

Ballymoney Borough Council
Council Meeting No 997 – 6th May 2014

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BALLYMONEY BOROUGH COUNCIL

Minutes of Council Meeting No 997 held in the Council Chamber, Riada House, Ballymoney on Monday 6th May 2014 at 7.00 pm.

IN THE CHAIR: Councillor J Finlay, Mayor

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

Councillors
A Cavlan
W Blair
R Halliday
R McAfee
T McKeown
C McLaughlin
A McLean
E Robinson, MBE
I Stevenson, Deputy Mayor

APOLOGIES: **Alderman**
H Connolly
Councillor
J Atkinson

IN ATTENDANCE: Chief Executive
Director of Borough Services
Director of Central & Leisure Services
Head of Corporate & Development Services
Business Support Officer

Press x 2

997.1 MAYOR'S REMARKS

The Mayor stated that IFA NI boy's finals (11 to under 17's) took place at Riada playing fields on Monday 5th May. The event was very well attended and he commended the Director on its success.

997.2 DECLARATIONS OF INTEREST

There were no declarations of interest.

997.3 MINUTES OF COUNCIL MEETING NO 996 – 7TH APRIL 2014

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

that the minutes of Council Meeting No 996 – 7th April 2014, as circulated, be confirmed as a correct record.

997.4 MINUTES OF CONSULTATION COMMITTEE NO 96 – 23RD APRIL 2014

Councillor Blair presented the report.

The minutes of Consultation Committee Meeting No 96 – 23^d April 2014, as circulated, were received.

Matters Arising:**4.1 D/2012/0276/F - Construction of New Substation, Access Road and Overhead Lines (96.4)**

Alderman Campbell requested clarification on access arrangements, permission for which needs to be granted by Council. The Director of Borough Services advised that this matter had been held pending the conclusion of the planning application which has now been approved (LAC 410.10 15th October).

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

that Council grant wayleave to NIE to facilitate access arrangements to the substation.

* Councillor McAfee joined the meeting at 7.05 pm.

997.5 MINUTES OF LEISURE & AMENITIES COMMITTEE MEETING NO 416 – 15TH APRIL 2014

Alderman Campbell presented the report

5.1 Land Acquisition – Corkey Road/Cycle/Footpath Scheme (416.13).

At the request of Councillor Cavlan, The Director of Borough Services advised that he will be writing to Roads Service relating to maintenance conditions and the boundary to Council's property.

5.2 Select List for General Building Works to Community Centres (416.20)

Responding to a query from Councillor Robinson, the Director of Borough Services advised that a report on the options available for further enhancements to Killyrammer Community Centre would be tabled the June Committee Meeting.

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

that Council 'move into Committee' to discuss addendum as set out at 5.3, 5.4, 5.5, 5.6 below.

* **Members of the press left the meeting at 7.15 pm.**

The Director of Central & Leisure Services presented an addendum as follows

5.3 Grant Applications

3.1 Community Festival Fund

- (i) Ballymoney & District Cultural & Heritage Society for "The Great War Remembered 1914-2014 on 1st & 2nd August 2014.

The Council has already awarded this Society £12,000 towards its events on 1st & 2nd August. Under the criteria for the Community Festival Fund, they would be entitled to £1,200.

The Director of Central & Leisure Services advised that to award the grant to the above group would mean that every other applicant would receive £90 less. She said that the total grant aid including Council's £12,000 is £37,000 and that Council would need to be mindful of costs which she indicated are estimated at £32,000.

Councillor McAfee expressed the view that it would be unfair to take funding away from other events to give additional financial support to this event which has received a lot of funding so far. Councillor Cavlan concurred with Councillor McAfee. Councillor Stevenson requested advice as to the eligibility of the application and the funding already received.

The Director of Central & Leisure Services advised that she would need to ascertain the level of funding already secured by this group to ensure that they do not receive more funding than that the festival cost.

Councillor Finlay advised that the cost of this weekend is going up day by day. He expressed the view that if Council receives an application which meets the criteria, it should be included. The Director advised that the Council had agreed the criteria for the grant scheme prior to it being advertised and that all applications were assessed under the set criteria by the assessment panel.

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

that all groups, as detailed in Appendix 1, applying for the Community Festival Fund, who meet the criteria, with the exception of (i) above which was deferred to the next meeting should be awarded funding.

