

Ballymoney Borough Council

Health & Environmental Services Committee Meeting No 393 – 25th June 2013

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393.5	NIEA Correspondence	<i>For information</i>
393.6	Petroleum (Reg) Acts (NI) 1929 and 1937 Petroleum Spirit Licence (Renewal)	<i>Renew licences</i>
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393.8	Vehicle Procurement	<i>Noted</i>
393.9	Closed Landfill – Consultancy Services	<i>Tender from RPS accepted</i>
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393.11	Local Government (Misc. Prov.) (NI) Order 1985 – Licence Application (Full) (Renewal)	<i>Renew licence</i>
393.12	Local Government (Misc. Prov.) (NI) Order 1985 – Licence Application (Fourteen Unspecified Days) (Renewal)	<i>Renew licences</i>
393.13	Business of Tattooing, Ear Piercing and Electrolysis – Registration of Persons and Premises – Part V Provisions	<i>Register person & premises</i>
393.14	Article 115 – Amusement Permit Renewal	<i>Approve renewal</i>
393.15	Notice of Application for Grant of a Bingo Licence	<i>Noted</i>
393.16	Street Trading Act (NI) 2001 Mobile Street Trading Licence Application	<i>Grant licence</i>
393.17	Street Trading Act (NI) 2001 Temporary Street Trading Licence	<i>Grant licence</i>
393.18	Licence (NI) Order 1996	<i>Noted</i>
393.19	Borough Services Directorate Plan 2013-2014	<i>Endorse Borough Services Directorate Plan 2013-2014</i>
393.20	Borough Building Control Plan 2013 -2014	<i>Adopt and implement</i>

*the Borough Building
Control Service Plan for
2013-2014*

393.21 Fire & Rescue Service (NI) Order 2006

Appoint officers

BALLYMONEY BOROUGH COUNCIL

Minutes of Health & Environmental Services Committee Meeting No 393, held in the Council Chamber, Riada House, Ballymoney on Tuesday 25th June 2013 at 7.00 pm.

IN THE CHAIR: Councillor J Finlay, Mayor (Item 393.1)
Councillor J Atkinson (Items 393.2 – 393.20)

PRESENT:

Aldermen
F Campbell
H Connolly
C Cousley, MBE

Councillors
W Blair
A Cavlan
R Halliday
R McAfee
C McLaughlin
E Robinson, MBE
I Stevenson

APOLOGIES: Alderman B Kennedy
Councillor McGuigan
Councillor Storey

IN ATTENDANCE: Director of Borough Services
Committee Clerk

In response to the Director of Borough Services, it was proposed by Councillor Robinson, seconded by Councillor Stevenson and **AGREED:**

that the Mayor take the Chair to facilitate the election of the Committee Chair .

Councillor Finlay assumed the Chair.

393.1 ELECTION OF CHAIR

The Mayor invited nominations for the Chair of the Health & Environmental Services Committee for 2013/14.

It was proposed by Alderman Campbell, seconded by Councillor Stevenson:

that Councillor Atkinson be elected Chair of the Health & Environmental Services Committee for 2013/14.

It was proposed by Councillor Cavlan, seconded by Councillor McLaughlin:

that Councillor McLaughlin be elected Chair of the Health & Environmental Services Committee for 2013/14.

The Mayor invited members to vote for the two nominations in alphabetical order. Eight members voted in favour of Councillor Atkinson with none against.

Four members voted in favour of Councillor McLaughlin.

Councillor Atkinson was declared elected.

Councillor Atkinson assumed the Chair and thanked members for his election.

393.2 ELECTION OF VICE-CHAIR

The Chair invited nominations for Vice-Chair of the Health & Environmental Services Committee for 2013/14.

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

that Councillor Blair be elected Vice-Chair of the Health & Environmental Services Committee for 2013/14.

Councillor Blair was declared elected.

393.3 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

393.4 MINUTES – MEETING NO 392 – 28th May 2013

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

to recommend that the minutes of Meeting Number 392 – 28th May 2013, as circulated, be confirmed as a correct record.

The Director of Borough Services responded to a question from Councillor Robinson regarding item 392.15 - trade waste query.

