

Ballymoney Borough Council

Health & Environmental Services Committee Meeting No 377 – 24th January 2012

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BALLYMONEY BOROUGH COUNCIL

Minutes of Health & Environmental Services Committee Meeting No 377, held in the McKinley Room, Riada House, Ballymoney on Tuesday 24th January 2012 at 7.04 pm.

IN THE CHAIR: Councillor E Robinson

PRESENT: **Aldermen**
F Campbell
C Cousley, MBE

Councillors
J Atkinson
W Blair
J Finlay
R Halliday
R McAfee
C McLaughlin
I Stevenson, Mayor

APOLOGIES: Alderman H Connolly
Councillor A Cavlan
Councillor P McGuigan

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

377.1 RECYCLATES

The Chair advised that she was meantime setting aside Committee business to enable members to question the Director on the issues relating to the collection of recyclates within the Borough which members had raised at the Committee meeting held the previous evening. In response to Alderman Campbell and others the Director of Borough Services dealt with the various questions put to him. Members were reminded that work was ongoing within the North West Region Waste Management Group to put in place a number of joint contracts for different types of recyclates taking into account the different services operated by Councils to collect the various materials. He stated that the first of the new contracts to come before the respective constituent councils of the Group for approval had been that relating to mixed dry recyclates [MDR] collected at the kerbside i.e. the Council's 'blue bin' service and this represented a change in what had hitherto been the case in that materials collected and then processed under this contract had the potential to generate an income for Council from the date any contract might be operational. He explained that presently it was uncertain as to how Council would be able to proceed post 1st April 2012 as the proposed MDR contract was subject to legal challenge as regards the procurement process. The Director then went on to deal with other specific materials recycled by Council. He advised that until the other joint procurement exercises would be complete and new contracts operational it would be the case that Council would have to continue

to pay for the rental of recycling banks such as those at its Community Recycling Centres and Household Recycling Centres [HRC] together with the reprocessing of many of the materials Council collected via the various collection services it operated. He stated that Council had always obtained an income from scrap metal but due to resource constraints this material could only be dealt with as mixed scrap and was not separated into its higher/lower value components as might be done by some businesses. The Chair drew attention to the extensive facilities which had been provided by a neighbouring authority, which was achieving a higher recycling rate than Ballymoney, which allowed for more material segregation and indeed the processing on site of that council's green/food waste. The Director advised that what that authority had done and indeed others had only been achieved because of the substantial investment of resources these councils were prepared to make, both in terms of capital investment but also ongoing revenue spend. He advised that it was unrealistic to think that an income could be achieved from every type of material presented for recycling. He explained that whilst other Council's might generate income from the recycling of textiles and thereby reduce costs, it was the Council's position that it would not do so. Committee/Council, he advised, had considered this matter on two previous occasions and had maintained its position that it would prefer to support a social enterprise within the Borough which provided training and work opportunities for those with learning disabilities. The Director intimated that work was in progress following an approach from a local business regarding mixed 'wood' which Council accepted at its HRC's, with a view that this material could for 6 months of the year be dealt with at no cost to Council. However members needed to be aware, the Director advised, that were this proposal to be implemented the Council's recycling rate would reduce significantly as the wood dealt with by the business would no longer count towards the Council's recycling rate. The Director advised that as members were aware Council was obliged to submit via the wastedataflow system very detailed statistics on a quarterly basis to the DoE as to how it dealt with all the waste it collected, including recyclates. He explained that the same obligations did not apply to material collected by other waste operators within the Borough [be they private sector businesses or indeed social enterprises] and so the true position as to the recycling actually going on would be understated as the statistics only referred to the recycling rate achieved by Council. The Director reminded members that as the marketplace continued to change from providing services to deal with waste to seeking outlets for materials for reuse, Council would need to invest additional resources [including additional labour] in order that it could both compete with new private sector competitors as well as ensuring that its material was of the correct type and quality [so avoiding the substantial costs associated with unacceptable contamination levels]. He also advised that the removal of further material from 'black' bins would contribute to assisting Council to meet its NILAS targets and reminded members that a recent report to Committee relating to the finalized figures for 2010-2011 had shown that Council was then only 20 tonnes under its 2012-2013 target. He advised that this ought to be of concern, as had previously been stated, as presently Council had no proposals to reduce the amount of biodegradable waste sent to landfill and were Council to exceed its target in 2012-13 this failure had the potential to incur a potential fine of £150 per tonne for each tonne of waste sent to landfill over the target limit set.

