

**Ballymoney Borough Council  
Consultation Meeting No 88 – 19<sup>th</sup> August 2013**

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**BALLYMONEY BOROUGH COUNCIL**

Minutes of Consultation Committee Meeting No 88 held in the Council Chamber, Riada House, Ballymoney on Monday 19<sup>th</sup> August 2013 at 7.00 pm.

**IN THE CHAIR:** Alderman C Cousley, MBE

**PRESENT:** **Aldermen**  
H Connolly  
B Kennedy

**Councillors**  
J Atkinson  
W Blair  
J Finlay  
R McAfee  
T McKeown  
C McLaughlin  
P McGuigan  
E Robinson, MBE  
I Stevenson, Deputy Mayor  
M Storey, MLA

**APOLOGIES:** **Alderman**  
F Campbell

**Councillors**  
A Cavlan  
R Halliday

**IN ATTENDANCE:** Chief Executive  
Business Support Officer

**DoE Planning Service (Item 5)**  
Shane Mathers – Planning Officer

1 Press  
2 Members of Public

**88.1 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**88.2 CONSULTATION COMMITTEE MEETING NO 86 – 17<sup>TH</sup> JUNE 2013**

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

*that the minutes of Consultation Committee Meeting No 86 – 17<sup>th</sup> June 2013, as circulated, be confirmed as a correct record.*

**88.3 CONSULTATION COMMITTEE MEETING NO 87 – 1<sup>ST</sup> JULY 2013**

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

*that the minutes of Consultation Committee Meeting No 87 – 1<sup>st</sup> July 2013, as circulated, be confirmed as a correct record.*

**88.4 APPOINTMENT OF VICE CHAIR**

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

*that Councillor Blair be elected as Vice Chair of Consultation Committee for the ensuing year.*

\* Councillor McAfee joined the meeting at 7.05 pm.

**88.5 PLANNING APPLICATIONS****5.1 New Applications**

Items 1-8 were considered and the opinion of the Planning Service accepted except where stated otherwise.

The content of the objections were summarised to members and may be viewed on public access at:

[http://epicpublic.planningni.gov.uk/PublicAccess/zd/tdc\\_home.aspx](http://epicpublic.planningni.gov.uk/PublicAccess/zd/tdc_home.aspx)

<b>ITEM NO 1</b>	<b>APPLICATION NO D/2011/0232/F – REFUSAL</b>
<b>APPLICANT</b>	Andrew Mac Uait C/o Agent
<b>AGENT</b>	Norman Perry, Diamond Design Studio, 5 Straid Road, Ballycastle
<b>LOCATION</b>	Adjacent to 96 Drones Road, Armoy
<b>PROPOSAL</b>	Camp site for towing caravans and tents incorporating hard standing for 15 pitches and ancillary facilities cabin and on-site sewerage treatment and access roadway
<b>OBJECTIONS(2)</b>	Noise, wildlife, privacy, access and litter pollution

issues.

The Planning Officer advised that consultation has taken place with Roads Service and they agree with the issue of access.

It was **AGREED:** That an office meeting be held (Councillor Finlay)

**ITEM NO 2**  
**APPLICANT**  
**AGENT**  
**LOCATION**  
**PROPOSAL**  
**OBJECTIONS(2)**

**APPLICATION NO D/2012/0198/F – APPROVAL**  
Mr & Mrs J Condron C/o Agent  
Pro-Design NI Limited, 43 Kilmandil Road,  
Cloughmills  
Adjacent to 24 Drumack Lane, Rasharkin  
Proposed new dwelling and detached garage  
Proposed boundary changes and moving  
objector's pillars. Agent was contacted and notice  
served. No further objections were received.

**ITEM NO 3**  
**APPLICANT**  
**AGENT**  
**LOCATION**  
**PROPOSAL**

**APPLICATION NO D/2012/0232/F – REFUSAL**  
Mrs & Mrs C McAfee C/o Agent  
Mr Mark McAleese, 64 Haw Road, Bushmills  
93 Ballybogey Road, Ballymoney  
Proposed replacement and re-siting of domestic  
garage.

It was **AGREED:** That an office meeting be held (Alderman Kennedy/  
Councillor Finlay).

