

Ballymoney Borough Council

Health & Environmental Services Committee Meeting No 389 – 26th February 2013

Table of Contents

389.1	Declarations of Interest	<i>Nil</i>
389.2	Meeting No 388 – 22 nd January 2013	<i>Adopted</i>
389.3	Food Complaint	<i>Advise complainant, manufacturer and home authority of outcome of investigation</i>
389.4	Entertainment Licence Applications (Full) (Renewal)	<i>Renew licences</i>
389.5	Entertainment Licence Applications (Fourteen Unspecified Days) (Renewal)	<i>Renew licences</i>
389.6	Entertainment Licence Applications (Full) (Grant)	<i>Amend licence</i>
389.7	Betting, Gaming, Lotteries & Amusements Registration	<i>Renew registrations</i>
389.8	Registration of Clubs (NI) Order 1996 Renewal of Registration of Club Licences Notifications	<i>Note</i>
389.9	Street Trading Act (NI) 2001 – Mobile Street Trading Licence	<i>Renew licence</i>
389.10	Northern Area Health & Social Care & Local Government Forum	<i>Nominate Councillor Robinson</i>
389.11	Rejection of Building Plans – January 2013	<i>Note</i>
For information – items 389.12 – 389.22		
389.12	Municipal Waste Returns	<i>For information</i>
389.13	NWTWMG Joint Committee Minutes	<i>For information</i>
389.14	NWRWMG Annual Report 2011/2012 & Implementation Action Plan 2012/2013	<i>For information</i>
389.15	Closure of Knock Road Household Recycling Centre	<i>For information</i>
389.16	Cloughmills Community Action Team Awards	<i>For information</i>
389.17	Consultation on NIEA Regulatory Charging Policy & Proposals for 2013-16	<i>For information</i>
389.18	Noise Complaint Statistics for NI 2011-2012	<i>For information</i>
389.19	Traceability, Labelling & Contamination in Meat Preparations & Products	<i>For information</i>

389.20	Free Microchipping at Dogs Trust Microchipping Roadshow	<i>For information</i>
389.21	Licensing (NI) Order 1996	<i>For information</i>
389.22	Amendments to the Energy Performance of Buildings (Certificates & Inspections) Regulations (NI) 2008	<i>For information</i>

BALLYMONEY BOROUGH COUNCIL

Minutes of Health & Environmental Services Committee Meeting No 389, held in the McKinley Room, Riada House, Ballymoney on Tuesday 26th February 2013 at 7.00 pm.

IN THE CHAIR: Alderman H Connolly

PRESENT: **Aldermen**
F Campbell

Councillors
W Blair
J Finlay
R Halliday
R McAfee

APOLOGIES: Councillor J Atkinson
Alderman B Kennedy

IN ATTENDANCE: Deputy Director of Borough Services
Committee Clerk

389.1 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

389.2 MINUTES – MEETING NO 388 – 22nd JANUARY 2013

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

to recommend that the minutes of Meeting Number 388 – 22nd January 2013, as circulated, be confirmed as a correct record.

MATTERS FOR CONSIDERATION**FOOD CONTROL****389.3 FOOD COMPLAINTS**

During the report period 1 no. informal food complaint investigation was completed.

<u>Ref Number</u>	<u>Nature of Complaint</u>
FC/805/C/06/12	Foreign matter in Lyons Mince Pies

IT IS RECOMMENDED that no further action be taken on this occasion for the above complaint other than to advise the complainant, manufacturer and home authority in writing of the outcome of the investigation.

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

to recommend that no further action be taken on this occasion for the above complaint other than to advise the complainant, manufacturer and home authority in writing of the outcome of the investigation.

LICENSING

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

<u>Premises</u>	<u>Applicant</u>
Patton's Bar, 18 Ballycregagh Road, Cloughmills, BALLYMENA, BT44 9LB.	Mr. Robert Dennis Moore,
Ballymoney Rugby Football Club, 63 Kilraughts Road, BALLYMONEY, BT53 7HL.	Mr. John Hunter
St. Joseph's Parish Centre, 17 Bridge Road, Dunloy, BALLYMENA, BT44 9AN.	Rev. Aidan Brankin
Topp Orange Hall, 161 Gracehill Road, Stranocum, BALLYMONEY, BT53 8LS.	Mr. Clifford Bellingham

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licences as detailed above and in the cases of St. Joseph's Parish Centre and Topp Orange Hall subject to the provision of satisfactory electrical test certificates and satisfactory reports from the NIFRS. 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 Finlay, seconded by Alderman Campbell and **AGREED:**

to recommend that the Borough Council renew the Indoor Entertainment's Licences as detailed above and in the cases of St. Joseph's Parish Centre and Topp Orange Hall subject to the provision of satisfactory electrical test certificates and satisfactory reports from the NIFRS.

