

Ballymoney Borough Council
Health & Environmental Services Committee Meeting No 398 – 28th January 2014

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Continue present policy not to charge building control fees for work of adding additional insulation to roof areas in dwellings

398.31 Local Government Awards Finalists

Committee Chair, Nominating Officer, Recycling Education Officer and his wife to attend Gala Dinner

BALLYMONEY BOROUGH COUNCIL

Minutes of Health & Environmental Services Committee Meeting No 398, held in the Council Chamber, Riada House, Ballymoney on Tuesday 28th January 2014 at 4.00 pm.

IN THE CHAIR: Councillor Atkinson

PRESENT:

Aldermen
F Campbell
H Connolly

Councillors
W Blair
J Finlay, Mayor
R Halliday
T McKeown
C McLaughlin
A McLean
E Robinson, MBE
I Stevenson

APOLOGIES:

Alderman
B Kennedy

Councillors
A Cavlan
R McAfee

IN ATTENDANCE: Chief Executive (Items 398.6 – 398.31)
Director of Borough Services
Business Support Officer

398.1 IMPLEMENTING THE BIODIVERSITY DUTY

Councillor Robinson informed members of an event she had attended earlier in the day at Stormont in relation to Councils implementing the biodiversity duty at which the Biodiversity Officer for Ballymoney, Coleraine, Moyle and Limavady had made the final presentation. She stated that Council should note the innovative work on-going within the Borough and commended the officers involved.

398.2 COMMENCEMENT OF A26 DUALLING SCHEME

Councillor Stevenson referred to work Road Service had commenced in respect of the dualing of the A26. The Director of Borough Services advised was not privy to the timeline of the Roads Service programme, but that enquiries would be made with a report brought back to committee.

398.3 PROPOSED NEW NIE SUBSTATION NEAR RASHARKIN

Councillor Finlay asked if an environmental impact assessment ought to be undertaken regarding the proposed substation and whether it was possible to write to the Minister regarding this.

The Director of Borough Services reminded members that a wayleave request in respect of the proposed development was before the Leisure & Amenities Committee and advised that were Council minded it could write to the Minister or indeed Planning Service to ascertain whether or not an EIA Statement was necessary in respect of the proposed NIE development near Rasharkin.

398.4 DECLARATIONS OF INTEREST

Councillor Finlay declared an interest at item 398.17 relating to the renewal of an indoor entertainment licence for Rasharkin Presbyterian Church Hall as he is the applicant.

398.5 MINUTES – MEETING NO 397 – 19th December 2013

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

to recommend that the minutes of Meeting Number 397 – 19th December 2013, as circulated, be confirmed as a correct record.

MATTERS FOR CONSIDERATION

ENVIRONMENTAL SERVICES

398.6 PROSPECTIVE ENVIRONMENTAL SERVICES CHANGE OPTIONS

The following options, put to Committee and Council in respect of the 2013-14 budget round, are again drawn to members' attention for consideration –

1. Street Cleansing Enhancement
2. Waste Recycling Enhancement
 - (a) Slim the “black” bin
 - (b) Provide “kitchen” waste service

Two further options aimed at enhancing waste recycling also merit consideration at this time –

- | | |
|--------------------------------|--|
| (1) Slim the “black” bin | (a) reduce size from 240 litre to 180/190 litre
(b) <u>introduce alternate 3 weekly collection regime</u> |
| (2) “Kitchen” waste collection | (a) via brown bins and caddies (garden and kitchen)
(b) <u>via caddies</u> (separate garden and kitchen) |

IT IS RECOMMENDED that Committee consider these prospective environmental services options and make recommendations to Council as to what it ought to do in 2014-15.

The Director of Borough Services explained that the street cleansing enhancement option would mean that all housing developments would receive a scheduled street cleansing visit depending on response work and other commitments, advising that the proposed enhanced service would require another sweeper and sweeping team. In response to Councillor Stevenson he reminded members of the cost estimate, as documented, produced for the 2013-14 budgetary which involved both capital and revenue finance, also dealing the type of sweeper required and why a team of two rather than an individual was required. The Mayor spoke in favour of having the same service applying throughout the Borough.