* Councillor McLaughlin left the meeting at 8.03pm.

377.2 MINUTES - Meeting No 376 – 22nd December 2011

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

to recommend that the minutes of Meeting Number 376 – 22nd December 2011, as circulated, be confirmed as a correct record.

MATTERS FOR CONSIDERATION**ENVIRONMENTAL PROTECTION****377.3 CLEAN NEIGHBOURHOODS & ENVIRONMENT ACT (NORTHERN IRELAND) 2011 CONSULTATION ON DEFACEMENT REMOVAL NOTICES STATUTORY GUIDANCE**

The DoE NI have issued the above consultation with a reply date of 16th February 2012. The 2011 'Act' enables Councils to issue notices requiring the removal of graffiti and fly posting to statutory undertakers, educational institutions and others responsible for street furniture and other "relevant surfaces" where these are defaced in a manner that is detrimental to the amenity of the area or is offensive. If a Defacement Removal Notice (DRN) is not complied with Councils may carry out the work in default (WID) and recover costs. The draft statutory guidance sets out general principles, provides technical clarification and a procedure for issuing a notice and dealing with repeat defacement. A draft response to the consultation has been prepared and circulated to members.

IT IS RECOMMENDED that Ballymoney Borough Council endorse the response as prepared and submit this to the Department of Environment prior to the consultation closing date.

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

to recommend that Ballymoney Borough Council endorse the response as prepared and submit this to the Department of Environment prior to the consultation closing date.

377.4 CLEAN NEIGHBOURHOODS & ENVIRONMENT ACT (NORTHERN IRELAND) 2011 CONSULTATION ON GATING ORDERS GUIDANCE

The DoE NI have issued the above consultation with a reply date of 22nd February 2012.

Since 2002, DRD Roads Service has been able to make "road traffic regulation orders" to restrict traffic (including pedestrians) in public roads, including alleys/back streets. This enables the road in question to be gated and contributes to the prevention of crime and reduction of antisocial behaviour in the area. Certain exceptions are provided for persons/traffic enabling, for example, access by refuse collection personnel and those of other essential services, including the utilities.

However, the existing regime for making gating orders has proved to be cumbersome and it was felt that a more streamlined approach was required. It was also felt that responsibility for making gating orders would be better placed with local government rather than central government. As gating orders can help combat some of the local environmental quality problems being dealt with by the Clean Neighbourhoods 2011 Act, it was decided that the powers for district councils to make such orders should also be included in the Act.

Whilst DRD will no longer make Road Traffic Regulation Orders, district councils will still need to seek the approval of DRD (as the roads authority) before a gating order is made or varied so as to further restrict any public right of way over the road to which the order relates.

Following the consultation exercise carried out in respect of the Clean Neighbourhoods and Environment Bill in 2010, the DoE undertook to produce guidance to assist district councils in their new role in the making of gating orders. Councils are now being consulted on this guidance.

A draft response to the consultation request has been prepared and was circulated to members.

IT IS RECOMMENDED that Ballymoney Borough Council endorse the consultation response as prepared and submit this to DoE (NI) by the consultation closing date.

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

to recommend that Ballymoney Borough Council endorse the consultation response as prepared and submit this to DoE (NI) by the consultation closing date.

HEALTH & SAFETY

377.5 THE SAFETY OF SPORTS GROUNDS (NI) ORDER 2006: GENERAL SAFETY CERTIFICATES

Members are aware that by virtue of the provisions of the Safety of Sports Grounds (Northern Ireland) Order 2006 Council is the relevant enforcing authority for designated venues within the Borough. Again Members are aware that DCAL (Department of Culture Arts & Leisure) has designated the undernoted two venues within the Borough in respect of their use for certain sports as described –

Father Healy Park, Loughgiel (gaelic games)
Riada Stadium, Ballymoney (soccer)

Council is responsible for issuing and enforcing General Safety Certificates in respect of the aforementioned designated venues when same are used for the sports described. Both venues have been reviewed and it is the case that in both instances the relevant venue 'S' factor has improved as result of the improvements made, grant aided by Sport NI. Necessary changes have been made to each venue's General Safety Certificate (GSC) and the respective documents emailed to Members. (A venue GSC sets out the permitted safe capacity for each ground, together with the terms and conditions with which the respective ground management/users must

comply in order to secure the safety of spectators at the venues when they are being used for the sporting activities specified). The revised General Safety in respect of both Father Healy Park, Loughgiel and Riada Stadium, Ballymoney, will replace those approved by Council on 14th December 2010.

