRONMENTAL PROTECTION

### 3. Industrial Pollution Control (NI) Order 1997 Public Register Entry

The DoE EHS Industrial Pollution and Radiochemical Inspectorate of Health provided a copy of an Enforcement Notice served under the above Order on George Peden Ltd., Ballyboyland Quarry with respect to the failure to provide a particulate emission test report to the Chief Inspector. The notice has been provide for inclusion in the Public Register.

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### 4. Water (NI) Order 1999 – Application for Consent to Discharge Effluent

Correspondence dated 6<sup>h</sup> March 2006 has been received from DoE Environment & Heritage Service advising that it has received an application for consent to discharge effluent to a waterway arising from a Housing Development at, Former Tesco Supermarket Site, Meetinghouse Street, Ballymoney. As EHS will set levels as to the quality of effluent to be discharged ***IT IS RECOMMENDED*** that the Borough Council note the application.

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## FOOD CONTROL

### NEW LEGISLATION

### 5. Borough Food Service Plan 2006-2007

A Borough Food Service Plan has been devised for the period 1<sup>st</sup> April 2006 to 31<sup>st</sup> March 2007. This has been forwarded electronically to all Members for information. A copy has also been placed in the Members room. The plan includes information about the service, how services are to be provided, performance targets and standards, together with review and reporting mechanisms.

***IT IS RECOMMENDED*** that Council adopt and implement the Borough Food Service Plan for the year 2006-2007.

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

***TO RECOMMEND that Council adopt the Borough Food Service Plan 2006-2007.***

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### 6. Food Hygiene Training

During the report period 1 no. food hygiene course was delivered by the Department. A total of 17 candidates attended the course with all achieving a pass grade.

7. **Food Complaint No. FC/805/C/10/05 – Alleged excessive water content in steak**

The Department received the above-mentioned food complaint on 20<sup>th</sup> December 2005. The steak was sent to the public analyst. The results of analysis obtained for the sample were satisfactory, there was no evidence that the meat contained extraneous water.

***IT IS RECOMMENDED*** that no further action is taken other than inform the complainant regarding the departments findings.

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## **HEALTH & SAFETY AT WORK**

8. **Enforcement Policy**

As a result of the issue of enforcement guidelines for Health & Safety at Work in Northern Ireland, it is necessary to amend the Councils existing generic Health & Environmental Services Enforcement Policy, previously adopted 6<sup>th</sup> June 2005, Council Minute 807.4.4.5 and Committee Minute 304.4.17 refer.

There have been a number of minor revisions including inserting the paragraphs, Death at Work and Working with Other Regulations and the Courts. This is needed to ensure that it remains compliant with mandatory guidance.

The revised generic Health & Environmental Services Enforcement Policy is to be found at Appendix 1, page 9 to this report.

***IT IS RECOMMENDED*** that the Borough Council adopt this Enforcement Policy in respect of matters within the remit of its Health & Environmental Services Department, replacing that previously agreed and that this policy be placed on the Councils website.

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

***TO RECOMMEND that Council adopt this Enforcement Policy.***

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9. **Foundation Certificate in H&S in the Workplace**

During the report period 1 no. Foundation Certificate in Health & Safety in the Workplace was delivered by the Department. A total of 7 no. candidates attended the course and all candidates passed the examination.

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10. **Improving Enforcement Officers Contacts with Employees**

One of the key strategies contained within HSCs Strategy for Workplace Health & Safety in Great Britain to 2010 and Beyond is to promote greater involvement of workers and stakeholders to increase their engagement and promote full participation in improving health and safety. The requirement for employers to

consult with their employees on health and safety matters is contained within the Safety Representatives & Safety Committees Regulations (NI) 1979 and The Health & Safety (Consultation with Employees) Regulations (NI) 1996. Within these regulations is the need for enforcement officers to consult with employee representatives and to provide information to Safety Representatives in accordance with Article 30(8) of the 1978 Order.

***IT IS RECOMMENDED*** that Council adopt this policy to improve contact with employers and employees on health and safety issues during visits made by the department.

