

**Ballymoney Borough Council**

**Health & Environmental Services Committee Meeting No 390 – 26<sup>th</sup> March 2013**

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<b>390.5</b>	Food Complaints	<i>Advise complainant, manufacturer and home authority of outcome</i>
<b>390.6</b>	The Private Tenancies (NI) Order 2006 Article 36 (4) Certificate of Fitness	<i>Grant certificate</i>
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<b>390.14</b>	Ballymoney Borough Council Emergency Plan	<i>Adopt plan</i>
<b>390.15</b>	Memorandum of Understanding & Mutual Aid Agreement Between Rivers Agency, Roads Service, NI Water and Local Government Covering Arrangements for Mutual Aid in the Supply and Deploying of Agreed Resources in the Event of Flooding	<i>Enter protocol when arrangements for implementation of Emergency Plan have been finalised. Authorise Chief Executive to sign</i>
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<b>390.16</b>	Municipal Waste Returns	<i>For information</i>

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<b>390.23</b>	Roll Forward of Existing Contracts Beyond 31 <sup>st</sup> March 2013	<i>For information</i>
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<b>390.26</b>	Bonfire Sub-Group	<i>For information</i>

**BALLYMONEY BOROUGH COUNCIL**

Minutes of Health & Environmental Services Committee Meeting No 390, held in the McKinley Room, Riada House, Ballymoney on Tuesday 26<sup>th</sup> March 2013 at 7.00 pm.

**IN THE CHAIR:** Alderman H Connolly

**PRESENT:**

**Aldermen**  
F Campbell

**Councillors**  
W Blair  
J Finlay  
R Halliday  
R McAfee  
C McLaughlin

**APOLOGIES:** Councillor P McGuigan  
Councillor I Stevenson

**IN ATTENDANCE:** Deputy Director of Borough Services  
Committee Clerk

**390.1 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**390.2 MINUTES – MEETING NO 389 – 26<sup>th</sup> FEBRUARY 2013**

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

*to recommend that the minutes of Meeting Number 389 – 26<sup>th</sup> February 2013, as circulated, be confirmed as a correct record.*

**MATTERS FOR CONSIDERATION****ENVIRONMENTAL SERVICES****390.3 EXTENSION OF SHORT TERM RESIDUAL CONTRACT**

On 5<sup>th</sup> September 2012, the Joint Committee approved and recommended to member councils a contract for the provision for the haulage, treatment and disposal of NWRWMG collected Local Authority Residual Municipal Waste (Short Term Contract). This was to enable the achievement of NILAS targets.

Given the delays on the implementation of the Waste Infrastructure Project, the Joint Committee on 13<sup>th</sup> February 2013 further approved and recommended extending the above contract for an additional period of 6 months with optional monthly extensions of up to a further 12 months as per the terms of the original contract. Maximum contract period is 24 months. The initial 6 month contract period expires on 30<sup>th</sup> April 2013.

***IT IS RECOMMENDED*** that Council endorse the recommendation of the NWRWMG Joint Committee that the Short Term Residual Contract be extended for an additional period of 6 months with optional monthly extensions of up to a further 12 months as per the terms of the original contract.

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

***to recommend that Council endorse the recommendation of the NWRWMG Joint Committee that the Short Term Residual Contract be extended for an additional period of 6 months with optional monthly extensions of up to a further 12 months as per the terms of the original contract.***

Following a query raised by Alderman Campbell, the Deputy Director of Borough Services stated that members would receive an update on the delay of the implementation on the Waste Infrastructure Project at the next Council meeting.

## **ENVIRONMENTAL PROTECTION**

### **390.4 WATER (NI) ORDER 1999: EFFLUENT CONSENT APPLICATION**

NIEA Water Management Unit has advised that it has received the undernoted application:-

<b><u>Applicant</u></b>	<b><u>Location</u></b>
Mr. Eddie Torrens 43 Farran Road, BALLYMONEY, BT53 8HD.	Eddie Torrens Car Dismantlers, 43 Farran Road, BALLYMONEY, BT53 8HD.