Whilst the primary responsibility for the safety of spectators rest with the respective ground management (and users in the case of Riada Stadium) nonetheless Council is responsible for monitoring compliance with its General Safety Certificate at each designated venue.

IT IS RECOMMENDED that Council issue the General Safety Certificates in respect of both Father Healy Park, Loughgiel and Riada Stadium, Ballymoney referred to in this report.

In response to Alderman Campbell, the Director of Borough Services confirmed that Council Officers do monitor compliance at both venues and explained their management and stewarding arrangements.

* Councillor Finlay joined the meeting at 8.11pm.

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

to recommend that Council issue the General Safety Certificates in respect of both Father Healy Park, Loughgiel and Riada Stadium, Ballymoney referred to in this report.

ENVIRONMENTAL HEALTH GENERAL

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

Landlord

Mrs. Briege Leighton

Dwelling- House

237 Garryduff Road,
Dunloy,
BALLYMENA, BT44 9EE.

Further to Public Health Abatement Notice served as per minute HES 374.3, CM 949.7, the Public Health Notice has been abated and compliance met. The dwelling house 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 Article 36 (4) Certificate of Fitness in respect of the above dwelling house.

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

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

**377.7 THE PRIVATE TENANCIES (NORTHERN IRELAND) ORDER 2006
ARTICLE 36 (4)
CERTIFICATE OF FITNESS**

Landlord

Mr. S. Simpson

Dwelling- House

120 Kilraughts Road,
Dunaghy,
BALLYMONEY, BT53 7HJ.

A fitness inspection of the above dwelling has been conducted and the dwelling house 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 Article 36 (4) Certificate of Fitness in respect of the above dwelling house.

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

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

LICENSING

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

Premises

Pattons Bar,
18 Ballycregagh Road,
Cloughmills,
BALLYMENA, BT44 9LB.

Applicant

Mr. Robert Dennis Moore

Rafters Snooker Club,
18 Seymour Street,
BALLYMONEY, BT53 6JR.

Mr. Samuel Trevor Wylie

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licences as detailed above, and in the cases of Pattons Bar and The Bridge Bar subject to the provision of approved 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 Atkinson, 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 Pattons Bar and The Bridge Bar subject to the provision of approved 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.

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

<u>Premises</u>	<u>Applicant</u>
First Presbyterian Church Ballymoney, 65 Meetinghouse Street, BALLYMONEY, BT53 6JN.	Mrs Trudy Pollock
Trinity Presbyterian Church, 28 Queen Street, BALLYMONEY, BT53 6JJ.	Mrs. Anne Backus
John Armstrong Hall, Dalriada School, 1-9 St. James's Road, BALLYMONEY, BT53 6BL.	Mr. David R. Balmer
Rasharkin Presbyterian Church Hall, 13 Moneyleck Road, Rasharkin, BALLYMENA, BT44 8QB.	Mr. Richard John Wilson
Allen & Adair Memorial Hall, 233 Castlecatt Road, Dervock, BALLYMONEY, BT53 8BP.	Mr. Thomas J. Johnston
The Robinson Hall, 56 Moyan Road, BALLYMONEY, BT53 8NX.	Mr. Maurice F. R. Christie

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licence as detailed above, subject to the provision of approved 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 Finlay, seconded by Councillor Stevenson and **AGREED:**

to recommend that the Borough Council renew the Indoor Entertainment's Licence as detailed above, subject to the provision of approved 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.

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

<u>Applicant</u>	<u>Premises</u>
Clare Marie Doherty (Acupuncture)	108 Bravallen Road, BALLYMONEY, BT53 7DU.
Rolanda Hughes (Electrolysis)	CHI Beauty, 164A Tullaghans Road, Dunloy, BALLYMENA, BT44 9AF.

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

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

to recommend that the above person and premises be registered.