* ***Chief Executive joined the meeting at 4.34pm.***

Councillor Robinson referred to a recent workshop she had attended regarding the DoE Rethink Waste Capital Fund for 2014-15 administered by WRAP, advising that £1.65M was available to applicants, such as Councils, to introduce a range of services such as improving or extending kerbside recycling. She believed that Council ought to avail of the money on offer as this would assist in meeting statutory targets and prevent possible infraction fines.

The Director of Borough Services gave a full explanation of the options he had outlined in his report, drawing attention in particular to the various legislative drivers [both extant and proposed], what was involved in each policy proposal and the respective advantages and disadvantages of each change outlined. As regards the introduction of a kitchen waste service he reminded members that under the commitment made in the Council's Waste Management Plan, recently reviewed, Council had stated that in order to meet its NILAS obligations it would roll out brown bins throughout the Borough and that given the need of process capacity a Bio-Waste Tender had issued under the auspices of the NWRWMG. He intimated that all of the prospective changes, other than a three week alternate collection regime, would entail substantial additional capital and revenue expenditure. He advised that in order to make an application for WRAP funding Council would need to have a clearly stated position as to what it wished to do in 2014-15 to enhance its recycling services.

Councillor Finlay felt that with regard to the options aimed at enhancing waste recycling that any improvement should be carried out on the basis of the new council cluster. He agreed with Councillor Robinson that it is a very important issue but felt something should be done together being reluctant to spend money on a scheme which may change in 15 months time. The Director gave brief overview of the waste collection arrangements in other Causeway council areas.

It was proposed by Councillor Stevenson, seconded by Councillor Finlay;

to recommend

- (1) that the issue of street cleansing enhancement be deferred to the rates meeting;***
- (2) not to progress the Slim the "black" bin option until the new Council is formed and***
- (3) that a report is produced for the next Committee meeting on "kitchen" waste collection utilizing potential WRAP funding.***

Councillor Robinson stated that she was appalled that finance available through the WRAP funding scheme may not be used and she objected strongly to the second part of the recommendation.

At the request of Councillor McLean, the Director of Borough Services explained the implications for Council of NILAS targets and the need year-on-year to reduce the tonnage of biodegradable waste Council sent to landfill for disposal. He also pointed out that the third part of the member proposal would present difficulty for Council as it would have determined its budget for 2014-15 before determining how it ought to address the question of how [if at all] it wished to enhance its recycling services.

A vote was taken with seven members voting in favour.

The Chair declared the motion carried.

CORPORATE HEALTH & SAFETY

398.7 BOROUGH COUNCIL HEALTH & SAFETY POLICY

A revision of the Council's Health & Safety Policy has recently been completed. The document (which will replace the existing one) was circulated to members.

IT IS RECOMMENDED that Council adopts the document (dated 14/1/14) as its Health & Safety Policy.

The Director of Borough Service in introducing the business explained why it had been necessary to produce a revised policy document on behalf of Council. The Chief Executive advised members that he was pleased that a revised Council Health & Safety Policy was coming before Council for adoption via the Committee, stated that it was an excellent document and commended the Director of Borough Services and staff on it. The Chief Executive emphasised the importance of this policy for the protection and safety of employees, members and individuals.

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

to recommend that Council adopts the document (dated 14/1/14) as its Health & Safety Policy.

ENVIRONMENTAL SERVICES

398.8 MUNICIPAL WASTE RETURNS

<u>Waste Type</u>	<u>Dec 2012</u>	<u>Dec 2013</u>	<u>Apr 12 – Dec 12</u>	<u>Apr 13 – Dec 13</u>
Mixed Residual Waste (waste direct to landfill)	666.06t	653.04t -1.95%	6,406.46t	6,090.00t -4.94%
Mixed Dry Recyclables (blue bin recycling)	162.28t	167.00t +2.91%	1,408.59t	1,520.80t +7.97%
Garden Waste (brown bin recycling)	n/a	n/a	1,074.18t	1,133.70t +5.54%

<u>Waste Type</u>	<u>Dec 2012</u>	<u>Dec 2013</u>	<u>Apr 12 –</u>	<u>Apr 13 –</u>
Waste Recovery (segregated HRC waste)	48.44t	46.14t -4.75%	622.92t	616.72t -1.00%
Cardboard	7.42t	4.36t -41.24%	42.12t	43.32t +2.85%
Timber	14.18t	12.58t -11.28%	208.10t	191.46t -8.00%

IT IS RECOMMENDED Council note the above statistics.