**ITEM NO 4**  
**APPLICANT**  
**AGENT**  
**LOCATION**  
**PROPOSAL**  
**OBJECTIONS(6)**

**APPLICATION NO D/2012/0284/F – APPROVAL**  
Mr A Thompson C/o Agent  
R Robinson & sons, 59 High Street, Ballymoney  
56m SW of 10 Feigh Road, Stranocum  
Proposed new free range egg laying house – up to  
8,000 birds.  
Odour, noise, increased traffic and visibility splays

The Planning Officer advised that consultees have been contacted and the Department is now satisfied that the application can proceed.

Alderman Kennedy welcomed the decision.

**ITEM NO 5**  
**APPLICANT**  
**AGENT**

**APPLICATION NO D/2013/0069/O - REFUSAL**  
Ms Naomi Beggs C/o Agent  
SW Atkinson, 51 Castle Street, Ballymoney BT53 6JT

**LOCATION** Between 78 and 78A Boyland Road, Ballymoney  
**PROPOSAL** Proposed site for dwelling

At the request of Councillor Finlay, the Planning Officer agreed to hold the decision for five working days to allow the applicant to withdraw the application.

**ITEM NO 6** **APPLICATION NO D/2013/0077/F – APPROVAL**  
**APPLICANT** Glebeside Spar, 22 John Street, Ballymoney  
**AGENT** N/A  
**LOCATION** 22 John Street, Ballymoney  
**PROPOSAL** Two storey extension to NE of existing shop & first floor extension over existing single storey section of shop to SW, to provide additional retail space, storage and Post Office facility.  
**OBJECTIONS(1)** Car parking and access.

The Planning Officer advised that Roads Service has been consulted and they are satisfied that measures have been taken to eliminate parking constraints.

Councillor Stevenson thanked the Department for their decision to approve the application. Councillor Robinson commented favourably on parking provision compared with current Post Office location.

**ITEM NO 7** **APPLICATION NO D/2013/0079/F – REFUSAL**  
**APPLICANT** Mr Colm Mullaghan C/o Agent  
**AGENT** Stevan Mooney, 19 Tamlaght Road, Rasharkin  
**LOCATION** 200m NW of 126 Mullan Road, Rasharkin  
**PROPOSAL** 250kw (max) 42m hub height wind turbine for form and grid

It was **AGREED:** That an office meeting be held  
(Councillor McLaughlin / Councillor Finlay)

## 5.2 Deferred Applications

Items 1-3 were considered and the opinion of the Planning Services accepted except where stated otherwise.

**D1** **APPLICATION NO D/2012/0271/O – REFUSAL**

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

***that Council support the applicant in the event of an appeal.***

**D2 APPLICATION NO D/2013/0004/F – APPROVAL**

**D3 APPLICATION NO D/2013/0005/F - APPROVAL**

### **5.3 Streamlined Planning Applications – Decisions Issued**

A report detailing decision issued (16) from 1.7.13 – 31.7.13 was circulated for members' information.

### **5.4 Office Meeting**

Friday 30<sup>th</sup> August 2013, McKinley Room, Riada House.

\* **The Planning Officer left the meeting at 7.20 pm.**

## **88.6 CONDOLENCE**

Councillor Stevenson expressed condolences to the family of Mr Noel Kane, a former curator of the Somme Heritage Centre in Newtownards. Mr Kane passed away following a long illness and his funeral will take place in Bangor on Tuesday 20<sup>th</sup> August.

## **88.7 FUTURE OF RODDENS RESIDENTIAL CARE HOME, BALLYMONEY**

Letter, 29/7/2013, from the Department of Health, Social Services & Public Safety, in response to Council's further representations to the Health Minister regarding the future of the Roddens Residential Care Home, Ballymoney.

The Department advised that the Minister has asked the Health & Social Care Board to co-ordinate a new process for consultation, engagement and implementation of change. In doing so, the primary aim is to secure better outcomes for all older people, and to promote social inclusion, and independence where possible.

There will need to be further local consultation in line with the regional guidance which will be developed by the HSC Board. This will promote consistency of approach across Northern Ireland.