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

***TO RECOMMEND that Council adopt this policy to improve contact with employers and employees on health and safety issues.***

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**11. Borough Health & Safety Service Plan 2006-2007**

A Borough Health & Safety Plan has been devised for the period 1<sup>st</sup> April 2006 to 31<sup>st</sup> March 2007. The plan has been forwarded electronically to Members and a copy placed in the Members' room. It includes information about the Council service (as an enforcing authority), how services are to be provided, performance targets and standards, together with review and reporting mechanisms.

***IT IS RECOMMENDED*** that Council adopt and implement the Borough Health & Safety Service Plan for the year 2006-2007.

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

***TO RECOMMEND that Council adopt the Borough Health & Safety Service Plan 2006-2007.***

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**12. Petroleum (Regulation) Acts (Northern Ireland) 1929 and 1937 –  
PETROLEUM SPIRIT LICENCE (RENEWAL)**

**Premises**

Seacon Service Station  
109 Newbridge Road  
BALLYMONEY  
BT53 6QN

**Applicant**

Mr Gavin Vallely

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

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

***TO RECOMMEND that Council renew this licence.***

## INDOOR ENTERTAINMENT LICENSING

### 13. Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 - LICENCE APPLICATIONS (FULL) (RENEWAL)

#### Premises

The Glynn's, Bar Gateway Lounge  
and Pool Room  
23 Church Street  
BALLYMONEY  
BT53 6HS

#### Applicant

Mr. Brooke Huey

***IT IS RECOMMENDED*** that the Borough Council renew the Indoor Entertainments Licence as detailed above and 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 be applied.

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

***TO RECOMMEND that Council renew this Indoor Entertainments Licence and in addition to the Borough Council's "Conditions of Licence" adopted on 7<sup>th</sup> October 1985 apply the additional conditions detailed on the premise file.***

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

#### Premises

Finvoy Presbyterian Church Hall  
185 Finvoy Road  
BALLYMONEY  
BT53 7JS

#### Applicant

Mr Alan G Campbell

Dervock Presbyterian Church Hall  
57 Carncullagh Road  
Dervock  
BALLYMONEY  
BT53 8BU

Mr I K Patrick

***IT IS RECOMMENDED*** that the Borough Council renew the Indoor Entertainments Licences as detailed above and 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 be applied.

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

***TO RECOMMEND that the Borough Council renew these Indoor Entertainments Licences and in addition to the Borough Council's "Conditions of Licence" adopted on 7<sup>th</sup> October 1985, apply the additional conditions detailed on the premise files.***



**15. Local Government (Northern Ireland) Order 2005**

Article 31 and schedule 2 of the Local Government (Northern Ireland) Order 2005 amends Article 14 of the Local Government (Miscellaneous Provisions) Northern Ireland Order 1985 with respect to the regulation of cosmetic piercing and skin colouring businesses. Council had previously resolved that Articles 13 to 16 of the 1985 Order shall apply in their entirety within the Borough. Council Minute 81.1 and Committee Minute EH 80.7 refer. Byelaws to control the businesses of acupuncture, tattooing and ear piercing came into effect on the 1<sup>st</sup> January 1987.

Cosmetic piercing and semi-permanent skin colouring carry a potential risk of blood borne virus transmission if infection control procedures are not observed. Model byelaws for the control of such activities require to be made for the purposes of securing the:

- Cleanliness of premises and fittings
- Cleanliness of operators
- Cleansing and so far as is appropriate, sterilisation of instruments and equipment.

The proposed byelaws in respect of Cosmetic piercing and semi permanent skin colouring may be found at Appendix 2 and 3, pages 10 and 11 to this report.

***IT IS RECOMMENDED*** that Council resolve that:

1. The provisions of Part V of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 as amended by Article 31 and schedule 2 of the Local Government (Northern Ireland) Order 2005 shall apply in their entirety within the Borough of Ballymoney as from the 1<sup>st</sup> July 2006.
2. As provided for by Article 14(6) of the 1985 Order, the fees to be charged for the registration of persons and businesses of cosmetic piercing or semi permanent skin colouring shall be £100.
3. Council make such byelaws as are found in Appendix 2 and 3, pages 10 and 11 to this report to formulate control of cosmetic piercing and semi permanent skin colouring businesses, in accordance with the procedure set out under Section 91 of the Local Government Act (Northern Ireland) 1972.