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

377.11 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>
Ballymoney Homing Pigeon Society	Mr. Derek McMullan, 20 Straham View, Dervock, BALLYMONEY, BT53 8BQ.	£17.50
Ballinagarvey Ind. LOL33	Mr. Frank McClure, 5 Bannview Park, BALLYMONEY, BT53 7LL.	£17.50
Ballymoney Utd. Youth Academy	Mr. David Cunningham, 16 Castlehill Terrace, BALLYMONEY, BT53 6RY.	£17.50

Co. Londonderry Horse Breeding Society	Ms. Yvonne Hanna, 74 Glenstall Road, BALLYMONEY, BT53 7QN.	£17.50
Stranocum & District Community Association	Mr. William Johnston, 64 Fivey Road, Stranocum, BALLYMONEY, BT53 8JH.	£17.50
Compass Advocacy Network	Ms. Janet Schofield, 14 Redwood Park, COLERAINE, BT51 3GH.	£17.50

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

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

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

DOG CONTROL

377.12 DOGS (NORTHERN IRELAND) ORDER 1983 ARTICLE 13 – REGISTRATION OF DOG BREEDING ESTABLISHMENT

Application as undernoted has been made to the Borough Council that the premises to which it refers be registered in accordance with the provisions of Article 13 of the Dogs (Northern Ireland) Order 1983 as a dog breeding establishment:-

<u>Applicant</u>	<u>Premises</u>
Mr. & Mrs. Frank and Elizabeth Archibald	3 Loughabin Road, Ballymoney, Co. Antrim, BT53 8NP.

IT IS RECOMMENDED that the Borough Council register the above-mentioned premises accordingly.

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

to recommend that the Borough Council register the above-mentioned premises accordingly.

377.13 DOGS (NORTHERN IRELAND) ORDER 1983 NON-LICENSING – ARTICLE 17(1)(a)

On 6th October 2011 it was noted that three dogs were being kept by Ms xxxxx at xxxxx all of which were unlicensed. Ms xxxxx was identified as the keeper of the dogs and requested to licence same. On 10th October 2011 fixed penalties were issued in respect of same.

To date they have remained unpaid.

IT IS RECOMMENDED that Ms. Xxxxx be prosecuted under Article 17(1)(a) of the above Order in respect of three dogs unlicensed on 6th October 2011.

At the request of Councillor Stevenson, the Director of Borough Services explained the opportunity given to individuals to pay a fixed penalty.

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

to recommend that Ms. Xxxxx be prosecuted under Article 17(1)(a) of the above Order in respect of three dogs unlicensed on 6th October 2011.

377.14 DOGS (NORTHERN IRELAND) ORDER 1983 DOGS STRAYING – ARTICLE 22(1)

On 14th December 2011 a dog was detected straying on the Bann Road, Ballymoney. Xxxxx was identified as the licensed keeper of the dog. On 19th December 2011 a Fixed Penalty was issued in respect of Article 22(1) of the above Order.

To date this has remained unpaid.

IT IS RECOMMENDED that xxxxx be prosecuted under Article 22(1) of the above Order in respect of one dog straying.

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

to recommend that xxxxx be prosecuted under Article 22(1) of the above Order in respect of one dog straying.

377.15 DOGS (NORTHERN IRELAND) ORDER 1983 DOGS STRAYING – ARTICLE 22(1)

On 22nd September 2011 a dog was detected straying on the Drumskea Road, Ballymoney. Xxxxx was identified as the licensed keeper of said dog. On 28th October 2011 a Fixed Penalty was issued in respect of the breach of Article 22(1) of the above Order.

To date this has remained unpaid.

On 10th November 2011 three dogs were detected straying on the Drumskea Road, Ballymoney. Xxxxx was identified as the licensed keeper of the dogs. Fixed Penalties were issued in respect of same on 5th December 2011.

To date one has been paid and the other two remain unpaid.

IT IS RECOMMENDED that xxxxx be prosecuted under Article 22(1) of the above Order in respect of three dogs straying.

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

to recommend that xxxxx be prosecuted under Article 22(1) of the above Order in respect of three dogs straying.

MISCELLANEOUS

377.16 MY PET BITZ PET WALK – 23RD JUNE 2012

An approach has been made on behalf of a local business (My Pet Bitz) indicating that in conjunction with Council staff they would like to organize a sponsored Pet Walk where the whole community can get together, bring their dogs and be active. The event is scheduled to take place on 23rd June with the 3km preferred route making use of part of the Council's Ballymoney Riverside Park. The activity will be useful in helping Council promote micro-chipping and other aspects of responsible dog ownership.