Councillor Robinson thanked the Director for including the municipal waste returns statistics in the report and highlighted the need for a larger reduction in waste direct to landfill.

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

to recommend that Council note the above statistics.

398.9 2014 PUBLIC/BANK HOLIDAY ARRANGEMENTS – REFUSE COLLECTION

PUBLIC/BANK HOLIDAY	DATE OF PUBLIC/BANK HOLIDAY	ALTERNATIVE COLLECTION
St. Patrick's Day	Monday 17/3/14	No Change
Good Friday	Friday 18/4/14	No Change
Easter Monday	Monday 21/4/14	No Change
Easter Tuesday	Tuesday 22/4/14	No Change
May Day	Monday 5/5/14	No Change
Spring Bank Holiday	Monday 26/5/14	No Change
12 th July	Monday 14/7/14	No Change
13 th July	Tuesday 15/7/14	No Change
Summer Bank Holiday	Monday 25/8/14	No Change
Christmas Day	Thursday 25/12/14	Saturday 27/12/14
Boxing Day	Friday 26/12/14	No Change
New Year's Day	Thursday 1/1/15	No Change

IT IS RECOMMENDED that Council note the above arrangements.

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

to recommend that Council note the above arrangements.

398.10 WASTE HAULAGE CONTRACT TENDER 2014-2015

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 12.00 noon, Thursday 16th January 2014. Four tenders were received.

The tenders were opened by the Head of Environmental Services, together with the Chair of the Council's Health & Environmental Services Committee on 17th inst. at 9.05am. The tender prices submitted are detailed in the table below. In order to preserve commercial confidentiality, the lowest price for each site is identified by letters – A, B, C, etc.

1. Transport of Residual Municipal Waste to the Council's Nominated Landfill Site

Contractors	Magheraglass Landfill Site – price per tonne (£/t)
Coleraine Skip Hire & Recycling Ltd., 56 Craigmore Road, Ringsend, GARVAGH, BT51 5HF.	A
Brickkiln Waste Ltd., 23 Heather Road, Creevagh, L'DERRY, BT48 9XD.	A + 0.05
Armagh Recycling & Skip Hire Ltd., 18 Blackwatertown Road, ARMAGH, BT61 8EZ.	A + £4.05
R. Heatrick Ltd., 341 Tandragee Road, PORTADOWN, BT62 3RB.	A + £10.15

2. Transport of Household Recycling Centre & Bulky Household Waste to the Council's Nominated Waste Reprocessor Facility

Contractors	RiverRidge Recycling – price per tonne (£/t)
Coleraine Skip Hire & Recycling Ltd., 56 Craigmore Road, Ringsend, GARVAGH, BT51 5HF.	B
Brickkiln Waste Ltd., 23 Heather Road, Creevagh, L'DERRY, BT48 9XD.	B + £1.30
Armagh Recycling & Skip Hire Ltd., 18 Blackwatertown Road, ARMAGH, BT61 8EZ.	B + £2.38
R. Heatrick Ltd., 341 Tandragee Road, PORTADOWN, BT62 3RB.	B + £4.40

3. Transport of Organic Waste [Garden Waste only] to the Council's Nominated Composting Facility

Contractors	Letterloan Composting Facility - price per tonne (£/t)
Coleraine Skip Hire & Recycling Ltd., 56 Craigmore Road, Ringsend, GARVAGH, BT51 5HF.	C
Brickkiln Waste Ltd., 23 Heather Road, Creevagh, L'DERRY, BT48 9XD.	C + £0.30
Armagh Recycling & Skip Hire Ltd., 18 Blackwatertown Road, ARMAGH, BT61 8EZ.	C + £1.48
R. Heatrick Ltd., 341 Tandragee Road, PORTADOWN, BT62 3RB.	C + £3.50

4. Other Transport

Contractors	Price per tonne per single journey mile (£/t/mile)
Coleraine Skip Hire & Recycling Ltd., 56 Craigmore Road, Ringsend, GARVAGH, BT51 5HF.	D
Brickkiln Waste Ltd., 23 Heather Road, Creevagh, L'DERRY, BT48 9XD.	D + £0.09
Armagh Recycling & Skip Hire Ltd., 18 Blackwatertown Road, ARMAGH, BT61 8EZ.	D + £2.07
R. Heatrick Ltd., 341 Tandragee Road, PORTADOWN, BT62 3RB.	D + £0.47

Coleraine Skip Hire & Recycling Limited (t/a River Ridge Recycling) is the lowest tender as regards the work on offer.