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

**TO RECOMMEND that Council resolve that:**

- 1 *The provisions of Part V of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 as amended by Article 31 and schedule 2 of the Local Government (Northern Ireland) Order 2005 shall apply in their entirety within the Borough of Ballymoney as from the 1<sup>st</sup> July 2006.*
- 2 *As provided for by Article 14(6) of the 1985 Order, the fees to be charged for the registration of persons and businesses of cosmetic piercing or semi permanent skin colouring shall be £100.*
- 3 *Council make such byelaws as are found in Appendix 2 and 3, pages 10 and 11 to this report to formulate control of cosmetic piercing and semi permanent skin colouring businesses, in accordance with the procedure set out under Section 91 of the Local Government Act (Northern Ireland) 1972.*

## **DOG CONTROL**

### **16. 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. Patrick McAleese	44 Finvoy Road, Ballymoney.

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

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

**TO RECOMMEND that Council register the above-mentioned premises.**

## STREET TRADING

### 17. Street Trading Act (NI) 2001 Stationary Street Trading Licence

Further to Minute HES 310.3.27 regarding an application for a stationary street trading licence at the layby at the entrance of Cloneen Drive, leading to Castlehill & Kirkview Close, Ballymoney, the application has now been withdrawn and the refundable element of the fee returned to the applicant.

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## LICENSING ORDER (NORTHERN IRELAND) 1996

18.	<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
	Daniel Dixon The Village Inn, Bellaghy Road, Dunloy	Declaration of Final Grant	14.3.06

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## COMMUNITY SAFETY

### 19. Tackling Anti-social Behaviour – A Guide to Anti-Social Behaviour Orders

The above guidance document has recently been issued by the Northern Ireland Office, Community Safety Unit. It has been produced in partnership by PSNI, SOLACE, NIHE, Probation Board, Youth Justice Agency and the NI Court Service. It provides practical advice to practitioners in using anti-social behaviour orders effectively as part of a structured and holistic response to tackling anti-social behaviour in Northern Ireland. A copy has been placed in the Members room for information. It may also be accessed electronically – [www.communitysafetyni.gov.uk](http://www.communitysafetyni.gov.uk).

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### 20. Action Plans

Northern Ireland Office Community Safety Unit has now approved the Action Plans, and all but one project has been given the green light to proceed. The selected projects require a letter of confirmation from the lead partner stating their commitment to the project. Once received the partnership can send out letters of Offer to the project partners and money can be made available from 1<sup>st</sup> April onwards.

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### 21. CCTV

Further to committee minute HES313.3.29, members will recall that the decision was taken not to proceed with an application for CCTV to the NIO unless both the PSNI and the Chamber of Commerce were to assist with running costs. Since the last meeting, a financial contribution has been offered by Ballymoney Chamber of Commerce of £1000 per annum for seven years.

PSNI have officially advised they cannot support the application financially. It has also been confirmed that both Coleraine and Ballymena Borough Councils finance in total their respective CCTV running costs. The Northern Ireland Office Community Safety Unit have extended the application deadline from 31<sup>st</sup> March 2006 until Friday 14<sup>th</sup> April 2006 (Good Friday).

Following the Directors presentation of this item, members discussed the probability of success for an application to the NIO for a CCTV system to cover Ballymoney town centre given the present very low crime rate and also whether given the level of contribution from others the sizeable system running costs [which had to be guaranteed as part of the Councils application] could be justified.

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

***TO RECOMMEND that Council reaffirm its previous decision not to proceed with an application for CCTV to the NIO.***

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**22. Knife Amnesty**

Northern Ireland Office Community Safety Unit has contacted Council with a proposal for holding a 'Knife Amnesty' in Northern Ireland from late May into June 06. Each council agreeing to co-operate would locate a site suitable for a supplied bin to be installed and local PSNI would ensure the contents are cleared periodically. Councils taking part are asked to assist in the cost of installing such a system for the scheme. Confirmation of willingness to participate in such a scheme is required as soon as possible.

***IT IS RECOMMENDED*** that Council support the proposed scheme.

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

***TO RECOMMEND that Council agree to support the proposed knife amnesty scheme.***

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**23. Grant Scheme 05/06**

All projects awarded funding have now concluded their expenditure and all receipts and invoices have been vouched and forwarded to Northern Ireland Office Community Safety Unit for final approval.