393.5 NIEA CORRESPONDENCE

The Director of Borough Services advised members that following enforcement action taken by NIEA earlier in the month in respect of a waste business which had operated in the North West, the NIEA Chief Executive had written to council Chief Executives regarding compliance with Duty of Care requirements. He intimated that, in conjunction with the other NWRWVG colleagues, it was hoped to arrange an early meeting with the NIEA Chief Executive. The Director of Borough Services responded to questions from Councillor Robinson.

MATTERS FOR CONSIDERATION

HEALTH & SAFETY

393.6 PETROLEUM (REGULATION) ACTS (NORTHERN IRELAND) 1929 AND 1937 PETROLEUM SPIRIT LICENCE (RENEWAL)

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

<u>Premises</u>	<u>Applicant</u>
Dervock Centra, 10-16 Carncullagh Road, Dervock, BALLYMONEY, BT53 8BT.	Kashmire Ltd.
Finvoy Filling Station, 180 Finvoy Road, BALLYMONEY, BT53 7JS.	Mr. Sean Maguire
Biesty's Centra, 6-8 Ballybogey Road, BALLYMONEY, BT53 6QD.	Mr. Glenn Biesty
Moore's Cloughmills, 11 Main Street, Cloughmills, BALLYMENA, BT44 9LF.	Mr. Robert Dennis Moore

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

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

to recommend the renewal of the licences as detailed above.

ENVIRONMENTAL SERVICES

393.7 WASTE WOOD

Following notification of local company S. J. McAuley withdrawing from taking the Council's waste wood to use as a bio-mass fuel the service was tendered. The lowest quotation for the collection and processing of the Council's waste wood, that from River Ridge Recycling has been accepted. The service will be for 12 months, commencing 1st July 2013, with the option for a further 9 month extension. The end use of the material will continue to be as a bio-mass fuel.

IT IS RECOMMENDED that Council note the arrangements made in respect of the collection and disposal of waste wood.

The Director of Borough Services responded to Councillor Robinson's questions.

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

to recommend that Council note the arrangements made in respect of the collection and disposal of waste wood.

393.8 VEHICLE PROCUREMENT

IT IS RECOMMENDED that Council note that tenders have been invited for the 3 no. Environmental Services vehicles to be procured this year. Evaluation report will, it is hoped, be available for the Council's consideration at its meeting on 5th August 2013.

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

to recommend that Council note that tenders have been invited for the 3 no. Environmental Services vehicles to be procured this year.

393.9 CLOSED LANDFILL – CONSULTANCY SERVICE

Members are reminded that Committee has Council powers to determine this business.

As previously advised Council is aware that NIEA has required Council to produce a revised closure plan in respect of its closed landfill at Crosstagherty. In order to progress this direction, tender documents were prepared and issued with return date stated as 12.00 noon on 7th June. The tender is a mini-competition under the NWRWMG Waste-Related Consultancy Services Framework Agreements. Whilst 6 no. documents issued only one tender was returned and this was opened by the Committee Chair – Alderman Connolly together with the Head of Environmental Services after the deadline on 7th June.

The submission received was considered by the evaluation panel which met on 12th June and achieved a score of 88 under the award criteria.

IT IS RECOMMENDED that the tender from RPS, Belfast, be accepted by Council to produce a revised closure plan for Crosstagherty Landfill.

Following discussion, it was proposed by Councillor Robinson, seconded by Councillor Stevenson and **AGREED:**

to recommend that the tender from RPS, Belfast, be accepted by Council to produce a revised closure plan for Crosstagherty Landfill.

393.10 ENVIRONMENTAL SUCCESS FOR BOROUGH SCHOOLS

IT IS RECOMMENDED that Council note the following success on the part of Borough schools –

ECO SCHOOLS

St Joseph's PS Dunloy and Carrowreagh PS were both awarded Green Flags recently, Carrowreagh for the second time. Both schools have delivered an imaginative programme of activities which engaged all pupils and assessors praised the quality and quantity of actions. Staff and pupils in both schools deserve tremendous credit for the massive effort involved in obtaining the Green Flag and both schools demonstrated commitment to building awareness of key environmental issues and providing realistic opportunities for pupils to effect change within the school community.