In that the NIEA will set levels as to the quality of effluent to be discharged to a waterway, ***IT IS RECOMMENDED*** that Council note the application.

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

***to recommend that Council note the application***

## FOOD CONTROL

### 390.5 FOOD COMPLAINTS

During the report period 1 no. formal food complaint investigation was completed (referred from Moyle District Council).

<u>Ref Number</u>	<u>Nature of Complaint</u>
FC180113	Mashed turnip tastes and smells of diesel

***IT IS RECOMMENDED*** that no further action is taken in relation to this complaint as the Public Analyst reported that the sample was of normal odour and composition. The complainant, vendor and manufacturer shall be advised of the outcome.

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

***to recommend that no further action is taken in relation to this complaint as the Public Analyst reported that the sample was of normal odour and composition.***

## ENVIRONMENTAL HEALTH GENERAL

### 390.6 THE PRIVATE TENANCIES (NORTHERN IRELAND) ORDER 2006 ARTICLE 36 (4) CERTIFICATE OF FITNESS

<u>Landlord</u>	<u>Dwelling- House</u>
Ms. Annie McKeever	1 Gate End, BALLYMONEY, BT53 6LA.

Further to compliance with an abatement notice which was served on the landlord of the above premises under Section 110 of the Public Health (Ireland) Act 1878, minute HES 386.7 refers, a re-inspection has been conducted and the dwelling house now meets the fitness standard for human habitation as set out in Article 46 of the Housing (NI) Order 1981.

***IT IS RECOMMENDED*** that the Borough Council grant an Article 36 (4) Certificate of Fitness in respect of the above dwelling house.

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

***to recommend that the Borough Council grant an Article 36 (4) Certificate of Fitness in respect of the above dwelling house.***

**390.7 THE PRIVATE TENANCIES (NORTHERN IRELAND) ORDER 2006 AS AMENDED  
TENANCY DEPOSIT SCHEME REGULATIONS (NORTHERN IRELAND) 2012 – DETERMINATION OF FIXED PENALTY FINES**

From 1<sup>st</sup> April 2013 the above Regulations, enforced by local Councils, come into effect. They will provide greater protection for tenancy deposits in the Private Rented Sector. Under the scheme any tenancy deposit taken on or after this date has to be protected with an approved scheme administrator within certain prescribed timescales. Overall approval for the operation of the Tenancy Deposit Scheme lies with the Department for Social Development. The four independent scheme administrators are as follows:-

1. My Deposits Northern Ireland
2. The Dispute Service (TDS) Northern Ireland
3. Letting Protection Service (LPS) and
4. Capita

Part 3 of the Regulations set out the types of schemes which will be operational in Northern Ireland:

- (a) Custodial Schemes – landlord transfers all the deposit to the scheme administrator for safekeeping until the end of the tenancy;
- (b) Insurance Scheme: the landlord retains the deposit but pays an insurance fee to the administrator to protect the deposit in case of dispute.

The Regulations set out prescribed information which must be provided by the landlord and scheme administrator when a tenancy deposit is protected under a tenancy deposit scheme and also includes a dispute resolution mechanism.

The Private Tenancies (Northern Ireland) Order 2006 as amended by Sections 2 and 8 of the Housing (Amendment) Act (Northern Ireland) 2011 sets out the offences and penalties for non-compliance with the Regulations.

A landlord commits an offence if they require a tenant to pay a deposit which consists of property rather than money, and on summary conviction will be liable to a fine not exceeding £2,500.

Article 68A of the Private Tenancies (NI) Order 2006 permits the issue of fixed penalties with respect to offences under Article 5B (10) (requirements relating to tenancy deposits) and 65A (4) (Registration of Landlords). The amount of the fixed penalty (which is payable to the District Council) is an amount determined by the Council, but shall not exceed one fifth of the maximum fine payable on summary conviction of that offence.