3.2 Community Support Grant Scheme

- (i) Tapp Friens Community Group for assistance towards a Summer Dance
- (ii) Bendooragh Apprentice Boys Cultural Society for assistance towards a Historical Lecture & Workshop
- (iii) Ballymoney United Youth Academy for assistance towards a Share Centre Trip
- (iv) Dunaghy Flute Band for assistance towards a Trip to Conflict Resolution & Transformation Centre
- (v) North Antrim Cultural & Musical Society for assistance towards a Trip
- (vi) Dervock Football Club for assistance towards administration costs.
- (vii) Dervock & District Community Association for assistance towards the Good Samaritan's Project.
- (viii) Ballymoney & District Cultural & Heritage Society for assistance towards stationery and postage for correspondence associated with WW1 events on 1st & 2nd August 2014.

Grants Paid	£2,400
Grants recommended by LAC	£5,200
Grants to be considered by council	<u>£1,600</u>
Total	£9,200
 Budget	 £5,000

Grants to these 8 additional applicants for the grant scheme would bring the total cost of the Scheme to £9,200. The budget is £5,000.

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

- 1. that the above 8 applicants are granted £200 each with the additional cost being met from Reserves.***
- 2. that the 2014/15 Community Support Grant scheme be closed to any further applicants.***

11 Members voted in favour and 1 against.

3.3 Good Relations Grants

- (i) Bushvale Friendship Group for assistance towards a Derry/Londonderry Event
- (ii) Bendooragh Village Green for assistance towards Community Events
- (iii) Tapp Friens Community Group for assistance towards a Multi-cultural Event
- (iv) Tapp Friens Community Group for assistance towards a Hogmanay Event
- (v) Bendooragh Apprentice Boys Cultural Society for assistance towards a Talk & Presentation Evening
- (vi) The Oak Leaf Club for assistance towards a Local History Trip
- (vii) North Antrim Band Forum for assistance towards a Robert Burn's Celebration
- (viii) Kingdom of Dalriada Ulster Scots Society for assistance towards a Street Theatre
- (ix) Dunaghy Flute Band for assistance towards a Family Fun Night
- (x) Dunaghy Flute Band for assistance towards a Culture Awareness Evening
- (xi) Ballybogey over 50's Club for assistance towards a Networking Trip
- (xii) Dunloy Accordion Band for assistance towards an Autumn Tea Dance Project
- (xiii) Dunloy Accordion Band for assistance towards a Christmas Carol Concert
- (xiv) North Antrim Cultural & Musical Society for assistance towards a Historical Display
- (xv) North Antrim Cultural & Musical Society for assistance towards a Talk on Royal British Legion
- (xvi) Stranocum and District Development Group for assistance towards a Networking project.
- (xvii) Glebeside Women's Group for assistance towards a First World War Awareness Project
- (xviii) Stranocum Ulster Scots Cultural & Heritage Society for assistance towards World War 1 workshops.
- (xix) Kingdom of Dalriada Ulster Scots Society for assistance towards an Ulster Scots drama in relation to WW1.
- (xx) Rasharkin Community Association for assistance towards a Learning & Sharing Our Common Heritage – World War 1 project.
- (xxi) Ballymoney & District Cultural & Heritage Society for assistance towards a Local History of Local War Memorials 1914-1918 project.

Grants paid	£4,500
Grants recommended by LAC	£12,600
Grants to be considered by Council	<u>£7,350</u>
Total	£24,500
Budget	£12,000

It is **recommended** that Council consider the level of grants to be awarded.

It is **further recommended** that Council considers closing the Grant Scheme for 2014/15.

The Director of Central & Leisure Services advised that the Good Relations Grant Scheme is grant aided at 75% by OFM/DFM and Council has included a budget of £12,000. There is no indication that additional funding will be made available and this may result in 100% cost to the Council

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

1. *that the above 21 applicants are granted £350 each with the additional cost of £12,500 being met from Reserves.*
2. *that the 2014/15 Good Relations Grant Scheme be closed to any further applicants.*

3.4 Letter from Ballymaconnelly Renewal Group Seeking Financial Assistance towards WW1 Centenary Events

The Director advised that this group has been successful in obtaining funding through the Community Festival Fund. The Head of Corporate & Development Services advised that the Group's Stage 1 application for the WW1 Legacy Grant Scheme did not demonstrate that it would have a tangible output that would last beyond 2014.

5.4 Adoption of Minutes

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

that the Minutes of Leisure & Amenities Committee No 416 – 15th April, as circulated, be adopted and the recommendations therein approved including the recommendations in the addendum as set out at 5.3.

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

that Council moves 'out of Committee' to continue the business of the meeting.

- * **Members of the press returned to the meeting at 8.00 pm.**

997.6 SEAL DOCUMENTS

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

that the Seal of the Council be affixed to Grave Certificate numbers 2763, 2764, 2765, 2766, 2767.