IT IS RECOMMENDED that Council engage Coleraine Skip Hire & Recycling Limited to haul its municipal waste during 2014-2015, in accordance with the Council's Specification and Contract Conditions.

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

to recommend that Council engage Coleraine Skip Hire & Recycling Limited to haul its municipal waste during 2014-2015, in accordance with the Council's Specification and Contract Conditions.

In response to Councillor Robinson on the length of time to introduce a new collection service, the Director of Borough Services intimated that any change, given the number of households etc involved was complex and whilst certain elements such as the purchase of bins, caddies and other consumables was relatively straightforward, others such as securing the delivery of any additional vehicles was more unquantifiable. He again emphasized that any change would entail both capital and revenue provision and that any grant obtained would only cover a certain percentage of the entire cost of any scheme.

ENVIRONMENTAL PROTECTION

398.11 WASTE MANAGEMENT LICENSING REGULATIONS (NI) 2003

IT IS RECOMMENDED that Council note that NIEA has furnished a copy of Waste Management licence (LN/13/42) in respect of Albert McMullan, T/A Leaney Car and Van Dismantlers for premises at 29A Garryduff Road, Ballymoney.

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

to recommend that Council note that NIEA has furnished a copy of Waste Management licence (LN/13/42) in respect of Albert McMullan, T/A Leaney Car and Van Dismantlers for premises at 29A Garryduff Road, Ballymoney.

398.12 CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT (NI) 2011 240 BALLYVEELY ROAD, CLOUGHMILLS, BALLYMENA, BT44 9NW.

Further to a private tenancy fitness inspection conducted on 17th January the following defects were observed that are deemed prejudicial to the health of the occupants. Internal high levels of rising dampness present to all external facing ground floor stone walls.

IT IS RECOMMENDED that an abatement notice be served on the landlord of the premises under Section 63(1)(a) of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 with a time period of compliance of 90 days in order to remedy the condition thereat as described above.

NB All Works included on the above notice will be eligible for grant aid from the Northern Ireland Housing Executive.

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

to recommend that an abatement notice be served on the landlord of the premises under Section 63(1)(a) of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 with a time period of compliance of 90 days in order to remedy the condition thereat as described above.

FOOD CONTROL

398.13 THE CONTAMINANTS IN FOOD (AMENDMENT) REGULATIONS (NI) 2013

IT IS RECOMMENDED that Council note that these Regulations, which came into operation on 17th January 2014, correct an error in respect of Reg. 2(5) of the principal Regulations 2013.

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

to recommend that Council note that these Regulations, which came into operation on 17th January 2014, correct an error in respect of Reg. 2(5) of the principal Regulations 2013.

398.14 FOOD COMPLAINT

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

<u>Ref. No.</u>	<u>Nature of Complaint</u>
FC/805/C/03/13	Bad taste from butter

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

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

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

HEALTH & SAFETY

398.15 THE SAFETY OF SPORTS GROUNDS (NI) ORDER 2006: GENERAL SAFETY CERTIFICATE RENEWALS

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 re-issuing and enforcing General Safety Certificates on an annual basis in respect of the aforementioned designated venues when same are used for the sports described. 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 renew the General Safety Certificates in respect of both Father Healy Park, Loughgiel and Riada Stadium, Ballymoney referred to in this report.

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

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

ENVIRONMENTAL HEALTH GENERAL

398.16 THE HIGH HEDGES ACT (NI) 2011

Further to the Health & Environmental Services Committee meeting no. 394.14 members may recall that the NI Valuation Tribunal had re-issued a remedial notice on 50 Boyland Road, Ballymoney for a reduction to the height of the hedge with compliance to be achieved by 1st January 2014.