The guidance will build on best practice and policy intentions to assist local Trusts in the development of change models, consultation processes and engagement with individuals, families and local communities. It will be designed to do all that is reasonably possible to take account of the wishes of residents and address key considerations such as the availability of appropriate replacement services locally. Councillors are encouraged to actively participate in future consultations within its area, details of which will be published when available.

The Northern HSC Trust has advised that they have not ceased admissions to its residential homes for older people and continues to admit people across sites who require respite and intermediate care services. However, to create capacity for

these uses and to pre-plan for future supported living schemes there have been no long-term admissions, with the exception of cases where there have been no local alternatives, for at least the last two years.

In response to the demand for intermediate care to support hospital discharge, to maximize respite availability in statutory rather than independent sector homes, and with sufficient capacity in independent sector homes in most areas of the Trust the Trust took the view that long-term placements could be assessed in the independent sector, should there be an assessed need for such a placement. With specific regard to the Roddens, the Trust advises that a number of beds will be needed to accommodate residents from Rathmoyle.

It was proposed by Councillor Stevenson, seconded by Councillor Finlay

***that Council extends an invitation to the 'Friends of the Roddens' to give a presentation to members on their current status.***

Councillor Storey expressed the view that Council should write specifically to the Trust and ask them to clarify the position in relation to Rathmoyle and the re-allocation of the current residents in Rathmoyle to the Roddens during re-building work. This re-allocation will result in residents who should be given a place at the Roddens having to be accommodated outside the area. He stated that Council should make every possible representation to the trust and outline its primary concern in ensuring that the Roddens is not used to facilitate a build in another vicinity, at the end of which, the Roddens may be put forward for closure. This was seconded by Councillor Finlay.

## **88.8 TRANSFORMING YOUR CARE UPDATE**

The Health and Social Care Board's Update on work on Transforming Your Care was circulated. This issue covers:

- ❖ Health Minister announces progress on Transforming Your Care
- ❖ Integrated Care Partnerships
- ❖ Electronic Care Records Launch
- ❖ Statutory Residential Homes

A copy of the Health & Social Care Board's publication "Vision to Action" – A Post Consultation Report, March 2013, is tabled. A copy of the Executive Summary was circulated.

## **CONSULTATION DOCUMENTS**

Electronic links have been given to consultation documents, alternatively copies can be made available on request from the Office of The Chief Executive.



## **88.9 MINIMUM STANDARDS FOR INDEPENDENT HEALTH CARE ESTABLISHMENTS [DSSPS] CONSULTATION**

Minimum standards for independent healthcare establishments have been launched for public consultation by the Minister.

The draft standards set out the requirements for registration and inspection of providers by the Regulation and Quality Improvement Authority (RQIA). The purpose of having the standards is to ensure consistency of approach across Northern Ireland and to help patients and clients, providers and commissioners have a clear understanding of the minimum standards of care they can expect to receive and provide.

These minimum standards apply to independent hospitals, clinics, hospices, independent medical agencies and independent hospitals providing in-patient mental health services. They also apply to clinics employing a private doctor who does not work for the HSC and to independent establishments that deliver the following prescribed techniques/technology as set out in the regulations:

- a) In-Vitro Fertilisation (IVF)
- b) Hyperbaric Oxygen Therapy
- c) Dialysis
- d) Laser treatments using class 3B lasers, class 4 lasers and intense light sources; and
- e) Endoscopy

The draft standards and consultation response questionnaire can be assessed at the following link – [www.dhsspsni.gov.uk/index/consultations/currentconsultations.htm](http://www.dhsspsni.gov.uk/index/consultations/currentconsultations.htm)

***The deadline for responses is 27<sup>th</sup> September 2013.***

## **88.10 DRAFT FIVE YEAR STRATEGY “MAKING IT BETTER THROUGH PHARMACY IN THE COMMUNITY” CONSULTATION [DHSSPS]**

Views are invited on the Department of Health, Social Services and Public Safety draft five year strategy “Making it Better through Pharmacy in the Community”. The development of the strategy has been overseen by a steering group established by the Department which included a range of health professionals, the pharmaceutical industry and representatives of the voluntary and community sector.