997.7 BALLYMONEY CEMETERY

Councillor McLean requested clarification about the erection of surrounds in the new section of Ballymoney Cemetery as he has received representations about this and it was his understanding that headstones could be erected but not surrounds. Councillor McKeown also expressed the view that this matter needs to be clarified. The Director of Central and Leisure Services advised that unauthorised work has been taking place which needs to be addressed and this matter will be tabled for discussion at the next meeting of Committee. It was also agreed that a date be arranged to look at this and the access arrangements.

997.8 DEVELOPMENT REPORT – APRIL 2014

8.1 World War One Centenary Ballymoney Legacy Programme

The Head of Corporate & Development Services advised that 14 applications were received in response to the open call for expressions of interest for assistance under the above programme.

Funding through the legacy programme must relate specifically to WW1 and its centenary, with some form of legacy beyond 2014. The maximum financial award under the scheme is £1,500 and there would only be one call for applications, with projects requiring to be completed by 31st December 2014.

The maximum grant for any project is £1,500 and the total fund is £15,000.

App No	Organisation Name	Project
1	Ballymoney & District Cultural Heritage Society	Statue
2	Kingdom of Dalriada Ulster-Scots Society	War stories DVD
3	Rasharkin Community Association	Research WW1
4	Ballymacnolly Renewal Association	Inform, educate and enlighten
5	Ullans Speakers Association	Commission 2 period world war dramas
6	Dervock & District Community Association	WW1 newspaper/magazine
7	Ballymoney Branch Royal British Legion	Permanent display artefacts
8	Friends of the 36 th North Antrim	Memorial benches
9	Apprentice Boys of Derry Campsie Club Rasharkin	Talks, workshops, trips
10	Dunaghy Flute Band	Commemorative plaque
11	Ballymoney Evergreen Club	Education/learning project
12	Glebeside Women's Club	Trip to Somme Centre
13	Topp Star of the North LOL 904	Roll of remembrance
14	Ballymoney District 16	Roll of remembrance

Those applications meeting the essential Stage 1 criteria eligible for progression to stage 11 application are 1, 2, 5, 6, 7, 8, 10, 13, 14, the remaining projects not illustrating that there would be tangible output that would last beyond 2014

In response to a request by Councillor Robinson on clarification on the criteria for the funding and advice as to what determines a 'legacy' event, the Head of Corporate and Development Services outlined the criteria agreed by Council prior to launch of the scheme and set out in the application guidance notes and the report to the meeting. Councillor McAfee expressed the view that as the applications had been considered fairly, the successful applications should be progressed.

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

that Ballymoney Legacy Programme Application numbers 1, 2, 5, 6, 7, 8, 10, 13, & 14 progress to stage 2 of the application process.

997.9 AMENITIES REPORT

9.1 Commemorative Flower Bed

A request has been received that Council plant a flower bed to commemorate the 50th anniversary of the Soroptomists International Ballymoney & District Club. ***IT IS RECOMMENDED*** that Council accedes to this request.

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

that Council accedes to the request from the Soroptomists International Ballymoney & District Club to plant a flower bed to commemorate their 50th anniversary.

9.2 Riverside Park, Ballymoney

Given the timeline previously advised for this project at park central and having consulted the Committee Chair – Alderman Campbell, ***IT IS RECOMMENDED*** that the Council's Leisure & Amenities Committee meets at 7pm on either Tuesday 27th or Wednesday 28th May to receive a project update and be granted Council powers to decide what work should be carried out.

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

that the Council's Leisure & Amenities Committee meets at 7pm on Wednesday 28th May to receive a project update and be granted Council powers to decide what work should be carried out.

997.10 CORPORATE & CENTRAL SERVICES REPORT – APRIL 2014

CORPORATE

10.1 Vacancy (RTG)

Waste Disposal Operative with Environmental Services, tendered his resignation on 31st March 2014, retiring from Council on 5th April.

IT IS RECOMMENDED that a permanent replacement for this full-time post, essential to delivery of council service, be recruited.

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

that a permanent replacement for this full-time waste disposal operative post, essential to delivery of Council services, be recruited.

10.2 National Association of Councillors

Annual request for membership subscription in the amount of £960 has been received.

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

that Council renews its membership subscription to the National Association of Councillors for 2014/15 in the amount of £960.00

10.3 Local Government Staff Commission – Financial Scheme 2014-15

The Local Government Staff Commission 2014-15 Business Plan financial requirement is £845,000 and taking account of income £709,600 is required to be raised from Councils and the NIHE. Council's contribution is £6492, based on rateable value.

10.4 Local Government Training Group

The Training Budget for the financial year 2014-15 is £300,000 and Council's contribution is £3,404.