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.

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

Premises

Applicant

Roseyards Presbyterian Church Hall,
115 Kirk Road,
BALLYMONEY, BT53 8HN.

Mr. David Ramsay

Ballymoney High School (Assembly Hall),
17 Garryduff Road,
BALLYMONEY,
Co. Antrim, BT53 7AN.

Mr. R. Scott

Bushvale Presbyterian Church Hall,
118 Fivey Road,
Stranocum,
BALLYMONEY, BT53 8JB.

Mr. Robert Patton

Drumreagh Presbyterian Church Hall,
104 Bann Road,
Bendooragh,
BALLYMONEY, BT53 7NA.

Mrs. Cindy Craig

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licences as detailed above and in the cases of Ballymoney High School and Roseyards Presbyterian Church Hall subject to the provision of satisfactory electrical test certificates. 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 Halliday, seconded by Councillor Finlay and **AGREED:**

to recommend that the Borough Council renew the Indoor Entertainment's Licences as detailed above and in the cases of Ballymoney High School and Roseyards Presbyterian Church Hall subject to the provision of satisfactory electrical test certificates. 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.

389.6 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985 - LICENCE APPLICATION (FULL) (GRANT)

Premises

Ballybogey Community Centre,
1 Ballindreen Road,
Ballybogey,
BALLYMONEY, BT53 7NU.

Applicant

Mrs. Maureen McCook,
Ballybogey Community Assoc.

IT IS RECOMMENDED that the Borough Council amend the previously granted Indoor Entertainment's Licence as detailed above, to reflect the correct address of the premises.

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

to recommend that the Borough Council amend the previously granted Indoor Entertainment's Licence as detailed above, to reflect the correct address of the premises.

**BETTING, GAMING, LOTTERIES AND AMUSEMENTS
(NORTHERN IRELAND) ORDER 1985**

389.7 Applications have been received from the undernoted Societies for renewal of registration by the Borough Council (Article 136 of the 1985 Order refers):-

<u>Society</u>	<u>Lottery Promoter</u>	<u>Fee</u>
James Wray Trust	Ms. Marina Monteith, 56 Burnquarter Road, BALLYMONEY, BT53 7DW.	£17.50
Stranocum & District Community Association	Mr. William Johnston, 64 Fivey Road, Stranocum, BALLYMONEY, BT53 8JH.	£17.50
Cloughmills Vintage Club	Mr. Ryan McGarry, 78 Corkey Road, Loughguile, BALLYMENA, BT44 9JJ.	£17.50
Ballymoney Voluntary Welfare	Mrs. Elizabeth Anderson, 8 Greenville Avenue, BALLYMONEY, BT53 7BJ.	£17.50
Compass Advocacy Network	Mrs. Janet Schofield, 14 Redwood Park, COLERAINE, BT53 6JR.	£17.50

IT IS RECOMMENDED that the Borough Council renew the registration of the above-mentioned Societies.

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

to recommend that the Borough Council renew the registration of the above-mentioned Societies.

REGISTRATION OF CLUBS

389.8 REGISTRATION OF CLUBS (NORTHERN IRELAND) ORDER 1996 RENEWAL OF REGISTRATION OF CLUB LICENCES NOTIFICATIONS

<u>Premises</u>	<u>Applicant</u>
The Royal British Legion, 11 Townhead Street, BALLYMONEY.	Amanda Brennan
Loughgiel Shamrocks Hurling Club, 7 Lough Road, Loughgiel, BALLYMENA.	Patrick Joseph O'Mullan
Ballymoney United Football, Social & Recreation Club, 35 Castle Street, BALLYMONEY.	Gerard McAleese
Ballymoney Bowling Club, Church Street, BALLYMONEY.	Dennis Connolly
Ballymoney Rugby Football Club, Kilraughts Road, BALLYMONEY.	John Hunter
Ballybrakes Community Indoor Bowling Club, Ballybrakes Business Park, BALLYMONEY.	Morris McCullagh

IT IS RECOMMENDED that Council note the applications.

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

to recommend that Council note the applications.

STREET TRADING

389.9 STREET TRADING ACT (NI) 2001 – MOBILE STREET TRADING LICENCE

Application for the renewal of a Mobile Street Trading Licence has been made to this Directorate as follows:-

Purpose

Hot Food Takeaway (Mobile Kitchen)

Applicant

Mr. J. V. McCook

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

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

to recommend that the Mobile Street Trading Licence as applied for be renewed.