SENTINUS JUNIOR INDUSTRY CHALLENGE – BALNAMORE PS

Following on from their recent presentation to H&ES committee, Balnamore PS travelled to the Odyssey Arena to compete in the final of this province wide competition along with 14 other schools. The judges were impressed with the business idea of turning crisp bags and sweet papers into jewellery and other accessories. The pupils also had to deliver a short presentation and were overjoyed to receive first prize. One other key element to their success is the fact that this was a whole school community effort and everyone involved deserves praise for bringing this honour to the school, the community of Balnamore and the borough.

The school was assisted in this venture by the Recycling and Education Officer who invited pupils to Crosstagherty to investigate the scale of the waste problem within Ballymoney and also participated in an interview style event with the class providing some background information which gave a greater depth to their project. The Principal has recorded her thanks for this involvement and for the difference it made to the quality of the overall project.

MAKE ART NOT WASTE

This is a competition organized and sponsored across the 7 Council areas where River Ridge Recycling has a significant presence. It is open to year 8 and 9 pupils in all second level schools in these areas, encouraging them to redesign waste into art. Catherine Torrens, Dalriada claimed first prize in the Ballymoney heat, going on to represent the Borough in the grand final in Stormont against the 6 other heat winners. Her stunning piece, entitled 'Tea Party' recognized the potential for tea to bring people together and this too should be applied to waste, it is a whole community issue and can be addressed if we all work together. The Borough should be very proud of Catherine as she picked up the overall prize of an ipad and £500 for her school to the acclaim of judges and other Council officers.

The Director of Borough Services paid tribute to the Recycling and Education Officer for the work he had undertaken. It was suggested that the Chair write letters of congratulations and this was agreed.

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

to recommend that Council note the success on the part of Borough schools.

LICENSING

393.11 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985 - LICENCE APPLICATION (FULL) (RENEWAL)

Premises

Cloughmills Community Centre,
5A Loughill Road,
Cloughmills,
BALLYMENA, BT44 9NJ.

Applicant

Mr. Patrick McCann

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licence as detailed above. In addition to the Borough Council's "Conditions of Licence" adopted on 7th October 1985 the additional conditions detailed on the premise file also applies.

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

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

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

Premises

Killyrammer & District Community Association,
137 Kilraughts Road,
BALLYMONEY, BT53 8ND.

Applicant

Tracey Bartlett

McMullan's Farm,
17 Clintyfinnan Road,
Armoy,
BALLYMONEY, BT53 8TW.

James McMullan

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licences as detailed above and in the case of Killyrammer & District Community Association 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 Robinson, seconded by Councillor Halliday and **AGREED:**

to recommend that the Borough Council renew the Indoor Entertainment's Licences as detailed above and in the case of

Killyrammer & District Community Association 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.

393.13 THE BUSINESS OF TATTOOING, EAR PIERCING AND ELECTROLYSIS – REGISTRATION OF PERSONS AND PREMISES – PART V PROVISIONS

Applicant

Miss Geraldine McErlain,
(Ear Piercing/Electrolysis)
Market Street,
BALLYMONEY, BT53 6EA.

Premises

Juno's,
3A Silversprings,

IT IS RECOMMENDED that the above person and premises be registered.

It was proposed by Alderman Connolly, seconded by Alderman Campbell and
AGREED:

to recommend that the above person and premises be registered.

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

393.14 ARTICLE 115 – AMUSEMENT PERMIT RENEWAL

Application for the renewal of amusement permit under the provisions of Article 115 of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 has been received from Mr. Robert Leitch in respect of premises at Ballymoney Amusements, 19 Linenhall Street, Ballymoney. The requisite fee of £32.00 has been received. The notice of intention (as required by Article 119 of the Order) has been served on the applicant.

IT IS RECOMMENDED that the Borough Council give its approval to the renewal of the amusement permit as detailed above and apply to same the Borough Councils "Amusement Permit Conditions" as permitted by virtue of Article 115(6) and 115(7) of the said Order.

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

to recommend the Borough Council give its approval to the renewal of the amusement permit as detailed above and apply to same the Borough Councils "Amusement Permit Conditions" as permitted by virtue of Article 115(6) and 115(7) of the said Order.