10.5 NILGA Consultation Responses

NILGA has forwarded:

- 5.1 Final NILGA response to the Shadow Arrangements and draft Local Government (Transitional, Supplementary and Incidental Provisions and Modifications) Regulations (NI) 2014.
- 5.2 NILGA draft response to the consultation on the draft Northern Ireland Local Government Code of Conduct for Councillors.

Copies of these documents are available on request from the Office of the Chief Executive.

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

that Council endorse NILGA's responses to items 5.1 and 5.2.

CENTRAL SERVICES

10.6 Scheme of Allowances Payable to Councillors 2014/15

The draft Scheme of Allowances Payable to Councillors 2014/15 was circulated. The draft Scheme includes details of the basic allowance payable to a councillor who is both a councillor in the existing council and the shadow council.

IT IS RECOMMENDED that the Scheme of Allowances Payable to Councillors 2014/15 is approved.

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

that the Scheme of Allowances Payable to Councillors 2014/15 is approved.

10.7 Ballymoney Cemetery Memorials

The following applications have been received for the erection of memorials in Ballymoney Cemetery –

Section I2 No.42

Mrs Millar, 31 Ballendreen Road, Ballybogey, Ballymoney
Black Granite Headstone and Base

Section H2 No. 52

Mr Albert Kelly, 4 Castleclose, Dervock, Ballymoney
Black Granite Headstone and Base

Section E3 No. 36

Ms Tracy Hill, 64 Carnany Drive, Ballymoney
All Polished Black Granite Headstone and Base

Section E3 No. 48

Mr Noel Peacock, 55 Trinity Drive, Ballymoney
Black Granite Headstone and Base

Section E3 No. 39

Samuel Dobbin, 2 Garryduff Road, Ballymoney
Headstone and Base

IT IS RECOMMENDED that Council grants permission for the erection of the above memorials.

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

that Council grants permission for the erection of the above memorials.

997.11 HEALTH & ENVIRONMENTAL SERVICES REPORT – APRIL 2014

ENVIRONMENTAL SERVICES

11.1 NWRWMG Food Smart Project

The proposed North West Region Waste Management Group FOOD SMART project is a collaborative venture which seeks to encourage consumers to adopt a new relationship with food and reduce food waste. It moves beyond the traditional Love Food Hate Waste messages to challenge the notion that many do not waste food.

Ballymoney officers, on behalf of the seven constituent councils of the NWRWMG, have taken the lead in submitting by the deadline set (16th April 2014) a funding application to the WRAP Rethink Waste Revenue Fund.

IT IS RECOMMENDED that Council note and endorses the funding application made on behalf of the NWRWMG.

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

that Council note and endorses the funding application made on behalf of the NWRWMG.

11.2 Vehicle Tenders

In accordance with Council procurement policy, fixed price tenders were sought for the supply and delivery of 1 no. 18t GVW Skip Lorry, 1 no. 3.5t GVW Mechanical Road Sweeper, 1 no. Compact Pedestrian Sweeper and 1 no. Medium Panel Van by 12.00 noon, Tuesday 1st April 2014.

The tenders received were opened by the Committee Vice-Chair and Head of Environmental Services on Tuesday 1st April 2014 and schedules detailing the tenderers and products offered are to be found in the Appendix to this report.

IT IS RECOMMENDED that the Borough Council accept the skip lorry tender from TBF Thompson in the sum of £70,455 for a DAF FALF 250 chassis fitted with a Hyva body.

IT IS RECOMMENDED that the Borough Council accept the mechanical road sweeper tender from McCreath Taylor (NI) Limited in the sum of £75,800 for a Scarab Minor (Euro 5) hydrostatic sweeper.

IT IS RECOMMENDED that the Borough Council accept the compact pedestrian sweeper tender from Nilfisk Advance Limited in the sum of £50,498 for a Nilfisk CR 3500.

IT IS RECOMMENDED that the Borough Council accept the medium panel van tender from Donnelly & Taggart in the sum of £17,932 for a Renault Master SL35 DCI 12S.

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

* **Councillor McLaughlin left the meeting at 8.40 pm.**

that Council accept the medium panel van tender from Donnelly & Taggart in the sum of £17,932 for a Renault Master SL35 DCI 12S.

FOOD CONTROL

11.3 Food Complaint

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

<u>Ref Number</u>	<u>Nature of Complaint</u>
FC/805/C/04/13	Foreign Object in Donegal Catch Fish

IT IS RECOMMENDED that the manufacturer be reminded of the importance that all food handlers remain vigilant to foreign objects during the production process but that no further action be taken on this occasion. The complainant, manufacturer and home authority should be advised in writing of the outcome of the investigation.