The Department has produced a consultation response pro-forma which can be used to help record views. Copies of the draft strategy and the consultation response can be accessed at:

<http://dhsspsni.gov.uk/index/consultations/currentconsultation.htm>.

***The deadline for comments is 1<sup>st</sup> November.***

#### **88.11 THE FUTURE OF VEHICLE REGISTRATION AND LICENSING SERVICES IN NORTHERN IRELAND [DVLA] CONSULTATION**

The Driver and Vehicle Licensing Agency (DVLA) has launched a public consultation on the future of vehicle registration and licensing services in Northern Ireland (NI).

The consultation will run until Wednesday, 11 September 2013 and is intended to supplement the previous, UK-wide “Transforming DVLA Services” consultation which ran from December 2011 to March 2012.

There is a long-standing disparity in the level of vehicle registration and licensing services available to motorists in NI compared with the rest of the UK. To address this, the consultation proposes changes in the way services are delivered to NI motorists. More services would be available at NI Post Offices and there would be a wider range of electronic services available. The proposals would have clear benefits to businesses and the motor trade by reducing burdens and providing a range of consistent services and processes throughout the UK. Any changes to services arising from the consultation would be introduced next year.

Alongside the consultation document DVLA have published detailed assessments of the impacts of the proposals. The documents, and how to respond, can be found online at [www.gov.uk/government/consultations/future-of-vehicle-registration-and-licensing-services-in-northern-ireland](http://www.gov.uk/government/consultations/future-of-vehicle-registration-and-licensing-services-in-northern-ireland)

During the consultation period DVLA will be holding workshops in GB and NI to provide opportunities to discuss the proposal in more detail. Council is asked to indicate if it wishes to participate in a consultation workshop.

The Chief Executive pointed out that 88.12 is linked to 88.11

Alderman Kennedy expressed the view that Council should make representations to safeguard jobs in Coleraine. He also stated his view that the statement given in the Equality document published is offensive and should be challenged (page 14). This states '*Furthermore, centralisation at the DVLA will in fact remove any possibility that Northern Ireland services may be biased to any particular religious group, since these transactions will no longer be serviced by staff in Northern Ireland who could themselves hold particular beliefs.*'

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

***that Council makes representation to Northern Ireland MP's to safeguard jobs and challenge the statement made by DVLA in its Equality document (as outlined above) relating to the consultation.***

Councillor Storey concurred with Alderman Kennedy's remarks relating to safeguarding jobs, stating that in addition to the impact on those currently employed in Coleraine, removing those posts would affect job seekers from Ballymoney, forcing them to travel further to find employment.

#### **88.12 THREATENED CLOSURE OF VEHICLE LICENSING OFFICES [DoE]**

The DoE Minister has written on this subject.

The Department of Transport (DfT) has published a consultation on the future of vehicle licensing services in N.I. Vehicle licensing is an excepted matter and remains the responsibility of the Secretary of State for Transport, but the work is undertaken in NI by the Diver & Vehicle Agency (DVA), under an agreement between DoE and the DfT.

The vehicle licensing work is fully funded by DVLA in Swansea (an agency of DfT) and this funding supports over 300 jobs in DVA, 235 of which are in Coleraine, with the rest being in seven local offices around the country. DVLA are currently completing an IT project that will result in the de-commissioning of the separate computer system used for vehicle licensing work in NI and the extension of the system that serves Britain. This latter system has been developed in recent years (unlike the DVA system, which has been starved of investment by DVLA) to provide online and telephone delivery channels for customers and it has been linked to the Post Office systems to enable most vehicle licensing services to be provided by Post Offices in Britain.

On the back of this IT integration project, which DVLA estimate will be ready by November 2013, DfT proposes to centralize in Swansea, all vehicle licensing work that is not done online or through Post Offices. Such centralization would mirror that already underway in Britain, where all of DVLA's local and regional offices are being closed by the end of this year, resulting in the loss of some 1,400 jobs in these offices.

The proposed termination of the agreement with DVA for vehicle licensing work would result in the loss of all of the 300+ jobs funded by DVLA in NI and it would deny motorists and other customers in NI access to local services, provided by dedicated staff with expert knowledge of vehicle registration and licensing.