\* Councillor Finlay joined the meeting at 7.08pm.

**IT IS RECOMMENDED** that Ballymoney Borough Council determine the amount of fixed penalty payable for offences under Article 5B (10) and 65A (4) as being £500 that being one fifth of the maximum fine payable on summary conviction of these offences.

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

***to recommend that Ballymoney Borough Council determine the amount of fixed penalty payable for offences under Article 5B (10) and 65A (4) as being £500 that being one fifth of the maximum fine payable on summary conviction of these offences.***

### **390.8 OFFICER AUTHORISATIONS**

Further to report item above it is necessary to update officer authorisations.  
***IT IS RECOMMENDED*** that Ballymoney Borough Council appoints the following persons to exercise the powers under Article 68A of the Private Tenancies (Northern Ireland) Order 2006 in respect of the issue of fixed penalty notices:-

John Campbell Michael  
Bryan Edgar

The officers named in this paragraph shall be duly authorized under Section 124 of the Local Government Act (Northern Ireland) 1972 to authenticate notices, orders or other documents arising from the above powers and duties and indemnified as provided by Section 48 of the said Act.

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

***to recommend that Ballymoney Borough Council appoints the following persons to exercise the powers under Article 68A of the Private Tenancies (Northern Ireland) Order 2006 in respect of the issue of fixed penalty notices***

## **LICENSING**

### **390.9 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985 - LICENCE APPLICATIONS (FULL) (RENEWAL)**

#### **Premises**

The Glynns Bar,  
23 Church Street,  
BALLYMONEY, BT53 6HS.

The Village Inn,  
1 Bellaghy Road,  
Dunloy,  
BALLYMENA, BT44 9DX.

#### **Applicant**

Mr. Brooke Huey

Mr. Kenneth and Mrs Anthea  
Curran

***IT IS RECOMMENDED*** that the Borough Council renew the Indoor Entertainment's Licences as detailed above subject to the provision of satisfactory electrical test certificates. 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 apply.

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

***to recommend that the Borough Council renew the Indoor Entertainment’s Licences as detailed above subject to the provision of satisfactory electrical test certificates. 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 apply.***

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

**Premises**

**Applicant**

Finvoy Presbyterian Church Hall,  
185 Finvoy Road,  
BALLYMONEY, BT53 7JS.

Mr. Alan G. Campbell

AGG Furniture,  
24 Drumlee Road,  
BALLYMONEY, BT53 7LE.

Mr. David Dunlop,  
Finvoy Young Farmers Club

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

Mr. Ivan Patrick

***IT IS RECOMMENDED*** that the Borough Council renew the Indoor Entertainment’s Licence as detailed above subject to the provision of satisfactory electrical test certificates. 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 apply.

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

***to recommend that the Borough Council renew the Indoor Entertainment’s Licence as detailed above subject to the provision of satisfactory electrical test certificates. 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 apply.***

**390.11 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985 – VARIATION OF A FULL LICENCE APPLICATION**

**Premises**

**Applicant**

The Scenic Inn,  
38 Fivey Road,  
Armoy,  
BALLYMONEY, BT53 8UT.

Ms. Shirley McKinley



Application has been received to vary the Entertainments Licence for the above premises to include a Marquee erected to the rear of the premises and increase the occupancy numbers.

***IT IS RECOMMENDED*** that the Borough Council vary the Indoor Entertainments Licence as detailed above. In addition to the Borough Council's "Conditions of Licence" adopted on 7<sup>th</sup> October 1985 the additional conditions detailed on the premise file also applies.

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

***to recommend that the Borough Council vary the Indoor Entertainments Licence as detailed above. In addition to the Borough Council's "Conditions of Licence" adopted on 7<sup>th</sup> October 1985 the additional conditions detailed on the premise file also applies.***

### **390.12 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985 – VARIATION OF A FULL LICENCE APPLICATION**

**Premises**

**Applicant**

Ballybrakes Community Indoor  
Bowling Club,  
Unit 12,  
38 Ballybrakes Road,  
BALLYMONEY, BT53 7PL.