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

that Council remind the manufacturer that all food handlers remain vigilant to foreign objects during the production process but that no further action be taken on this occasion. The complainant, manufacturer and home authority should be advised in writing of the outcome of the investigation.

11.4 Appointment of Public Analyst

The Chief Environmental Health Officers' Group have reported that the contract to provide Public Analyst Services for the 26 District Councils has

been awarded to Minton, Treharne & Davies Limited (in partnership with Worcestershire Scientific Services).

Article 27 (1) of the Food Safety (NI) Order 1991 requires that the Council appoint one or more persons (Public Analyst(s)) to act as Analyst(s) within the district of the Council.

Furthermore the Framework Agreement* (Chapter 2, para 12.8), states that Ballymoney Borough Council shall ensure that a Food Analyst is appointed to carry out examinations and analyses of food samples. In making these appointments, all relevant legal requirements and Codes of Practice shall be satisfied.

The qualifications required by Analysts are set out in the Food Safety (Sampling and Qualifications) Regulations (NI) 2013. The Environmental Health Department is satisfied that the following persons, who are employed by Minton, Treharne & Davies Limited and Worcestershire Scientific Services, fulfil the requirements of the Regulations for appointment as Public Analysts on behalf of the Council.

Susanne Brookes

B.Sc., M.Sc., M.Chem.A., FRSC., MAPA. Registered Analytical Chemist

Paul William Hancock

B.Sc., M.Chem.A., MRSC., AAPA.

John Antony Robinson

B.Sc., M.Sc., M.Chem.A., C.Sci., C.Chem., FRSC., MIFST., MAPA.

Registered Analytical Chemist

Registered Expert Witness

Pat Urwin

B.Sc., M.Chem.A., C.Chem., MRSC., MAPA.

IT IS RECOMMENDED that the above persons are appointed as Public Analysts to the Council under Article 27 (1) of the Food Safety (NI) Order 1991.

* The Framework Agreement on Official Feed and Food Controls by Local Authorities (Amendment 5 April 2010).

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

that the above persons are appointed as Public Analysts to the Council under Article 27 (1) of the Food Safety (NI) Order 1991.

LICENSING

**11.5 Local Government (Miscellaneous Provisions) (NI) Order 1985 -
Licence Application (Full) (Renewal)**

Premises

The Glen Bar,
24 Glenbush Road,
Armoy,
BALLYMONEY BT53 8YG.

Applicant

Mr. J. P. McMullan

The Bush Tavern,
15-17 Market Street,
BALLYMONEY BT53 6EA.

Mr. James Craig Black

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 McLean, seconded by Councillor Cavlan and
AGREED:

Council renew the Indoor Entertainment's Licence as detailed above.

**11.6 Local Government (Miscellaneous Provisions) (NI) Order 1985 -
Licence Application (Fourteen Unspecified Days) (Renewal)**

Premises

Lavin Orange Hall,
193 Drones Road,
Dunloy,
BALLYMENA BT44 9BQ.

Applicant

Mr. James Murphy

Loughgiel Millennium Centre,
38 Lough Road,
Loughgiel,
BALLYMENA BT44 9JN.

Ms. Nuala McCollam
(Secretary)

Mr. Samuel Gardner (Farm),
133 Kirk Road,
Stranocum,
BALLYMONEY BT53 8HT.

Mr. Samuel Gardner

IT IS RECOMMENDED that the Borough Council renew Indoor Entertainment's Licences as detailed above and in the cases of Lavin Orange Hall and Loughgiel Millennium Centre 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 McAfee, seconded by Councillor Cavlan and **AGREED:**

that Council renew Indoor Entertainment's Licences as detailed above and in the cases of Lavin Orange Hall and Loughgiel Millennium Centre as detailed above.

11.7 Local Government (Miscellaneous Provisions) (NI) Order 1985 - Licence Application (Fourteen Unspecified Days) (Grant)

Premises

Dunloy Cuchullians GA & CC,
Bridge Road,
Dunloy,
BALLYMENA BT44 9EF.

Applicant

Mr. John Martin,
c/o Dunloy Sports Academy

Stranocum Orange Hall,
47 Main Street,
Stranocum,
BALLYMONEY BT53 8PQ.

Mr. Noel Anderson,

IT IS RECOMMENDED that the Borough Council grant Indoor Entertainment's Licences 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 files also apply.

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

that Council grant Indoor Entertainment's Licences as detailed above.

11.8 The Business of Tattooing, Ear Piercing and Electrolysis – Registration of Persons and Premises – Part V Provisions

Applicant

Ellie Elaine Barr,
(Tattooing)

Premises

ELz Nailz & Beauty,
11 Knock Eden Close,
BALLYMONEY BT53 6UE.