IT IS RECOMMENDED that Council assist the event organisers and promote the planned event.

The Director confirmed to members that the local business was organizing the event and that Council officers were simply providing advice to assist.

It was proposed by Councillor Stevenson, seconded by Councillor McAfee and
AGREED:

to recommend that Council assist the event organisers and promote the planned event.

DECLARATION OF INTEREST

- * **The Committee Clerk declared an interest in Item 377.17 as the clerical support officer for DPP and left the meeting during consideration of this item.**

COMMUNITY SAFETY

377.17 POLICING AND COMMUNITY SAFETY PARTNERSHIPS

In accordance with the requirements of Section 20 of The Justice Act 2011; and schedules 1 and 2, each district council must establish a Policing and Community Safety Partnership (PCSP). This partnership will replace the current District Policing and Community Safety Partnerships.

The PCSP must:-

- Consult and engage with the local community on the issues of concern in relation to policing and community safety. The Policing Committee has a responsibility to provide views to the relevant district commander and the Policing Board on policing matters.

- Identify and prioritize the particular issues of concern and prepare plans for how these can be tackled.
- Monitor a Policing Committee comprising the political and independent members who will monitor the performance of the police and work to gain the co-operation of the public with the police in preventing crime; and
- Deliver a reduction in crime and enhance community safety in their district directly through their own interventions, through the work of their delivery groups or through support through the work of others.

Council has received a joint letter from the NI Policing Board and the Department of Justice indicating that the funding for the new body in 2012-13 will be similar to the combined budgets for the DPP and the Community Safety Partnership, subject to approval of a Partnership Plan (excluding Members' allowances). The issue of PCSP members' expenses is being addressed separately.

Current Staffing Arrangements

The staffing support currently in place for the two existing bodies consists of two managers - the DPP Manager servicing the District Policing Partnership and the Community Safety Manager, servicing the Community Safety Partnership. The DPP Manager is also supported by a part time Clerical Officer. Both these managers are based in the Borough Services Directorate and report to the Deputy Director Borough Services. When the PCSP is established the DPP and the Community Safety Partnership will no longer exist in their current format - equally the two managerial posts will no longer exist either. Therefore a new staffing structure is required to service the needs of the new PCSP.

Proposed structure

Discussion of options for the new structure has taken place internally at officer level and also across the Causeway Coast and Glens RPA cluster. There is consensus that a possible cluster approach to the design of structures would be beneficial. Each of the Councils has two officers in post servicing the two separate bodies. It is important to ensure that Council puts in place the optimum staffing levels to support the PCSP and ensure effective service delivery. The function of the new body will be an amalgamation of the work that is currently undertaken and as such it is identified that two officers will be required to deal with the workload. The proposed structure to service the needs of the new PCSP is as follows:

PCSP Manager
 PCSP Officer
 Part Time Clerical Support Officer

In the proposed structure the PCSP manager will have overall responsibility for the servicing and support operations relating to the PCSP, with a PCSP officer in a supporting role. Administration is provided as currently. The manager will continue to report to the Deputy Director Borough Services with the Clerical support officer reporting to the Office Manager/PA as is currently the case.

In order to progress the re-structuring in advance of the PCSP being established, new job descriptions and person specifications are required for categorisation and evaluation, which in turn will determine the grading and selection process. Appropriate consultation with affected staff will be carried out throughout the process in line with organisational change guidance and current legislation.

Recommendation:

IT IS RECOMMENDED that Ballymoney Borough Council agrees the proposed staffing structure to service the needs of the new Policing and Community Safety Partnership.

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

to recommend that Ballymoney Borough Council agrees the proposed staffing structure to service the needs of the new Policing and Community Safety Partnership.

EMERGENCY PLANNING**377.18 EMERGENCY PLAN IMPLEMENTATION**

The above matter was further considered at the December Committee meeting (minute HES 376.20 refers). At the meeting the following recommendation was agreed:- “to recommend that Council provide an immediate response to emergency situations by resourcing an officer provided out-of-hours service”.

At the Council’s meeting on 3rd January the matter was referred back to Committee.