A visit to the property was conducted on the 6th January 2014 confirming that the height of the hedge had not been reduced breaching the remedial notice issued, and therefore committing an offence under the Act.

IT IS RECOMMENDED that Council consider the following:-

1. Instruct Council Solicitors to instigate legal proceedings under the High Hedges Act (NI) 2011 against the owner at 50 Boyland Road, Ballymoney for the offence of failing to comply with the aforementioned remedial notice re-issued by the NI Valuation Tribunal.
2. That the Council employ those persons deemed competent to enter the land at 50 Boyland Road, Ballymoney where the hedge is situated and carry out the specified works contained within the remedial notice. The cost of such works shall be recovered by the Council via the statute.
3. As the complainant has been refunded the application fee of £360, Council shall recover this expense by transferring the £360 charge to the owner of 50 Boyland Road, Ballymoney pursuant to the High Hedges Act (Fee Transfer) Regulations (NI) 2012.
4. That the expenses recoverable under the High Hedges Act (NI) 2011 be registered as statutory charge on the property at 50 Boyland Road, Ballymoney.

The Director of Borough Services responded to Alderman Campbell's questions. Alderman Campbell also passed on compliments made by a constituent regarding the Officer dealing with this issue.

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

to recommend

1. ***Council instruct Council Solicitors to instigate legal proceedings under the High Hedges Act (NI) 2011 against the owner at 50 Boyland Road, Ballymoney for the offence of failing to comply with the aforementioned remedial notice re-issued by the NI Valuation Tribunal.***

2. ***That the Council employ those persons deemed competent to enter the land at 50 Boyland Road, Ballymoney where the hedge is situated and carry out the specified works contained within the remedial notice. The cost of such works shall be recovered by the Council via the statute.***
3. ***As the complainant has been refunded the application fee of £360, Council shall recover this expense by transferring the £360 charge to the owner of 50 Boyland Road, Ballymoney pursuant to the High Hedges Act (Fee Transfer) Regulations (NI) 2012.***
4. ***That the expenses recoverable under the High Hedges Act (NI) 2011 be registered as statutory charge on the property at 50 Boyland Road, Ballymoney.***

**398.17 THE PRIVATE TENANCIES (NI) ORDER 2006 (AS AMENDED) BY THE HOUSING (AMENDMENT) ACT (NORTHERN IRELAND) 2011
THE LANDLORD REGISTRATION SCHEME REGULATIONS (NORTHERN IRELAND) 2012**

The Department for Social Development (Private Rented Branch) have advised that from the 25th February 2014, all private landlords must register immediately prior to the letting of a new tenancy, or where there is an existing tenancy within 12 months. Registration will last for a period of 3 years at the end of which there is a requirement to re-register. The centrally held register will be maintained by DSD. Online registration costs £70.00 with paper registration costing £80.00.

Landlords who do not register their properties will be committing an offence and may be issued with a fixed penalty of £500 (as previously determined by Council HES 390.7 refers, 26th March 2013) or on prosecution face a maximum penalty of £2,500.

DSD leaflets on this register were circulated to members.

IT IS RECOMMENDED that Council note the above information.

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

to recommend that Council note the above information.

398.18 CERTIFICATE OF FITNESS

**THE PRIVATE TENANCIES (NORTHERN IRELAND) ORDER 2006
ARTICLE 36 (4)**

LANDLORD

Mr. Wilbert Hanna

DWELLING-HOUSE

61 Aghill Road,
Rasharkin,
BALLYMENA, BT44 8SW.

LANDLORD

Mr. Ray Boyland

Mr. Derek Doyle

Mr. John McAuley

DWELLING-HOUSE170 Ballinlea Road,
Stranocum,
BALLYMONEY, BT53 8PR.10 Bellisle Road,
Dervock,
BALLYMONEY, BT53 8HS.230 Finvoy Road,
BALLYMONEY, BT53 7JT.

Fitness inspections of the above dwellings have been conducted and the dwelling houses meet 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 houses.