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

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

that Council registers the above person and premises.

11.9 Betting, Gaming, Lotteries and Amusements (NI) Order 1985

Application has been received from the undernoted Society 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>
Cloughmills Vintage Club	Mr. Ryan McGarry, 78 Corkey Road, Loughguile, BALLYMENA BT44 9JJ.	£35-00

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

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

that Council renew the registration of the above-mentioned Society.

CONSUMER PROTECTION

11.10 Electrical Equipment (Safety) Regulations 1994

As part of market surveillance exercise to assess compliance of plug top chargers a product purchased from a premises in Ballymoney area and sent for test subsequently failed the above Regulations.

In the follow up investigation the owner of the business fully co-operated voluntarily and surrendered the remaining stock for destruction.

A hazard warning has been issued in Northern Ireland and investigation through the Home Authority Network is continuing with a view to issuing a RAPEX alert nationwide.

IT IS RECOMMENDED that no further action be taken.

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

that no further action be taken.

11.11 Cosmetic Products Enforcement Regulations 2013 - Tooth Whitening Products

This Directorate received a complaint regarding a company within the Ballymoney Borough Council area offering tooth whitening products and services.

On investigation it was found that tooth whitening was offered both on the premises and by sale of home use products.

The General Dental Council regulate the practice of tooth whitening on the premises and have been notified.

Council have responsibility for the retail sale of home use products and samples of these were purchased and sent for test. The subsequent results determined that they were within the specified limits.

IT IS RECOMMENDED that no further action be taken.

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

that no further action be taken.

OFFICER AUTHORISATIONS

11.12 Temporary Environmental Health Officers

Mr Anthony McCloskey and Ms Niamh Corey have been selected via Diamond Recruitment as Temporary Environmental Health Officers and will commence duties on 1st May 2014.

In exercise of its powers under 47A of the Local Government Act 1972 as amended by Article 26 of the Local Government (Miscellaneous Provisions) (NI) Order 1985 ***IT IS RECOMMENDED*** that Ballymoney Borough Council appoints the aforementioned as authorised officers, as detailed below.

LEGISLATION	ARTICLE/SECTION/REGULATION/ SCHEDULE
Clean Neighbourhoods and Environment Act (NI) 2011	Sections 4, 5, 26, 37, 43, 45, 52, 56 and Schedule 2 paragraphs 2 and 3
High Hedges Act (NI) 2011	Section 9 and 12
Dogs (NI) Order 1983 as amended	Article 21(1), 23, 25C, 30A(2), 36(1), 41, 42(1) and 43

LEGISLATION	ARTICLE/SECTION/REGULATION/ SCHEDULE
The Dogs (Licensing & Identification) Regulations (NI) 2012	Regulation 10
The Smoking (NI) Order 2006 and any Regulations made thereunder	
The Private Tenancies Order (NI) 2006	Article 18, 19, 21, 25, 26, 27, 34, 35, 36, 62, 65 and 68
The Food Safety (NI) Order 1991 as amended and any orders or regulations made thereunder or relating to the foregoing and having effect by virtue of The European Communities Act 1972	Article 8, 9, 29, 30 and 33
The Food Hygiene Regulations (NI) 2006	Regulations 6, 8, 12, 13, 14 and 25
The General Food Regulations (NI) 2004 (as amended)	
The Genetically Modified Food Regulations (NI) 2004	
The Specified Products from China (Restriction on First Placing on the Market) Regulations (NI) 2008 (as amended)	
The Spirit Drinks Regulations 2008	
The Official Feed and Food Control Regulations (NI) 2009 (as amended)	
The Food Additives Regulations (NI) 2009 (as amended)	
The Organic Products Regulations 2009 (as amended)	
The Scotch Whiskey Regulations 2009	
The Contaminants in Food Regulations (NI) 2010	
The Beef and Veal Labelling Regulations (NI) 2010	
The Eggs and Chicks Regulations (NI) 2010	
The Animal By Products (Enforcement) Regulations (NI) 2011	
The Wine Regulations 2011	
The Plastic Kitchenware (Conditions of Import from China) Regulations (NI) 2011	
The Poultry-meat Regulations (NI) 2011	
The Trade in Animals and Related Products Regulations (NI) 2011	
The Materials and Articles in Contact with Food Regulations (NI) 2012	
Pollution Prevention Control Regulations (NI) 2003	Regulation 23, 24, 25, 26, 27, 29, 30, 31 and 32
The Environment (NI) Order 2002	
The Health & Safety at Work (NI) Order 1978 and any Regulation referred to in Article 17(1) of the Order and any other relevant statutory provision referred to in Schedule 1 of the Order	Article 22(2) (a) to (m)
The Food and Environment Protection Act 1985	
The Industrial Pollution Control (NI) Order 1997	Article 13, 14, 19, 20 and 22
The Consumer Protection Act 1987	Section 14
The Construction Products Regulations 1991	Regulation 10, 16
The General Product Safety Regulations 1994	
The Health & Personal Social Services (NI) Order 1978	
The Children and Young Persons (Protection from Tobacco) NI Order 1991	
The Tobacco Advertising and Promotion Act 2002	
The Public Health (Ireland) Acts 1878-1967	
The Rag Flock Act 1911	
The Rats and Mice (Destruction) Act 1919	