MISCELLANEOUS

389.10 NORTHERN AREA HEALTH & SOCIAL CARE AND LOCAL GOVERNMENT FORUM

Committee is asked to consider nomination of an elected representative to serve on the above forum. Committee is asked to note that Councillor Robinson attended two meetings previously, a consultation event and feedback session on transforming your care, in her capacity as Mayor and due to her interest in the subject. In view of this, ***IT IS RECOMMENDED*** that Committee nominate Councillor Robinson to attend on behalf of Council up to Council's Annual General Meeting 2013 when representation may be reviewed.

It was proposed by Councillor Halliday, seconded by Councillor Blair and **AGREED:**

to recommend that Committee nominate Councillor Robinson to attend on behalf of Council up to Council's Annual General Meeting 2013 when representation may be reviewed.

BUILDING CONTROL

389.11 *IT IS RECOMMENDED* that Council note that during the report period, its Building Control Service rejected various applications, which contravened the requirements of the Building Regulations (Northern Ireland) 2000, for the reasons stated:-

Rejection of Building Plans
January 2013

Application Ref.	Regulation:	Reason for Rejection:
B/2007/0039	E5	Inadequate resistance to external fire spread
B/2011/0131	A10 & Schedule 2 C4 D1 F2	Failure to provide sufficient information Insufficient resistance to ground moisture and weather Failure to meet requirements for stability Inadequate provision for conservation of fuel and power
B/2012/0023	A10 & Schedule 2 D1 E2 E3 E5 F2 F4 K2 N5 V3	Failure to provide sufficient information Insufficient information to assess structure Means of escape unsatisfactory Insufficient information to assess internal fire spread – linings Insufficient information to assess external fire spread Inadequate provision for conservation of fuel and power Inadequate provision of information Inadequate means of ventilation Insufficient information to assess rain-water drainage Insufficient information to assess transparent glazing

The applicants and their agents in all cases have been issued with Notices of Rejection of Plans, setting out the reasons for rejection, as required under Article 13 of the Building Regulations (Northern Ireland) Order 1979.

The applicants and their agents have also been notified of their right to appeal, within 56 days, to the Department of Finance and Personnel, as required under Article 17 of the Building Regulations (Northern Ireland) Order 1979.

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

to recommend that Council note that during the report period, its Building Control Service rejected various applications, which contravened the requirements of the Building Regulations (Northern Ireland) 2000, for the reasons stated.

MATTERS FOR INFORMATION

ENVIRONMENTAL SERVICES

389.12 MUNICIPAL WASTE RETURNS

<u>Waste Type</u>	<u>Jan 2012</u>	<u>Jan 2013</u>	<u>Apr 11 – Jan 12</u>	<u>Apr 12 – Jan 13</u>
Mixed Residual Waste (waste direct to landfill)	898.64t	858.82t -4.43%	7,745.82t	7,249.08t -6.41%
Mixed Dry Recyclables (blue bin recycling)	169.38t	213.04t +25.78%	1,442.15t	1,617.87t +12.18%
Garden Waste (brown bin recycling)	n/a	n/a	1,119.96t	1,074.18t -10.48%
Waste Recovery (segregated HRC waste)	83.90t	67.78t -19.21%	679.60t	690.70t +1.63%
Cardboard	6.62t	2.92t -55.89%	60.01t	45.04t -24.95%
Timber	32.12t	27.16t -15.44%	279.00t	235.26t -15.68%

Councillor Finlay welcomed the reduction seen in mixed residual waste and increase in mixed dry recyclables. It was hoped that this trend would continue. In response to Councillor Finlay, the Deputy Director of Borough Services gave possible reasons for the reduction in garden waste.

389.13 NWRWMG JOINT COMMITTEE MINUTES

The minutes of the North West Region Waste Management Group Joint Committee meetings held on -

5th December 2012

19th December 2012 [Special Meeting – NWRWMG Waste Infrastructure Project]

were circulated to Members.

389.14 NORTH WEST REGION WASTE MANAGEMENT GROUP (NWRWMG) - ANNUAL REPORT 2011/2012 & IMPLEMENTATION ACTION PLAN 2012/2013

The NWRWMG Annual Report 2011/2012 has been prepared in order to assess the progress that has been made within the region towards the implementation of the NWRWMG Waste Management Plan 2006-2020. The report provides an update on the waste arisings for the 2011/12 financial year and compares them with 2010/11 and 2009/10. Also, the report includes a review of the actions taken by the group towards the implementation of infrastructure and assesses the measures that have been set in place to secure contracts for the collection,

processing and delivery to end markets of material collected within the NWRWMG region.