The Minister, Alex Attwood, opposed the centralization plans and after protracted negotiations with London, secured a commitment to public consultation on the proposals, before a final decision is taken.

The Minister intends to continue the campaign to save the local services and the associated jobs, with equal robustness and hopes for Council support. Having secured public consultation it is important that this opportunity is fully exploited to ensure that the case for retaining these services and jobs is made with maximum volume and effectiveness.

A copy of the consultation document published by DVLA, “*Future of Vehicle Registration and Licensing Services in NI*” is copied herewith. Other papers published by DVLA on the consultation process can be found at:

<https://www.gov.uk/government/consultations/future-of-vehicle-licensing-services-in-northern-ireland>

The Minister points out that the consultation document published by DVLA presents a very one-sided case that promotes centralization without setting out the disadvantages to remotely run services or exploring the other options. To counter this biased approach, he has also provided, copied herewith, “*An appraisal of the DVLA Consultation Documents*” that provides more comprehensive information about the impact of the DVLA proposals and sets out alternative options, which, he believes, have not been given sufficient attention by DVLA.

The main points to consider are:-

- ❖ The DVLA proposals would result in the loss of over 300 jobs in NI, 235 of which are in Coleraine;
- ❖ Allowing for the multiplier effect resulting from loss of spending, it is estimated that the aggregate effect would be to remove over 500 jobs and £22m per annum from the local economy;
- ❖ Centralization of services in Swansea would mean lower standards of service and the removal of choice for customers;
- ❖ The benefits of DVA’s exemplary record of delivering very high standards of service would be lost to customers;
- ❖ Alternative proposals, that have not been considered fully by DVLA, include DVA in NI continuing to deliver vehicle licensing to local motorists or, if centralization takes place, having work for 300 transferred to here from Swansea.

***The deadline for responses is 11 September.***

#### **88.13 RATE REBATE REPLACEMENT – SECOND STAGE CONSULTATION REPLACEMENT OF HOUSING BENEFIT FOR RATES [DFPNI]**

Earlier in the year the Executive undertook a 12 week preliminary consultation exercise to inform how a new rate rebate scheme might be developed for April 2014 and to gather fresh evidence of the potential effects on households. The outcomes of that preliminary consultation can be accessed through the following link:

[http://www.dfpni.gov.uk/rating-review/rate\\_rebate\\_replacement\\_arrangements\\_-\\_report\\_on\\_preliminary\\_consultation\\_exercise.pdf](http://www.dfpni.gov.uk/rating-review/rate_rebate_replacement_arrangements_-_report_on_preliminary_consultation_exercise.pdf)

The Department of Finance and Personnel has now published a second consultation paper. This takes account of suggestions made by consultees at preliminary stage. The purpose of this second stage consultation is to set out the proposed way forward together with illustrative impact assessments and

modelling. This paper is subject to a 12 week consultation process which will close on **11 October 2013** and can be accessed through the following link:

<http://www.dfpni.gov.uk/rating-review>

Comments are invited on the questions asked throughout the paper as well as any issues which Council consider have not been dealt with and which you consider should be taken account of in bringing forward the new policy.

#### **88.14 CONSULTATION ON REVIEW OF EMPLOYMENT LAW REVIEW IN NI [DEL]**

The Department of Employment and Learning has published a consultation paper and associated equality impact assessments relating to a wide-ranging review of employment law in Northern Ireland.

The Department committed in the Executive's Economic Strategy to conduct the review with the objective of stimulating business confidence whilst maintaining the rights of individual employees. In May 2012, the Department published an employment law discussion paper, the purpose of which was to initiate meaningful dialogue with all stakeholders in order to determine the scope and nature of the review. Its response to the paper issued later in 2012.

Taking into account the outcome of the discussion, in this consultation the Department is setting out proposals intended to develop employment law in Northern Ireland so that it better serves the needs and interests of both employers and employees, striking the right balance between reducing burdens on business and maintaining employee entitlements. The consultation sets out a range of options which include following precedent in Great Britain and, alternatively, developing bespoke local solutions.