At the request of Alderman Campbell, the Director of Borough Services agreed that the emergency response arrangements in other Council areas be ascertained and a report made to a future Committee meeting. Councillor Finlay felt this would be a valuable exercise.

BUILDING CONTROL**377.19 REJECTION OF BUILDING PLANS
DECEMBER 2011**

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

Application Ref.	Regulation:	Reason for Rejection:
B/2006/0322	A10 & Schedule 2	Failure to provide sufficient information
	D1	Insufficient information to assess structural stability
	E2	Inadequate means of escape
	E4	Inadequate provisions against internal fire spread – Structure
	F2	Inadequate thickness of insulation to external walls
	H3	Stairs do not afford reasonable safety
	J2	Inadequate provision for solid waste storage
	L2	Insufficient information to assess heat-producing appliances

The applicant and their agent have been issued with a Notice of Rejection of Plans, setting out the reasons for rejection, as required under Article 13 of the Building Regulations (Northern Ireland) Order 1979.

The applicant and their agent 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 Councillor Stevenson, seconded by Councillor Atkinson and
AGREED:

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

ENVIRONMENTAL SERVICES

377.20 WASTE HAULAGE CONTRACT TENDER 2012-2013

Tenders were invited, by public advertisement, regarding the transport of the Council's municipal waste from its Crosstagherty Waste Handling & Transfer Facility to various specified locations. The closing date for tenders was 4.00 pm, Thursday 19th January 2012. Five tenders were received. One tender was received after the deadline and not opened. Four tenders were opened by the Chair of the Council's Health & Environmental Services Committee, together with the Head of Environmental Services on 19th inst. at 4.30pm. The tender prices submitted were circulated to members. In order to preserve commercial confidentiality, the lowest price for each site is identified by letters – A, B, C and D.

BrickKiln is the lowest tender as regards the work on offer.

IT IS RECOMMENDED that Council engage BrickKiln to haul its municipal waste during 2012-2013, in accordance with the Council's Specification and Contract Conditions.

The Director of Borough Services advised this contract will last for 12 months and tenders are invited on an annual basis.

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

to recommend that Council engage BrickKiln to haul its municipal waste during 2012-2013, in accordance with the Council's Specification and Contract Conditions.

377.21 FOOD WASTE

The question as to whether now is the most opportune time to provide an extension to the Council's suite of recycling services has been reviewed. The objective of any service change would be to enhance services in such a way that maximises the

amount of food waste diverted from the 'black' general household waste bin and hence from landfill, to be dealt with otherwise.

Indicative costs are:-

<u>Capital costs</u>	<u>loan charge (pa)</u>	
RCV/240 litre bins/kitchen caddies (£253,530)	£43,192 OR 0.73%	
<u>Revenue costs</u>	<u>year 1</u>	<u>year 2</u>
Consumables/collection/processing	£90,954 (1.53%)	£76,490 (1.29%)
	Total year 1 cost	+2.26% on rates
	Total year 2 cost	+2.02% on rates

(1% = £59,500)

IT IS RECOMMENDED, in light of the above figures, that now is not the most opportune time to deal with food waste differently from present arrangements.

* Councillor Atkinson left the meeting at 9.01pm.

The Director gave further details regarding the food waste collection model costed, including the householders role and additional resources required. He intimated that what had not been costed was any necessary changes to buildings etc at Crosstagherty in order to ensure compliance with animal by-product regulations etc. Discussion followed on landfill tax and gate fee implications, with the Director responding to members questions, including the need, in his view to provide a service to all Borough households and the potential impact on the 'black' bin content were the food waste element to be removed and dealt with by the new service introduced. The Chair emphasised the need to move forward, due to NILAS and other factors in order to change the way Council presently did things notwithstanding that to do so would involve extra cost initially.

It was proposed by Councillor Stevenson, seconded by Councillor Halliday and
AGREED:

to recommend that Council note, in light of the above figures, that now is not the most opportune time to deal with food waste differently from present arrangements.

377.22 GLASS

Given the market place change in respect of 'mixed dry recyclates' collected by Council from Borough households referred to at an earlier Committee/Council meeting, ***IT IS RECOMMENDED*** that Committee advise Council as to when clean, dry glass would be acceptable as a further material dealt with via the Council's 'blue bin' service.