393.15 NOTICE OF APPLICATION FOR GRANT OF A BINGO LICENCE**Premises**

Lucky's Bingo
27-29 Castle Street
BALLYMONEY

Applicant

Sperrin Bingo Limited

IT IS RECOMMENDED that Council note the application.

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

to recommend that Council note the application.

STREET TRADING**393.16 STREET TRADING ACT (NI) 2001
MOBILE STREET TRADING LICENCE APPLICATION**

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

Purpose

Confectionery/Ice Cream
Trailer
Bendooragh,
BALLYMONEY,
BT53 7LX.

Applicant

Mr. Mervyn Hutchinson,
4 Willowdale,

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

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

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

**393.17 STREET TRADING ACT (NI) 2001
TEMPORARY STREET TRADING LICENCE**

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

Purpose

Dinky Donuts
in High Street
on 15th June 2013

Applicant

Mr. Carson Skelton

IT IS RECOMMENDED that the Borough Council grant the Temporary Street Trading Licences as detailed above retrospectively.

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

to recommend that the Borough Council grant the Temporary Street Trading Licences as detailed above retrospectively.

LICENSING

393.18 LICENSING (NORTHERN IRELAND) ORDER 1996

<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Kieran Rogan, 36 Main Street, Rasharkin, BALLYMENA, Co. Antrim, BT44 8PU.	Renewal of Licence	24/5/13
Pauline Mary Gallagher, 19 Church Street, BALLYMONEY, BT53 6HS.	Occasional Licence Ballymoney Agricultural Show Ballymoney Showgrounds on 31/5/13 and 1/6/13	24/5/13
Brooke Huey, Glynns Bar, 23 Church Street, BALLYMONEY, BT53 6HS.	Occasional Licence McMullan's Farm Moycraig Young Farmers Club BBQ and Dance on 29/6/13	6/6/13

IT IS RECOMMENDED that the above applications be noted.

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

to recommend that the above applications be noted.

DIRECTORATE PLANS

393.19 BOROUGH SERVICES DIRECTORATE PLAN 2013-2014

A Borough Services Directorate Plan has been devised for the period 1st April 2013 to 31st March 2014 and was circulated electronically to members. The plan identifies the work (primarily that of a pro-active nature) which will be undertaken within the resources Council has provided to the Directorate for the current financial year.

IT IS RECOMMENDED that Council endorse the Borough Services Directorate Plan 2013-2014.

It was proposed by Alderman Campbell, seconded by Alderman Connolly and
AGREED:

to recommend that Council endorse the Borough Services Directorate Plan 2013-2014.

The Director of Borough Services referred reminded members that the amenities section of the plan had been dealt with at the recent Leisure & Amenities Committee meeting. He also responded to a question from Councillor Robinson.

393.20 BOROUGH BUILDING CONTROL PLAN 2013-2014

A Borough Building Control Service Plan has been devised for the period 1st April 2013 to 31st March 2014. The plan was circulated electronically to members.

IT IS RECOMMENDED that Council adopt and implement the Borough Building Control Service Plan for the year 2013-2014.

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

to recommend that Council adopt and implement the Borough Building Control Service Plan for the year 2013-2014.

OFFICER AUTHORISATIONS

393.21 FIRE AND RESCUE SERVICES (NORTHERN IRELAND) ORDER 2006

Further to committee item 381.13, approved by Council minute 962.6.3, members accepted a recommendation to sign a memorandum of understanding (MoU) with the Northern Ireland Fire and Rescue Services Board to accept delegated enforcement powers under Article 13(1) of the above Order. The signed MoU has now been returned and as a result it is necessary to amend officer authorisations.

IT IS RECOMMENDED that the undernoted officers be appointed by virtue of Article 13(1) to exercise all the powers of an authorised officer as detailed in Articles 34, 35, 37 and 38:-

Judith Carolyn Evans
Lynne McCullough
Damian Gavin
Warner Kirkpatrick

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 powers and duties and indemnified as provided by Section 48 of the said Act.

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

to recommend that the above officers be appointed by virtue of Article 13(1) to exercise all the powers of an authorised officer as detailed in Articles 34, 35, 37 and 38.

This being all the business the meeting closed at 7.45pm.