Mr. Morris McCullagh

Application has been received to vary the Entertainments Licence for the above premises to cover the full area of the premises and increase the occupancy numbers.

***IT IS RECOMMENDED*** that the Borough Council vary the Indoor Entertainments Licence as detailed above. In addition to the Borough Council's "Conditions of Licence" adopted on 7<sup>th</sup> October 1985 the additional conditions detailed on the premise file also applies.

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

***to recommend that the Borough Council vary the Indoor Entertainments Licence as detailed above. In addition to the Borough Council's "Conditions of Licence" adopted on 7<sup>th</sup> October 1985 the additional conditions detailed on the premise file also applies.***

## WELFARE OF ANIMALS

### 390.13 WELFARE OF ANIMALS ACT (NORTHERN IRELAND) 2011 THE WELFARE OF ANIMALS (DOG BREEDING ESTABLISHMENTS AND MISCELLANEOUS AMENDMENTS) REGULATIONS (NI) 2013

Further to committee minutes HES 379.22 and HES 388.17, it is necessary to authorize the following additional officers to carry out this function on behalf of Ballymoney Borough Council:-

William Nigel McKeown  
Karen Wendy Elizabeth Mitchell

***IT IS RECOMMENDED*** that in exercise of its powers under Section 47A of the Local Government Act 1972 as amended by Article 26 of the Local Government (Miscellaneous Provisions) (NI) Order 1985 Ballymoney Borough Council appoints the aforementioned officers as inspectors under Section 45(1)(b) and delegates powers contained in sections 10, 17, 18, 22, 23, 24, 47 and 48 specifically in relation to the aforementioned Regulations made under Section 12 of the Welfare of Animals Act (Northern Ireland) 2011.

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

***to recommend that in exercise of its powers under Section 47A of the Local Government Act 1972 as amended by Article 26 of the Local Government (Miscellaneous Provisions) (NI) Order 1985 Ballymoney Borough Council appoints the aforementioned officers as inspectors under Section 45(1)(b) and delegates powers contained in sections 10, 17, 18, 22, 23, 24, 47 and 48 specifically in relation to the aforementioned Regulations made under Section 12 of the Welfare of Animals Act (Northern Ireland) 2011.***

## EMERGENCY PLANNING

### 390.14 BALLYMONEY BOROUGH COUNCIL EMERGENCY PLAN

Members may recall the review of the Emergency Plan (HES minute 370.10 refers) to aid Councils response in the event of unforeseen circumstances affecting citizens within the Borough. The Plan has again been reviewed and minor amendments in relation to personnel and new buildings to be used for emergency support centres are included. A copy of the plan was circulated to members. Members attention was drawn to paragraph 1.3, where Council are to provide a procedure to ensure that it can respond 24 hours a day and provide systems for mobilizing staff, equipment and facilities.

Council has considered this matter a number of times, the latest being HES minute 386.15 (27<sup>th</sup> November 2012). This matter has been further reviewed. Members may recall the adoption of HES minute 330.18 (26<sup>th</sup> June 2007) which recommended:

***that Council adopts the powers contained in Article 29 of the Local Government (Northern Ireland) Order 2005, as detailed above and furthermore, delegates responsibility for putting in place, arrangements to respond to emergencies on behalf of Council, to the Chief Executive or his nominee.***

This was subsequently adopted by CM 864.8.2 (2<sup>nd</sup> July 2007)

The document will be shared with other statutory agencies and essential utility service providers once an implementation procedure is agreed.

***IT IS RECOMMENDED*** that Council adopt the Ballymoney Borough Council Emergency Plan as circulated, replacing that previously adopted (4th April 2011. CM 942.7.3 refers).