The NWRWMG Implementation Action Plan 2012/2013 covers baseline facilities, yearly actions and targets, capacity for various waste management facilities and educational activities planned for 2012/2013. This group wide Implementation Action Plan for waste infrastructure supports the waste management plan approved by the NWRWMG in 2006.

Copies of both documents can be found in the Members Room.

389.15 CLOSURE OF KNOCK ROAD HOUSEHOLD RECYCLING CENTRE

Knock Road household recycling centre will be closed from Monday 11th to Saturday 23rd March 2013 inclusive. This is to facilitate essential maintenance work, in particular, the resurfacing of recycling centre roadway and creation of lay-by to enhance traffic movement and user safety. The facility will re-open on Monday 25th March.

Crosstagherty household recycling centre will remain open during this period. Signage will be provided at Knock Road household recycling centre informing users of period of closure and availability of alternative facilities at Crosstagherty. Information on closure will also be posted on Council website.

389.16 CLOUGHMILLS COMMUNITY ACTION TEAM AWARDS

Cloughmills Community Action Team recently received two significant awards, the first as part of European Week for Waste Reduction and the second from Countryside Alliance. Both awards demonstrates a high level of innovation and effort which supports the on-going successful partnership between Ballymoney Borough Council and the Incredible Edible Cloughmills project.

European Week for Waste Reduction Award

European Week for Waste Reduction is an annual event participated in and organised by countries throughout Europe. DoE Rethink Waste sponsors an awards scheme in Northern Ireland to showcase the best activities in different sectors.

Cloughmills Community Action Team collected the 2011 award for 'Best Action by a Community Group' for activities linked to reducing food waste. The team has now received the 2012 'Judges Favourite' Award for a series of four events prior to Christmas where participants learned to make bread, jam, natural cosmetics and natural Christmas decorations. The theme of these workshops was reducing packaging and chemical waste. The Environment Minister, Alex Attwood, presented the award and reminded the audience that the group was the only one to win two years in a row.

The other heartening aspect of the workshops was the attendance of people from outside Cloughmills and the Borough, which again highlights that what is happening in Cloughmills is attracting interest from a wide area. Indeed, in the last 12 months approximately 400 people have visited the village to find out what makes Cloughmills an example to others. A large percentage of these visitors have also dined in local restaurants bringing added value to the Borough.

Countryside Alliance Award for Rural Enterprise

The Countryside Alliance covers the UK and Northern Ireland/Republic of Ireland. Each year they operate an awards scheme to highlight all that is good about rural communities and enterprises.

Cloughmills Community Action Team entered the Rural Enterprise category and to their great delight, and after a two hour assessment, was selected as the overall winner for Northern Ireland/Republic of Ireland. This is a magnificent achievement and the assessment panel highlighted the efforts of the group to revitalise their community through many projects and their willingness to engage with local businesses and services. Cloughmills now go on to the grand final in London on 13th March when they will compete against other regions in the UK for the overall award of Rural Enterprise 2013.

A further positive outcome from the awards is that Kelly's Mace in Dunloy was highly commended in the Village Shop category, with very positive comments from the assessment panel.

The Chair stated this was very good news and congratulated Cloughmills Community Action Team on their continuing success.

ENVIRONMENTAL PROTECTION

389.17 CONSULTATION ON NIEA REGULATORY CHARGING POLICY AND PROPOSALS FOR 2013-16

NIEA published a 3-year regulatory Charging Policy in 2010, setting out a framework for the setting and revision of regulatory fees and a commitment to restrict fee increases over the period 2010-13. NIEA are reviewing the effectiveness of the policy and setting out proposed charging arrangements for the next 3 years in the latest consultation paper.

This consultation is accompanied by a separate consultation paper on proposed changes to the EU Emissions Trading Scheme Charging Scheme (known as the Consolidated Greenhouse Gas Emissions charging scheme (NI) 2013).

http://www.doeni.gov.uk/niea/niea_regulatory_charging_policy_cons_paper_feb_2013_final.pdf

The purpose of this consultation is to obtain views on: -

- Implementation of the 2010-13 Regulatory Charging Policy;
- Proposals for a Regulatory Charging Policy for 2013-16;
- Options for the introduction of risk-based charging;
- Proposals for charges associated with wider regulatory and added-value services;
- Funding for a more flexible, outcome-focused regulatory approach to meet industry needs and the challenges ahead.

Responses to this consultation are sought by Thursday 4th April 2013 to NIEA Regulatory Charging Policy Consultation, Better Regulation Team, NI Environment

Agency, Klondyke Building, Gasworks Business Park, Cromac Avenue, Malone Lower, Belfast, BT7 2JA or by email to: BetterRegulation@doeni.gov.uk.