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

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

LICENSING**398.19 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985 - LICENCE APPLICATIONS (FULL) (RENEWAL)****Premises**Rafters Snooker Club,
18 Seymour Street,
BALLYMONEY, BT53 6JR.The Village Inn,
2 Bellaghy Road,
Dunloy,
BALLYMENA, BT44 9AE.The Hedges Leisure Complex,
141 Ballinlea Road,
Stranocum,
BALLYMONEY, BT53 8PX.**Applicant**

Mr. Samuel Wylie

Messrs. John Martin and
Seamus McMullan

Mr. Ivan & Mrs. Alice McCook

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licences as detailed above and in the case of Rafter's Snooker Club subject to the receipt 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 Finlay, seconded by Alderman Connolly and
AGREED:

to recommend that the Borough Council renew the Indoor Entertainment's Licences as detailed above and in the case of Rafter's Snooker Club subject to the receipt 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.

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

<u>Premises</u>	<u>Applicant</u>
The Robinson Hall, 56 Moyan Road, BALLYMONEY, BT53 8NX.	Mr. Maurice F. R. Christie
Rasharkin Presbyterian Church Hall, 13 Moneyleck Road, Rasharkin, BALLYMENA, BT44 8QB.	Mr. J. Finlay
John Armstrong Hall, Dalriada School, 1-9 St. James's Road, BALLYMONEY, BT53 6BL.	Mr. David R. Balmer Secretary
Allen & Adair Memorial Hall, 233 Castlecat Road, Dervock, BALLYMONEY, BT53 8BP.	Mr. Thomas J. Johnston
Trinity Presbyterian Church, 28 Queen Street, BALLYMONEY, BT53 6JJ.	Mrs. Anne Backus
Ballybrakes Community Indoor Bowling Club, 38 Ballybrakes Road (Unit 12), BALLYMONEY, BT53 7HX.	Mrs. Donna McCloy
First Ballymoney Presbyterian Church Hall, 65 Meetinghouse Street, BALLYMONEY, BT53 6JN.	Mrs. Trudy Pollock

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licences as detailed above and in the cases of The Robinson Hall, Rasharkin Presbyterian Church Hall, Dalriada School and First Ballymoney Presbyterian Church Hall subject to satisfactory electrical test certificates being received. 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 Stevenson, seconded by Councillor Halliday and **AGREED:**

to recommend that the Borough Council renew the Indoor Entertainment's Licences as detailed above and in the cases of The Robinson Hall, Rasharkin Presbyterian Church Hall. Dalriada School and First Ballymoney Presbyterian Church Hall subject to satisfactory electrical test certificates being received. 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.

**398.21 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985
REVOCATION OF INDOOR ENTERTAINMENTS LICENCE**

Premises

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

Applicant

Mr. Kenneth and Mrs. Anthea
Curran

IT IS RECOMMENDED that the Borough Council revoke the Indoor Entertainment's Licence for the above applicants as they no longer lease the premises.

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

to recommend that the Borough Council revoke the Indoor Entertainment's Licence for the above applicants as they no longer lease the premises.

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

Applicant

Lisa Marie McAleese
(Ear Piercing and
Electrolysis)

Rolanda O'Boyle
(Ear Piercing and
Electrolysis)

Premises

Beauty Within,
5B Main Street,
BALLYMONEY, BT53 6AN.

Look Good Feel Good Beauty
Boutique,
164A Tullaghans Road,
Dunloy,
BALLYMENA, BT44 9AF.

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

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

to recommend that the above persons and premises be registered.

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

398.23 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. Jackson McGaughey, 32 Tullaghans Road, Finvoy, BALLYMONEY, BT53 7DX.	£17.50
Co. Londonderry Horse Breeding Society	Ms. Yvonne Hanna, 74 Glenstall Road, BALLYMONEY, BT53 7QN.	£17.50
Dunaghy Flute Band	Mr. Shane Calvin, 6 Castlehill Court, BALLYMONEY, BT53 6RR.	£17.50
Friends of Armour Day Centre	Mr. Benny Knight, 11 The Meadows, BALLYMONEY, BT53 6AX.	£17.50
Ballymoney Borough Twinning Association	Mr. Warner Kirkpatrick, c/o Riada House, 14 Charles Street, BALLYMONEY, BT53 6DZ.	£17.50
Stranocum & District Community Association	Mr. William Johnston, 64 Fivey Road, Stranocum, BALLYMONEY, BT53 8JH.	£17.50
Compass Advocacy Network	Ms. Linda McKendry 8 Williamson Park, Seacon, BALLYMONEY, BT53 6QR.	£17.50
Ballymoney Voluntary Welfare	Ms. Elizabeth Anderson, 8 Greenville Avenue, BALLYMONEY, BT53 7BJ.	£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 Finlay and **AGREED:**