In response to Alderman Campbell, the Deputy Director of Borough Services advised it is first responders who would call for assistance from Council to e.g. open an assistance centre in times of an emergency.

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

***to recommend that Council adopt the Ballymoney Borough Council Emergency Plan as circulated, replacing that previously adopted (4th April 2011. CM 942.7.3 refers).***

### **390.15 MEMORANDUM OF UNDERSTANDING AND MUTUAL AID AGREEMENT BETWEEN RIVERS AGENCY, ROADS SERVICE, NORTHERN IRELAND WATER AND LOCAL GOVERNMENT COVERING ARRANGEMENTS FOR MUTUAL AID IN THE SUPPLY AND DEPLOYING OF AGREED RESOURCES IN THE EVENT OF FLOODING**

The above documents produced by LGEMG along with the three drainage agencies were provided for Members information. The documents provide a broad statement of principles under which all parties agree to offer support if available and feasible to other parties. Any manpower and other resources would operate under the direction and supervision of the requesting agency.

***IT IS RECOMMENDED*** that Ballymoney Borough Council enter into such a protocol when arrangements for the implementation of the Emergency plan have been finalized, and in this respect authorizes the Chief Executive to sign on its behalf.

The Deputy Director of Borough Services responded to Alderman Campbell's questions regarding the financing of such support.

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

***to recommend that Ballymoney Borough Council enter into such a protocol when arrangements for the implementation of the Emergency plan have been finalized, and in this respect authorizes the Chief Executive to sign on its behalf.***

## MATTERS FOR INFORMATION

### ENVIRONMENTAL SERVICES

#### 390.16 MUNICIPAL WASTE RETURNS

<u>Waste Type</u>	<u>Feb 2012</u>	<u>Feb 2013</u>	<u>Apr 11 – Feb 12</u>	<u>Apr 12 – Feb 13</u>
Mixed Residual Waste (waste direct to landfill)	713.14t	541.68t -24.04%	8,458.96t	7,806.96t -7.71%
Mixed Dry Recyclables (blue bin recycling)	131.52t	151.56t +15.24%	1,573.67t	1,769.43t +12.44%
Garden Waste (brown bin recycling)	n/a	n/a	1,119.96t	1,074.18t -10.48%
Waste Recovery (segregated HRC waste)	75.50t	44.68t -40.82%	755.10t	735.38t -2.61%
Cardboard	3.90t	2.04t -47.69%	63.91t	45.04t -29.53%
Timber	13.62t	12.68t -6.90%	292.62t	247.94t -15.27%

In response to Councillor Finlay, the Deputy Director of Borough Services gave an explanation into the reduction of mixed residual waste in February 2013.

At the request of Alderman Campbell, the Deputy Director of Borough Services agreed to confirm what impact the Council's method of timber disposal has on NILAS targets.

#### 390.17 'RURAL OSCAR' FOR CLOUGHMILLS

Cloughmills Community Action Team has previously been recognized as Ireland champions in the Enterprise category of the Countryside Alliance Awards, affectionately known as the 'Rural Oscars'. These awards are organized on a regional basis around the UK and Ireland. Regional champions from 10 areas across England, Scotland and Wales as well as Cloughmills CAT then went on to a major celebration at the House Of Lords, where the overall winners in each category were presented with awards by the Secretary of State for Defra, Owen Paterson.

Countryside Alliance Executive Chairman Barney White-Spunner commented:

'I was a part of the judging panel that selected the UK & Ireland Champions - a harder job than ever before in a record year when we saw 4,500 nominations pour in. I was aided in my task by a wealth of experience: cook and food champion Clarissa Dickson Wright; Philip Johnston of the Daily Telegraph; Master Butcher

David Lidgate; Emma Penny of Farmers Guardian and Chris Dewbury of Hunter Boot.'