The consultation seeks views on policy proposals under three main themes:

- ❖ Early resolution of workplace disputes
- ❖ Efficient and effective employment tribunals and
- ❖ Better regulation measures.

The consultation and associated impact assessments are available to download from the Department's website: [www.delni.gov.uk/consultation-zone](http://www.delni.gov.uk/consultation-zone)

***Comments are invited by 5 November.***

#### **88.15 CIVIL LEGAL AID REMUNERATION AND ASSOCIATED DOCUMENTS (DoJ)**

The Access to Justice Review recommended that work be taken forward to increase the standardization of fees payable to the legal profession for work done under civil legal aid. The Review considered that £5M of savings could be achieved from civil legal aid without harming access to justice. The Justice Minister accepted this recommendation. Since the Review reported, however,

there has been a significant upward revision in the expenditure forecasts prepared by the NI Legal Services Commission, with the result that significantly greater savings are now required to bring legal aid expenditure within budget.

The Minister is therefore presenting proposals in the Consultation for the remuneration system which will introduce standard fees for civil legal aid for cases heard in the Magistrates' Court, County Court and High Court tiers. These fees represent a system for civil legal fees which are comparable to the fees which have been introduced for criminal legal aid in this jurisdiction. In proposing the fees payable, account has been taken of the seriousness of the legal case at issue and the manner in which the case is disposed. The proposals will reform and drive down legal aid costs as the current level of expenditure on civil legal aid is no longer sustainable. The proposed reforms will also improve governance and accountability in legal aid. This is one of a number of legal aid reforms the minister is taking forward to reduce legal aid expenditure. An Executive Summary of the proposed reforms was circulated.

***Comments are invited by 22 November.***

#### **88.16 PROPOSED ROAD RACES (AMENDMENT) BILL**

DRD has issued a consultation paper which sets out its proposals for a Road Races (Amendment) Bill.

The main aim of the Bill is to avoid situations where motor races on roads must be cancelled rather than postponed or brought forward due, for example, to bad weather. It would enable race promoters to bring forward or defer their race days and practice sessions. A 'contingency day' must be one of the two days falling immediately before or immediately after a day specified in the road closing order for the event.

DRD welcome comments on the proposed legislation, with particular regard to the potential impact it may have on equality of opportunity, human rights issues, and implementation costs.

The full consultation document is available at [www.drdni.gov.uk](http://www.drdni.gov.uk) under the "Consultations" link.

***The closing date for receipt of all responses is 7 October 2013.***

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

***that Council supports the aims of the proposals to amend the current Road Races Bill to bring forward or defer race days and practice sessions.***

Councillor Storey expressed the view that he would have concerns at racing taking place on the Lord's Day.

\* **Councillor Storey left the meeting at 7.35 pm.**

#### **88.17 PROPOSED SALMON CONSERVATION REGULATIONS (DCAL)**

DCAL proposes to introduce a series of Regulations to implement mandatory catch and release for salmon and sea trout angling and to prohibit commercial salmon and sea trout netting. The proposed regulations will also introduce some other minor amendments which are designed to update and improve the regulatory process.

***The closing date for receipt of responses is 27<sup>th</sup> September.***

Alderman Kennedy referred to the issue of controlling movement of fish in the rivers and who can fish them. He expressed the view that fish should be allowed to return to their natural habitat for breeding and that there should be natural fish stocks in the rivers rather than those who own the rivers having control. He stated that he would not be supporting DCAL if this is the case. Councillor Finlay concurred with Alderman Kennedy's remarks.

The issue was deferred for further discussion at the next meeting.

#### **88.18 PRIVATE MEMBERS BILL – LOCAL ORGAN DONATION LAWS**

Jo-Anne Dobson, MLA has launched a consultation on her Private Members' Bill which is aimed at changing local organ donation laws. The Bill proposes to move from the current Opt-in to a new Soft Opt-out system with appropriate safeguards.

The consultation questionnaire was circulated.

***Views are invited by 10<sup>th</sup> September.***

#### **88.19 PROPOSAL TO INTRODUCE TESTING OF BOVINES FOR BOVINE VIRAL DIARRHOEA (BVD) [DARD]**

The Department for Agriculture and Rural Development (DARD) has launched a public consultation on a proposal to introduce compulsory testing of bovines for Bovine Viral Diarrhoea (BVD).