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

REGISTRATION OF CLUBS

398.24 REGISTRATION OF CLUBS (NORTHERN IRELAND) ORDER 1996 RENEWAL OF REGISTRATION OF CLUB LICENCE NOTIFICATION

Premises

Ballybrakes Community Indoor
Bowling Club,
Ballybrakes Business Park,
BALLYMONEY, BT53 7PL.

Applicant

Donna McCloy

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.

INVESTING FOR HEALTH

398.25 EXTENSION OF PUBLIC HEALTH AGENCY CONTRACTS BEYOND 31ST MARCH 2014

**AP/N/03
IFH/N/19**

**Accident Prevention
Energy Efficiency Advice Service**

The Public Health Agency (PHA) have confirmed intention to extend the above existing contracts beyond 31st March 2014 for a further 12 months subject to earlier termination in accordance with the terms of the contracts and subject to on-going satisfactory performance being delivered. All other terms and conditions remain unchanged.

IT IS RECOMMENDED that Council note the above information.

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

to recommend that Council note the above information.

398.26 ADDITIONAL 2013/2014 FUNDING FOR MARA HOME ACCIDENT PREVENTION REFERRALS

The Public Health Agency have offered additional funding to Councils where the Home Accident Prevention referrals have significantly exceeded the number originally anticipated. The funding is designed to increase the capacity of Home Accident Prevention Officer time to meet the additional demand. In respect of Ballymoney an additional £2,363.34 has been secured, to be expended within the current financial year.

IT IS RECOMMENDED Council note the above information.

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

to recommend that Council note the above information.

398.27 FOOD POVERTY PROJECT

The Causeway Coast & Glens and Mid & East Antrim Cluster Working group have made £9,350.00 available to Ballymoney Borough Council to deliver five (5) local projects around food poverty. This followed a successful submission to the cluster in October 2013. It is anticipated that the projects/initiatives will be completed within the current financial year.

IT IS RECOMMENDED that Council note the above information.

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

to recommend that Council note the above information.

In response to Councillor Stevenson, the Director of Borough Services advised that details of the five local projects around food poverty would be provided at a subsequent meeting.

LICENSING

398.28 LICENSING (NORTHERN IRELAND) ORDER 1996

<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
Anthony O'Hanlon, The Corner House Bar, 2 Culcrum Road, Cloughmills, BALLYMENA, BT44 9NH.	Occasional Licence (Cloughmills Community Centre, 17/1/14 between 1900 – 0100 hours).	31/12/13
Sharon L. McKillop, Blackwater Bar & Restaurant, 250-252 Castlecat Road, Dervock, BALLYMONEY, BT53 8BP.	Occasional Licence (Ballybrakes Community Indoor Bowling Club 24/1/14 and 1/2/14 between 1130 - 0100 hours)	9/1/14

IT IS RECOMMENDED that Council note the above applications.

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

to recommend that Council note the above applications.

OFFICER AUTHORISATION

398.29 TEMPORARY ENVIRONMENTAL WARDEN

Mr. Jeremy Callan has been selected via Diamond Recruitment as a Temporary Environmental Warden. The appointment was effective from the 6th January 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 authorise **Jeremy Charles Scott Callan** to exercise within the Ballymoney Borough the functions, powers and duties exercisable by persons so authorised contained in the undernoted legislation or any amendment thereof made from time to time, or in any statutory instrument, regulation or byelaw made thereunder:-

The Dogs (Northern Ireland) Order 1983 as amended – Article 21(1), 23, 25c, 30A(2), 36(1), 41, 42, 43
The Litter (Northern Ireland) Order 1994
The Waste and Contaminated Land (Northern Ireland) Order 1997
Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 – Section 4, 5, 26, 37, 43, 45, 52, 56 and Schedule 2 paragraphs 2 and 3
The Dogs (Licensing and Identification) Regulations (Northern Ireland) 2012
Welfare of Animals Act (Northern Ireland) 2011

as an Inspector under Section 45(1)(b) and delegates powers contained in Sections 10, 17, 18, 22, 23, 24, 47 and 48 specifically in relation to the 2013 Regulations made under Section 12 of the Welfare of Animals Act (Northern Ireland) 2011,

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

IT IS FURTHER RECOMMENDED that the said officer be provided with a duly authenticated warrant card as proof of identification and authorisation when carrying out official duties.