LEGISLATION	ARTICLE/SECTION/REGULATION/ SCHEDULE
The Petroleum (Regulation) Acts (NI) 1929 and 1937	
The Hairdressers Act (NI) 1939	
The Caravans Act (NI) 1963	
European Communities Act 1972, and any orders or regulations made thereunder	
The Local Government Act (NI) 1972	
The Poisons (NI) Order 1976	
The European Communities Poultry Meat (Hygiene) Regulations (NI) 1977	
The Pollution Control and Local Government (NI) Order 1978	
The Rent (NI) Order 1978	
The Clean Air (NI) Order 1981	
The Local Government (Miscellaneous Provisions) (NI) Order 1985	
The Betting, Gaming, Lotteries and Amusements (NI) Order 1985	
The Cinemas (NI) Order 1991	
The Litter (NI) Order 1994	
Imported Food Regulations (NI) 1997	
Shops (Sunday Trading &c.) (NI) Order 1987	
The Waste and Contaminated Land (NI) Order 1997	
The Products of Animal Origin (Import and Export) Regulations 1998	
The Street Trading (NI) Act 2001	
The Products of Animal Origin (Third Country Imports) (NI) Regulations 2002	
All Council Byelaws	

and furthermore hereby indemnifies the above officers as provided for by Section 48 of the Local Government Act (NI) 1972.

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

that Council appoints the aforementioned as authorised officers as detailed below.

LICENSING

11.13 Licensing (NI) Order 1996

<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Ms. Shirley A. McKinley, The Scenic Inn, 38 Fivey Road, Armoys, BALLYMONEY BT53 8UT,	Occasional Licence at The Scenic Inn, Armoys on 3 rd -4 th May 2014 3 rd (7pm – 1am) 4 th (7pm– 12am)	4/4/14

Ms. Shirley A. McKinley, The Scenic Inn, 38 Fivey Road, Armoy, BALLYMONEY BT53 8U	Occasional Licence at 133 Kirk Road, Stranocum on 31 st May 2014 (1pm – 1am)	4/4/14
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Messrs. William Huey and Charles Dobbin, 19 Main Street, Armoy, BALLYMONEY BT53 8SH	Occasional Licence at Stranocum Orange Hall, Stranocum, on Sat. 3 rd May 2014 6pm – 12 midnight.	27/3/14
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IT IS RECOMMENDED that Council notes the above applications.

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

that Council notes the above applications.

INVESTING FOR HEALTH

11.14 Affordable Warmth Consultation Response

The Department for Social Development's Fuel Poverty Strategy "Warmer Healthier Homes" committed the Department to improving partnership working and increasing innovation to tackle fuel poverty in Northern Ireland.

The public consultation document "From Fuel Poverty to Achieving Affordable Warmth" proposes a new approach to assisting those households most affected by fuel poverty in Northern Ireland. The Department proposes to introduce a new model for the delivery of energy efficiency of low income households which builds on the success of Affordable Warmth pilots which the Department ran with Councils and the Housing Executive in 2012 and 2013. The new model will involve the Department working in partnership with the:

- University of Ulster to produce maps and information at Council level on areas where fuel poverty is most prevalent;
- Council staff to carry out initial visits to targeted households identified by the University to assess eligibility for assistance;
- Housing Executive to assist the householders and to arrange delivery of energy efficiency improvement measures by local installers.

The Department proposes to introduce a new Affordable Warmth Scheme which will make some key changes to the;

- Qualification criteria; and
- Energy efficiency measures available.

This document sets out proposals for:

- Improved targeting;
- Improvements in future partnership working;
- Assisting the private rented sector;
- Changes to the eligibility qualification criteria;
- Changes to the energy efficiency measures available;
- Management of self-referrals to the scheme; and
- Client contribution.

The Consultation Document and proposed response was circulated.

IT IS RECOMMENDED that Council adopts the proposed response and returns the consultation document by 9th May 2014.