Diseases such as BVD impact at farm level through loss of production, but pose no significant risk to human health or to the national economy, and the impacts are felt primarily by individual producers. Animal Health & Welfare NI (AHWNI), an industry led body has initiated a voluntary BVD testing programme here in Northern Ireland from 1 January 2013. AHWNI and key industry stakeholders

have asked the Department to consider introducing legislation to make the current voluntary programme compulsory to ultimately achieve eradication of BVD.

To allow for a more informed decision, the Department intends to seek the views of the wider rural community in particular from individual herd keepers.

The consultation document (circulated) contains an example of the draft legislation which includes the following conditions :-

- *that all new-born calves including dead, aborted or stillborn to be sampled and tested within 20 days of birth at the herd keeper's expense;*
- *dam and cohorts of any persistently infected (PI) calves to be tested at the herd keeper's expense;*
- *no calves born after commencement of legislation will be allowed to be sold or transferred from the herd of birth until a negative BVD test result is received;*
- *PI animals are only allowed to move from the herd they are confirmed in: for disposal as an animal by-product, or directly to slaughter to an approved abattoir;*
- *controls at markets to ensure positive and non-tested bovines are not traded and it is an offence not to comply with any requirements of legislation.*

A draft Regulatory Impact Assessment and the draft Equality Screening document for consideration and comment was also circulated.

The consultation documents are available on the DARD Website at: [www.dardni.gov.uk](http://www.dardni.gov.uk) under active consultations.

***The closing date for responses is 27<sup>th</sup> September 2013.***

## **88.20 N.I. LAW COMMISSION REPORT ON BAIL IN CRIMINAL PROCEEDINGS – CONSULTATION (DOJ)**

The Justice Minister, David Ford MLA, has published a consultation document on the Northern Ireland Law Commission Report on Bail in Criminal Proceedings.

As part of its First programme of Law Reform, the Northern Ireland Law Commission carried out a substantive review of the existing law on bail and published a report in September 2012. The Report contains 55 recommendations and a draft Bill covering 6 key themes: the legal framework; enforcement of bail; personal recognizances and sureties; bail in respect of accused persons; bail in respect of children and young people and non-legislative proposals. Views on the Commissions Recommendations and draft Bill are invited.



The consultation document and equality screening form are available on the Department of Justice website in the current public consultations section: [www.dojni.gov.uk](http://www.dojni.gov.uk)

***The deadline for consultation responses is 31 October 2013***

## **88.21 FLUORINATED GREENHOUSE GASES (AMENDMENT) REGS (NI) 2013 – CONSULTATION**

The Department of Environment has issued a consultation document concerning the draft Fluorinated Greenhouse Gases (Amendment) Regs (NI) 2013. These draft Regulations, which can be downloaded at [http://www.doeni.gov.uk/f\\_gases2](http://www.doeni.gov.uk/f_gases2) make technical amendments to existing Regulations on Fluorinated Greenhouse Gases (“F-gases”)

The consultation document describes the provisions of the draft Regulations, and how it is anticipated that stakeholders in Northern Ireland will be affected. This draft legislation involves three main provisions:

- further amending the definition of an offshore installation in [regulation 2 of the current F-gas Regulations](#) <sup>(a)</sup>, (as has already been updated by [regulation 3 of the Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2012](#) <sup>(a)</sup>). This would mean that offshore installations with the purpose of the generation of energy from water or wind are included in the definition. (the definition currently only describes oil and gas platforms, and carbon capture and storage facilities);
- amending [regulation 51 of the current F-gas Regulations](#) <sup>(a)</sup>, so that DOE becomes responsible for enforcement of the current F-gas Regulations on the installations mentioned above which are used for the generation of energy from water or wind; and
- making a technical change to [regulation 48 of the current F-gas Regulations](#) <sup>(a)</sup> on corporate offences, to rectify an incorrectly quoted provision.