The consultation is accompanied by a separate consultation paper on proposed changes to the EU Emissions Trading Scheme Charging Scheme (known as the Consolidated Greenhouse Gas Emissions charging scheme (NI) 2013).

http://www.doeni.gov.uk/niea/ets_2013_14_charging_scheme_-_final_consultation_doc_feb_2013-2.pdf

389.18 NOISE COMPLAINT STATISTICS FOR NORTHERN IRELAND 2011-2012

The Department of Environment for Northern Ireland have recently published the above statistics. A copy of the report is available in the Members room. With respect to Ballymoney figures, there has been a small percentage change compared to the previous year's figures (+5%) (see figure 12) but overall the trend has remained constant (see figure 13) since 2003-2004. A total of 104 complaints were received in 2011-2012, the third lowest total recorded across all Councils.

FOOD CONTROL

389.19 TRACEABILITY, LABELLING AND CONTAMINATION IN MEAT PREPARATIONS AND PRODUCTS

Members were advised that officers within the department are continuing to assist the Food Standards Agency Northern Ireland in the ongoing investigation of meat products and preparations. Resources have been redirected to give priority to this area of work to meet the demands of the Agency. The latest information in relation to the incident may be found on the FSA website www.food.gov.uk.

DOG LICENSING

389.20 FREE MICROCHIPPING AT DOGS TRUST MICROCHIPPING ROADSHOW

Dogs Trust, in partnership with Ballymoney Borough Council, is hosting a Microchipping Roadshow in March. This follows the success of previous roadshows and to date over 1,000 dogs have been microchipped at these events. The roadshows, alongside the valuable microchipping work undertaken by local veterinary practices, allows owners to licence their dog in accordance with the new dog licensing requirements introduced in April 2012. Over the past year Council has seen many benefits of microchipping, in particular, the speed at which we have been able to reunite owners with pets which have gone missing.

The roadshow will be visiting the Borough from Wednesday 6th to Friday 8th March. Owners will be able to get their dog microchipped and registered free of charge thus potentially saving up to £30. The whole process takes less than five minutes and Dogs Trust staff are on hand to give advice.

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

Wednesday 6th March 2013: Riverside Park, Armour Avenue, **Ballymoney**,
10.00am -12.30pm

Wednesday 6th March 2013: Fullans Supermarket, Main Street, **Rasharkin**,
1.00pm - 3.00pm

Thursday 7th March 2013: Main Street, **Dervock**, 10.00am -12.30pm

Thursday 7th March 2013: The Corner, Main Street, **Cloughmills**,
1.00pm – 3.00pm

Friday 8th March 2013: Riverside Park, Armour Avenue, **Ballymoney**,
10.00am – 3.00pm

The roadshow was welcomed by Councillor Finlay. The Deputy Director of Borough Services then responded to members' questions on dog fouling and dog foul bins. Some members reported receiving complaints regarding dog fouling in Carnany, Cloughmills, Glebeside and Riverside Park. Councillor Finlay commended the Environmental Warden for her excellent work in trying to tackle this issue and encouraged members of the public to report incidents to the Directorate.

LICENSING

389.21 LICENSING (NORTHERN IRELAND) ORDER 1996

<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Pauline Gallagher, 21 Church Street, BALLYMONEY.	Occasional Licence Ballymoney Drama Festival 4 th -9 th March 2013 in the Town Hall	25/1/13
James Patrick McMullan, The Glen Bar, Glenbush, Co. Antrim, BT53 8YG.	Occasional Licence Loughgiel Community Assoc. 24 th -25 th March 2013 in Millennium Centre, Loughgiel.	30/1/13

BUILDING CONTROL

389.22 AMENDMENTS TO THE ENERGY PERFORMANCE OF BUILDINGS (CERTIFICATES AND INSPECTIONS) REGULATIONS (NORTHERN IRELAND) 2008

The Department of Finance and Personnel (DFP) recently published amendments to the principal regulations. These amendments are known as the Energy Performance of Buildings (Certificates and Inspections) (Amendment) Regulations (Northern Ireland) 2013, and came into effect on 18th February 2013.

The main changes to the EPB Regulations are summarised in writing and circulated to members.

The EPB Team continue to provide support and guidance to Building Control staff directly involved in the administration and enforcement of EPB legislation, and are currently organising a series of workshops for these officers to deal with the amendments.

In Ballymoney, Building Control have written to all the estate agents and letting agents within the borough advising them of the new regulations.

This being all the business the meeting closed at 7.19pm.