The Director reminded members that in making this change it was essential that Council had the co-operation of householders in ensuring that any glass added to the blue bin was both clean and dry.

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

to recommend that Council accept clean, dry glass as a further material dealt with via the Council's 'blue bin' service, with effect from 1st March 2012.

MATTERS FOR INFORMATION

ENVIRONMENTAL SERVICES

377.23 MUNICIPAL WASTE RETURNS

<u>Waste Type</u>	<u>Dec 2010</u>	<u>Dec 2011</u>	<u>Apr 10 – Dec 10</u>	<u>Apr 11 – Dec 11</u>
Mixed Residual Waste (waste direct to landfill)	779.00t	773.02t -0.77%	6,983.14t	6,847.18t -1.95%
Mixed Dry Recyclables (blue bin recycling)	132.58t	153.64t +15.88%	1,210.63t	1,256.40t +3.78%
Garden Waste (brown bin recycling)	n/a	n/a	1,201.52t	1,199.96t -0.13%
Waste Recovery (segregated HRC waste)	32.48t	52.48t +61.58%	711.96t	595.70t -16.33%
Cardboard	9.31t	8.22t -11.71%	60.99t	51.85t -14.99%
Timber*	8.38t	13.06t +55.85%	n/a	246.88t

* Timber recycling commenced 1st November 2010.

FOOD CONTROL

377.24 THE SPECIFIED PRODUCTS FROM CHINA (RESTRICTION ON FIRST PLACING ON THE MARKET) (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2012

These Regulations which came into effect on 12th January 2012 implement Commission Implementing Decision 2011/884/EU. The Commission Decision provides for import restrictions that previously applied to Bt63 genetically modified rice to apply, with modifications, to all unauthorised GM rice.

DOG CONTROL

377.25 DOGS TRUST MICROCHIPPING ROADSHOW/FREE MICROCHIPPING

From 1st April 2012 by law all dogs will be required to be microchipped. In order to assist local dog owners with this, Ballymoney Borough Council have joined with Dogs Trust and local veterinary practices to offer the service free. In addition to this Ballymoney Borough Council will be hosting the Dogs Trust Microchipping Roadshow on the following dates, at the locations mentioned below:-

Monday 30th January 2012 – Riverside Park, Ballymoney (10.00am – 3.00pm)

Tuesday 31st January 2012 – Main Street, Dervock (10.00am – 12.30pm)

Tuesday 31st January 2012 – Community Centre, Culcrum Road, Cloughmills
(1.00pm – 3.00pm)

Wednesday 1st February 2012 – Royal Terrace, Balnamore (10.00am – 12.30pm)

Wednesday 1st February 2010 – Main Street, Stranocum (car park adjacent to
Willowbank Terrace) (1.00pm – 3.00pm)

Thursday 2nd February 2012 – Riverside Park, Ballymoney (10.00am – 3.00pm)

Friday 3rd February 2012 – Recreation Grounds, Tullaghans Road, Dunloy
(10.00am – 12.30pm)

Friday 3rd February 2012 – Rasharkin Community Centre, Duneaney Road,
Rasharkin (1.00pm – 3.00pm)

POLICING & COMMUNITY SAFETY PARTNERSHIP

377.26 POLICING & COMMUNITY SAFETY PARTNERSHIPS – APPOINTMENT OF POLITICAL MEMBERS

Further to Committee Minute 373.17, it was agreed that 10 political Members would sit on the new Policing and Community Safety Partnership (PCSP), that D'hondt be used to ensure that PCSP membership reflects the balance of parties prevailing immediately after the last local general election, that party leaders would identify party members to sit on the PCSP at that designation of PCSP Chair and confirmation of term of office be addressed at the Council meeting on 3rd October 2011 (CM948).

At this meeting, CM 948.7.1.2 Cllr. Robinson was confirmed as PCSP Chair for the period up to 1st June 2012. Party leaders were to nominate Members to sit on the PCSP and advise the Chief Executive. The following nominations have been provided:-

DUP: Alderman Campbell, Alderman Cousley
Councillor Atkinson, Councillor Finlay, Councillor Halliday,
Councillor Robinson (Chair designate), Councillor Stevenson (7).

SF: Councillor Cavlan, Councillor McGuigan (2).

UUP: Councillor McKeown (1).

This being all the business the meeting closed at 9.50pm.