Although not declared overall winners in their category and unable to attend this prestigious event, Cloughmills CAT were Joint Highly Commended which ultimately means they finished in the top 3 rural enterprises in the UK and Ireland and all this in a year when there were 4,500 nominations in total. The judges said:

**"The small village of Cloughmills is to be commended for community spirit, willingness to embrace new ventures and their desire to improve their own quality of life and that of their neighbours. The enterprise displays a great selflessness that should be aspired to."**

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

***to recommend that a letter of congratulations be forwarded to Cloughmills CAT recognising their success.***

## **FOOD CONTROL**

### **390.18 THE FOOD (MISCELLANEOUS AMENDMENT AND REVOCATION) REGULATIONS (NORTHERN IRELAND) 2013**

The above Regulations made on the 26<sup>th</sup> February 2013 by the DHSSPS come into operation on the 6<sup>th</sup> April 2013. The Regulations make an amendment to the Food Labelling Regulations (Northern Ireland) 1996 in order to correct an error in a previous amending rule. In addition they revoke:-

- The Arsenic in Food Regulations (Northern Ireland) 1961 and their amending rule;
- The chloroform in Food Regulations (Northern Ireland) 1980 and
- The Ungraded Eggs (Hygiene) Regulations (Northern Ireland) 1990.

## **HEALTH & SAFETY**

### **390.19 SLURRY GAS ADVICE**

HSENI have issued the following advice regarding Hydrogen Sulphide gas, released during the mixing of slurry.

Hydrogen Sulphide gas produced during the mixing of slurry may be dangerous when mixing takes place in confined spaces (for example in an underground tank below a livestock building) and the concentration of gas (hydrogen sulphide) inside the building reaches a high level. Farmers should leave the building as soon as mixing starts and avoid entering the building for at least 30 minutes after mixing starts.

Although the smell produced during slurry mixing is unpleasant this should not be a danger in the open air outside the building where mixing is taking place.

Further advice can be obtained at  
[www.hseni.gov.uk/guidance/guidance/industries/agriculture-3-column.htm](http://www.hseni.gov.uk/guidance/guidance/industries/agriculture-3-column.htm)

## **DOG CONTROL**

### **390.20 THE DOGS (GUARD DOG KENNELS) REGULATIONS (NORTHERN IRELAND) 2013**

The above Regulations made by the Department of Agriculture and Rural Development come into operation on the 1<sup>st</sup> April 2013. They replace the Dogs (Breeding Establishments and Guard Dog Kennels) Regulations (Northern Ireland) 1983.

The Regulations prescribe the information to be contained in a register of guard dog kennels, the form in which it is required together with the information to be included in the application for registration.

The schedule details the standards of construction of guard dog kennels and stipulates that they shall be durable, capable of being cleansed and disinfected and of suitable size for the number of occupants. They also require the provision of secure escape proof accommodation, exercising facilities, adequate water supply, drainage lighting and ventilation.

## **WELFARE OF ANIMALS**

### **390.21 THE WELFARE OF ANIMALS (DOG BREEDING ESTABLISHMENTS AND MISCELLANEOUS AMENDMENTS) REGULATIONS (NORTHERN IRELAND) 2013**

The above Regulations made by the Department of Agriculture and Rural Development come into operation on the 1<sup>st</sup> April 2013. Subject to qualifying criteria and some exceptions, any person wishing to breed dogs shall obtain a licence from the Council in which the establishment is located.

The Regulations specify licence fees which are set to cover reasonable expenses incurred in performing this function and ensuring compliance. There are also powers to suspend and revoke licences which are breached, together with appeal provisions.

The schedules to the Regulations contain an application form, a licence form, details to be contained in a register kept by the Council and conditions to be met by licence holders. These relate to the construction and maintenance of premises, diet and nutrition of dogs, physical, behavioural and social requirements, health and welfare and record keeping. Additional guidance for enforcement officers has also been issued by DARD and an awareness session for enforcement officers has been arranged prior to the introduction of the Regulations.