***The deadline for comments is 25<sup>th</sup> October 2013.***

## **88.22 NORTHERN IRELAND FIRE & RESCUE SERVICE (NIFRS) DRAFT FALSE ALARM AND UNWANTED FIRE SIGNAL POLICY - CONSULTATION**

Northern Ireland Fire & Rescue Service (NIFRS) has developed a revised False Alarm and Unwanted Fire Signal Policy based on best and current practice.

The aim of the policy is to reduce the number of unwanted fire signals sent to NIFRS, to support fire safety enforcement and to provide an appropriate response by NIFRS to calls arising from automatic fire alarm actuations. The policy outlines NIFRS commitment to engaging with stakeholders and advising them of the actions which they may take and by NIFRS to develop best practice in the reduction of false alarms and unwanted fire signals.

False alarms and unwanted fire signals have had a number of impacts on the community, for example through the disruption of business (production downtime and time wasted, loss of business); diversion of essential services from emergencies, putting potential life and property at risk; costs to businesses of retained (part-time) firefighters being released and draining of public finances.

Views of potential stakeholders affected by the policy are invited. A screening consultation is also being carried out as part of our statutory requirement under Section 75 of the Northern Ireland Act.

Further information including the policy, a policy summary, a stakeholder (consultee) letter and a feedback questionnaire can be found in our website at [www.nifrs.org/consultation](http://www.nifrs.org/consultation).

**The closing date for receipt of comments is Friday 20 September 2013.**

Following the close of consultation a summary of responses plus details of any further strategy revision as a result of this exercise will be available on the **NIFRS website from October 2013.**

#### **88.23 MAZE LONG KESH DEVELOPMENT CORPORATION – EQUALITY SCHEME AND ACTION PLAN**

Notice has been given that the Maze Long Kesh Development Corporation (MLKDC) is consulting on the organisation's Equality Scheme and Action Plan.

It is accessible via their interim website -  
<http://www.mazelongkesh.com/publications.html>

***The consultation period is from Monday 8<sup>th</sup> July until Monday 21<sup>st</sup> October.***

Comments are invited. A copy of publication from the interim website was circulated.

#### **88.24 CARRIER BAGS BILL**

A draft paper prepared by NILGA in response to call for evidence in relation to Carrier Bags Bill 2013 was circulated for members' information.

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

***that Council respond to the consultation expressing the view that paper bags should be exempt from the levy.***

**88.25 STAFF MATTERS: VACANCIES – JOEY DUNLOP LEISURE CENTRE**

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

*that a meeting of Resources Task Group be held on Tuesday 27<sup>th</sup> August at 2.00 pm to deal with staffing matters following the service review carried out at the Joey Dunlop Leisure Centre.*

**88.26 DISTRICT ELECTORAL AREAS COMMISSIONER PUBLIC INQUIRIES – ADVANCE NOTICE**

The eight week public consultation on the provisional recommendations of the District Electoral Areas Commissioner ended on 27 June 2013.

As prescribed by legislation, if representations are received objecting to the recommendations, a public inquiry may be convened to consider the objections. If an objection is received from an existing district council or from not less than 100 electors in the district, an inquiry must be convened

**There will be 9 public inquiries into the Commissioner's provisional recommendations.** Public inquiries will not be held in relation to the Derry and Strabane district where there have been objections solely in relation to the name of a DEA, nor in Causeway Coast and Glens district where there have been no objections.

The inquiries will be conducted by Assistant Commissioners. Anyone wishing to present oral evidence should arrive at 9.30am on the morning of the inquiry for registration, in order to arrange a timetable of speakers.

**88.27 SWITCHING ENERGY SUPPLIER IN NI – CONSUMER COUNCIL REPORT**

The Consumer Council has published a report "Power to Switch", a report into consumers' views and experiences of switching energy supplier in NI. The main findings of the report are:

- ❖ Despite energy prices rising, completion has increased giving consumers more choices
- ❖ 96% of electricity customers and 86% of natural gas customers know they can switch
- ❖ For those that switch it's largely a positive experience; and
- ❖ More work is required to encourage people to actually switch and be active in the energy market because only 28% of electricity customers and 20% of natural gas customers have actually switched their supplier.

**The meeting closed at 7.45 pm.**