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## **BUILDING CONTROL**

**24. Building Control Plan**

A Borough Building Control Plan has been devised for the period 1<sup>st</sup> April 2006 to 31<sup>st</sup> March 2007. This has been forwarded electronically to all members' for information and a copy placed in the members' room. The plan includes information about the service, how services are to be provided, performance targets and standards, together with review and reporting mechanisms.

***IT IS RECOMMENDED*** that the Borough Council adopt and implement the Building Control Service Plan 2006-2007.

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

***TO RECOMMEND that Council adopt the Building Control Service Plan 2006-2007.***

**25. Building Control Applications**

***IT IS RECOMMENDED*** that Council note the **Applications, Building Notices and Regularisation Certificates** as detailed in Appendix 4 to this report, which are in accordance with the requirements of the Building Regulations (NI) 2000.

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**DIRECTORATE SERVICE PLAN 2006-2007**

- 26.** The directorate plan prepared for the period 1<sup>st</sup> April 2006-31<sup>st</sup> March 2007 is to be found as Appendix 5 to this report. The plan has been written taking into account the budget set by Council on the 14<sup>th</sup> February 2006.

***IT IS RECOMMENDED*** that the Borough Services Plan 2006-2007 be adopted.

It was proposed by Councillor Kennedy, seconded by Councillor Patterson and ***AGREED;***

***TO RECOMMEND that Council adopt the Directorate Service Plan 2006-2007.***

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**Reports & Correspondence**

- 27.** The undernoted reports and correspondence have been received -
1. Response by the Federation of the Retail Licensed Trade Northern Ireland to the DSD Consultation Liquor Licensing: The Way Forward (13.3.06).
  2. Letter from North Down & Ards Friends of the Earth re. Plastic Bags (13.3.06).
  3. Drinking Water Quality in Northern Ireland 2004 – A Report by the NI Drinking Water Inspectorate EHS (27.2.06).
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**Councillor McKay left after this report at 8:15 pm**  
**Councillor Kennedy left after this report at 8:15 pm**

#### **314.4 CIVIC AMENITY SITE USAGE**

The Director advised that when the Knock Road CA Site had been closed for 2 weeks [from 20<sup>th</sup> February to 4<sup>th</sup> March] 1,304 vehicles had made use of the Crosstagherty CA Site [a daily average of 108]. This compares with a throughput of 556 vehicles [a daily average of 46] for the 2 week period prior to the closure of Knock Road and a throughput of 467 vehicles [a daily average of 39] for the corresponding period in 2005. It was also the case that a number of potential customers, discovering that the Knock Road facility was closed, stated that they would take their waste away and not use Crosstagherty but would return when Knock Road reopened. In response to a question from Councillor Robinson, the Director advised that there was no evidence that the temporary closure of Knock Road had given rise to any increase in either flytipping or illegal dumping. He mentioned that the strategy of speaking to people, erecting signage, highlighting the problem through the local press and then issuing fixed penalty notices had successfully stopped the deposit of waste outside the Knock Road CA Site when the facility was not open.

#### **314.5 RECYCLING**

Councillor Finlay initiated a wide-ranging discussion on recycling within the Borough making reference to the recycling of both wood and cardboard. The Director responded to members' questions and advised that he had made a start in reviewing what Council ought to do in this important area in light of the last budget round, the Councils NI Landfill Allowance Scheme targets [its obligation to divert waste from landfill], the implications of the new NI Waste Management Strategy [to be launched on 30<sup>th</sup> March] and the offer of Waste Management Grants made by the DoE to Council.

**Councillor Stevenson left during this discussion at 8:30 pm.**

The Director agreed to provide statistical information each month to members regarding both the tonnage of waste landfilled and that collected/processed via the Councils 'blue bin' service for mixed dry recyclates.

#### **314.6 INDUSTRIAL ACTION**

The Director advised that it had not been possible to provide either refuse collection or street cleansing services earlier in the day due to employees taking industrial action and in that regard 3 refuse collection routes had not been collected – 1 'grey' bin route and 2 'blue' bin routes. He also indicated that a 'grey' bin route had been collected the previous day and that both Civil Amenity Sites had been kept open on 28<sup>th</sup> March. He advised that further disruption to services according to information which had been received on 3<sup>rd</sup> and 4<sup>th</sup> May 2006. During the ensuing discussion the Director responded to members' questions.

This being all the business the meeting closed at 9:15 pm.