## LICENSING

### 390.22 LICENSING (NORTHERN IRELAND) ORDER 1996

<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Daniel J. McFerran, 145 Bridge Road, Dunloy, BALLYMENA, BT44 9EQ.	Occasional Licence (Charitable Function at Dunloy Parish Hall, on 17/3/13 – 19.00-24.00 hrs.)	28/2/13

## PUBLIC HEALTH AGENCY CONTRACTS

### 390.23 ROLL FORWARD OF EXISTING CONTRACTS BEYOND 31<sup>ST</sup> MARCH 2013

- Provision of Home Accident Prevention Officer Service
- Provision of Fuel Poverty Co-Ordinator Service
- Provision of Energy Efficiency Advice Service

The Public Health Agency (PHA) has advised by letter dated 13<sup>th</sup> March 2013 confirming the roll forward of the above existing contracts beyond 31<sup>st</sup> March, until further notified based on the same terms and conditions and subject to ongoing satisfactory performance being delivered. The Public Health Agency will be reviewing all contracts once the 2013/14 budget has been confirmed by the Minister. In the event of any termination, 3 months written notice will be provided. The Agency have also advised that they are currently implementing a Procurement Plan which will ensure that all existing contracts, where appropriate are subject to an open tender process in line with procurement regulations.

## EMERGENCY PLANNING

### 390.24 EMERGENCY SUPPORT CENTRE PROTOCOL

An exercise has been undertaken to review and amalgamate the Emergency Support Centre Protocols across the Northern Group Area to ensure consistency within PSNI H-District. The protocol which was first prepared in October 2007 by Ballymoney Borough Council has been updated to include references and details of all facilities within the Northern Group Area, and in relation to Ballymoney in particular, to include new community buildings at Balnamore and Stranocum as previously agreed HES 386.14 refers. A copy of the protocol has been emailed to Members for information.

## **BUILDING CONTROL**

### **390.25 AMENDMENTS TO THE BUILDING (PRESCRIBED FEES) REGULATIONS (NORTHERN IRELAND) 1997**

The Department of Finance and Personnel (DFP) recently published amendments to the principal fee regulations. These amendments are known as the **Building (Prescribed Fees) (Amendment) Regulations (Northern Ireland) 2013**, and come into operation on 8<sup>th</sup> April 2013.

The fee amendment regulations were circulated to members.

The principal fee regulations have not been updated since 1997. The main changes to the principal regulations are:-

1. Regulation numbers which make reference to the principal regulations are amended to keep them aligned with the principal regulations [the Building Regulations (Northern Ireland) 2012].
2. The fee payable to a district council when an application for building regulations approval is made to erect one or more small domestic buildings (Schedule 1) or to extend or alter a small building (Schedule 2) is increased by 20% for the erection of up to 10 dwellings in an application and for works to a single dwelling. The increase is gradually lessened to approximately 11% for applications up to and over 20 dwellings in an application depending on the mix of dwelling types in the application.
3. Schedule 2 is extended to include installation, replacement or extension of certain services in a dwelling which previously would have attracted fees calculated in accordance with Schedule 3.
4. Consideration of an application to a processing council for type approval is included in regulation 5 as a prescribed function; regulation 6 authorises a district council to charge a fee for this function; regulation 7 states how the fee may be calculated and regulation 9 identifies when the fee is due. Type Approval Fee and Processing Council are defined in regulation 2.
5. As provided for in the principal regulations, regulation 10 authorises a district council not to issue a completion certificate until the relevant fee payable has been paid in full.

## **PCSP**

### **390.26 BONFIRE SUB-GROUP**

With agreement of the Chair, Councillor Finlay raised the issue of membership of the PCSP Bonfire Sub-Group. Councillor Finlay requested that due consideration be given to appropriate Council representation on the Bonfire sub Group to reflect the expense incurred in terms of clear up costs.

**This being all the business the meeting closed at 7.37pm.**