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

to recommend that Ballymoney Borough Council authorise Jeremy Charles Scott Callan to exercise within the Ballymoney Borough the functions, powers and duties exercisable by persons so authorised contained in the undernoted legislation or any amendment thereof made from time to time, or in any statutory instrument, regulation or byelaw made thereunder:-

The Dogs (Northern Ireland) Order 1983 as amended – Article 21(1), 23, 25c, 30A(2), 36(1), 41, 42, 43

The Litter (Northern Ireland) Order 1994

The Waste and Contaminated Land (Northern Ireland) Order 1997

Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 – Section 4, 5, 26, 37, 43, 45, 52, 56 and Schedule 2 paragraphs 2 and 3

The Dogs (Licensing and Identification) Regulations (Northern Ireland) 2012

Welfare of Animals Act (Northern Ireland) 2011

as an Inspector under Section 45(1)(b) and delegates powers contained in Sections 10, 17, 18, 22, 23, 24, 47 and 48 specifically in relation to the 2013 Regulations made under Section 12 of the Welfare of Animals Act (Northern Ireland) 2011,

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

IT IS FURTHER RECOMMENDED that the said officer be provided with a duly authenticated warrant card as proof of identification and authorisation when carrying out official duties.

BUILDING CONTROL

398.30 BUILDING CONTROL FEES FOR LOFT INSULATION

Members may recall that in February 2013 Council agreed to continue to waive Building Control fees for top-up roof space insulation in existing dwellings (CMT 972.7 refers) for a further period of 12 months.

Currently the majority of district councils in Northern Ireland now charge fees for this category of work, in line with the Building (Prescribed Fees) Regulations (NI) 1997 (as amended). Other than Ballymoney Borough Council, within the Causeway Coast and Glens cluster group only Moyle District Council now waives fees for top-up roof insulation. Coleraine Borough Council has always charged fees for this work and Limavady Borough Council has reverted to charging fees.

In the current year (1st April 2013 – 31st December 2013) Building Control has waived fees on a total of 151 applications involving top-up roof space insulation. This represents a substantial proportion of the department's workload, as the administrative and inspection work has statutorily still to be carried out. This equates to a loss of income of £ 9,060 to Building Control and these costs therefore have to be absorbed by all the ratepayers within the council area.

IT IS RECOMMENDED that Council revert to charging building control fees for the work of adding additional insulation to roof areas in dwellings, in line with the Building (Prescribed Fees) Regulations (NI) 1997 (as amended).

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

to recommend that Council does not revert to charging building control fees for the work of adding additional insulation to roof areas in dwellings, in line with the Building (Prescribed Fees) Regulations (NI) 1997 (as amended).

GENERAL

398.31 LOCAL GOVERNMENT AWARDS FINALISTS

Members were informed that the Recycling Education Officer has been named as one of three finalists in NILGA Employee of the Year award for 2013. Two complimentary places are available to the Gala Awards Dinner.

IT IS RECOMMENDED that Health and Environmental Services Committee Chair and the Council Officer who completed the NILGA awards nomination form to accompany the Recycling Education Officer to the Gala Awards Dinner.

A brief discussion followed with the Director of Borough Services making it clear that any additional places would cost £50 each.

* ***Councillor McKeown and Councillor McLaughlin joined the meeting at 6.04pm.***

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

to recommend that Health and Environmental Services Committee Chair and the Council Officer who completed the NILGA awards nomination form accompany the Recycling Education Officer to the Gala Awards Dinner along with the Recycling Education Officer's wife, if she so wishes.

This being all the business the meeting closed at 6.09pm.