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

that Council adopts the proposed response and returns the consultation document by 9th May 2014.

- * **The Director of Central & Leisure Services and the Deputy Director of Borough Services left the meeting at 8.38pm**

997.12 STATUTORY TRANSITION COMMITTEE

The Chief Executive advised that the Minutes of meeting on 27th March are available from the Office of the Chief Executive.

997.13 DEPARTMENT OF ENTERPRISE, TRADE & INVESTMENT PUBLIC APPOINTMENTS: MEMBERS – HEALTH AND SAFETY EXECUTIVE FOR NORTHERN IRELAND (HSENI)

The Department of Enterprise, Trade and Investment (the Department) is responsible for appointments to the Board of the Health & Safety Executive for Northern Ireland. The Department is seeking to appoint up to four members to fill vacancies on the Board with effect from 1 October 2014.

The Department will advertise these vacancies in the Irish News and News Letter on **1 May 2014** and the Belfast Telegraph on **2 May 2014**. Details will also be placed on the Department's website, www.detini.gov.uk.

The deadline for receipt of applications is noon on Friday 30 May 2014.

Anyone interested in the vacancies may register an interest with DETI, Public Appointments Unit in advance, by email:- yvonne.green@detini.gov.uk or gillian.frampton@detini.gov.uk or by telephone Mrs Green on 028 9052 9282 or Mrs Frampton on 028 9052 9214 or by contacting the Office of the Chief Executive.

997.14 PUBLIC CONSULTATION ON PROPOSED PRIVATE CROSSINGS (SIGNS AND BARRIERS) REGULATIONS (NORTHERN IRELAND) 2014

The Department for Regional Development has issued a consultation document on proposals to make a Statutory Rule entitled The Private Crossings (Signs and Barriers) Regulations (Northern Ireland) 2014.

The proposed Private Crossings (Signs and Barriers) Regulations (Northern Ireland) 2014 are being introduced to revoke and replace an earlier set of Regulations, the Private Crossings (Signs and Barriers) Regulations (Northern Ireland) 2007.

The revised 2014 Regulations will introduce necessary changes to some of the Signs and Barriers in the 2007 Regulations and introduce additional signs that are required by Northern Ireland Railways to ensure safety at Private Crossings. A copy of the Consultation Paper is available, on request, from the Office of the Chief Executive.

The closing date for responses is 21st July 2014

997.15 REPORTS

A schedule of reports was circulated for members' information.

This being all the business the meeting closed at 8.45 pm.

Appendices listed:

Appendix 1 Community Festival Fund 2014/15

APPENDIX 1

COMMUNITY FESTIVAL FUND 2014/15			
Organisation	Project/Title of Festival	Date	Grant
Apprentice Boys of Derry (Campsie Club-Rasharkin Branch)	Community Developments	19-21/06/14 & 05/07/14	1,000.00
Ballybogey Community Association Limited	Ballybogey Summer Scheme	29/07/14 to 09/08/14	Did not meet criteria
Ballymaconnelly Renewal Group	5th Ballymoney Renewal Group Festival	23/06/14 to 29/06/14	1,000.00
Ballymoney District No. 16	12th July Festival and District Service	06/07/14 to 12/07/14	600.00
Bendooragh Apprentice Boys Cultural Society	Community It's A Knockout	18/07/14 to 19/07/14	1,000.00
Cloughmills Community Action Team	June Fair	09/06/14 to 14/06/2014	1,500.00
Dervock & District Community Association	KK McArthur 'Festival of Running' 2014	17/07/14 to 19/07/14	1,500.00
Dunaghy Flute Band	Dunaghy Flute Band Cultural Festival	20/07/14 to 23/07/14	1,200.00
Dunloy Accordion Band	Dunloy Accordion Band Annual Festival 2014	24 & 26/07/14	1,200.00
Japanese Cultural Centre	"Tenshin Shodem Katori Shinto Ryu Chado" (Japanese Ancient Martial Art)	26/07/14	Did not meet criteria
Killyrammer & District Community Association	Community Week	28/07/14 to 01/08/14	1,000.00
Kingdom of Dalriada Ulster-Scots Society	Kingdom of Dalriada Ulster Scots Festival	01/07/14 to 05/07/14	1,500.00
Loughgiel Community Association	Community Fun Days	13/08/14 & 14/08/14	1,300.00
North Antrim Bands Forum	Christmas Fayre and Ulster-Scots Celebrations	27/11/14 to 29/11/14	1,200.00
Rasharkin Community Association	Rasharkin People's Festival	16/06/14 to 21/06/14	800.00
			14,800.00
		Administration	800.00
		Total	15,600.00