

BALLYMONEY BOROUGH COUNCIL

Health & Environmental Services Committee Meeting No 324 20th December 2006

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BALLYMONEY BOROUGH COUNCIL

Minutes of Health & Environmental Services Committee Meeting No 324 held in the Council Chamber, Riada House, Ballymoney on Wednesday, 20th December 2006 at 2.00pm.

IN THE CHAIR Councillor E Robinson

PRESENT

Alderman
C Cousley

Councillors
A Cavlan
J Finlay
B Kennedy
M McCamphill
D McKay
A Patterson
I Stevenson

APOLOGIES

Alderman
F Campbell

Councillors
P McGuigan
T McKeown
M Storey, MLA
R Wilson

IN ATTENDANCE

Chief Executive
Director of Borough Services
Head of Building Control Services
Alderman J Simpson
Committee Clerk

324.1 MINUTES – MEETING NO 323 – 28th November 2006

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

that the minutes of Committee Meeting No 323 held on 28th November 2006, as circulated, be confirmed as a correct record.

324.2 BUILDING CONTROL RESOURCE

The Director informed Committee by way of a presentation [Appendix 1] regarding the effect the reduced staff compliment of qualified building control officers was having as regards the delivery of this service. He intimated that Council needed to be aware of the issue and consider what might be done to alleviate matters.

Following the Director's presentation, the Director, Head of Building Control and the Chief Executive, responded to questions from members. The Director undertook to advise Members as to the cost of an additional Building Control Officer. [*Additional BCO would cost £33,000 per annum that is gross cost + travel*]

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

to recommend to Council that the subject be discussed by individual parties in the context of the Councils 2007-2008 budget.

Councillor Patterson joined the meeting during this discussion at 2.10pm

Councillor Cavlan and Councillor McKay joined the meeting during this discussion at 2.20pm

Councillor Finlay joined the meeting during this discussion at 2.30pm

Councillor Kennedy joined the meeting during this discussion at 2.35pm

324.3 GREEN APPLE AWARDS

At a ceremony held in the Tower of London in October this year the Borough of Ballymoney featured very prominently in the annual prestigious GREEN APPLE AWARDS – the national awards for Environmental Best Practice.

Can Can Recycling picked up a **Green Apple Award**, but Cloughmills and the Councils itself went a stage further. Cloughmills won a **Green Champion Award** for the manner in which through the 'dreamscheme' young people are involved in environmental activities.

Council won a **Gold Award**, making us the top Northern Ireland Council for our ethical approach to textile recycling and the manner in which we involved both Oxfam and Can Can.

It is believed that Council ought, in some appropriate manner, to celebrate this success marking the recognition given to and the achievement of Can Can Recycling, Cloughmills Dreamscheme and the Council itself.

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

to recommend that Council hold a reception in order to celebrate the Borough's success in this year's Green Apple Awards.

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

Application has been received for the renewal of petroleum spirit licences as follows:-

Premises

Applicant

Curragh Filling Station
93 Process Road
BALLYMONEY
BT53 1EY

Mr Bill Kennedy

Jaunting Car Filling Station
122 Drones Road
BALLYMONEY
BT53 8JT

Mr Aidan Harrigan

The renewal of licences as detailed above is **RECOMMENDED** and in the case of Curragh Filling Station subject to the proviso that an approved electrical test certificate is received.

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

to recommend that Council renew the above Petroleum Spirit Licences.

Councillor Finlay expressed concern at illegal fuel smuggling and asked the Director if it would be possible for Customs and Excise to give a presentation to the Committee on this topic. The Director undertook to contact Customs & Excise to ascertain whether that organization would be prepared to make such a presentation to Council.

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

Premises

Applicant

Dunloy Community Centre
17 Bridge Road
Dunloy
BALLYMENA
BT44 9AN

Rev Fr Joseph MacGurnaghan PP

St Patrick's Parish Centre and Youth Hall
4A Queen Street
BALLYMONEY
BT53 6JA

Mr Vincent Leslie

Cloughmills Memorial Orange Hall
Main Street
Cloughmills
BALLYMENA
BT44 9LF

Mr William J Kirkpatrick

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licence as detailed above. In the cases of St Patrick's Parish Centre and Youth Hall and Cloughmills Memorial Orange Hall subject to Fire Alarm and Emergency Lighting 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 file also apply.

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

to recommend that Council renew the above Indoor Entertainment Licences.

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

Premises

Applicant

Rasharkin Presbyterian Church Hall
13 Moneyleck Road
Rasharkin
BALLYMENA
BT44 8RT

Mr Richard John Wilson

St James's Presbyterian Church
Main and Minor Hall and Annexe
St James's Road
BALLYMONEY
BT53 6BJ

Mr Sean Carey

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licence as detailed above. In the case of St James's Presbyterian Church Halls and Annexe subject to a Fire Alarm and Emergency Lighting 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 file also apply.

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

to recommend that Council renew the above Indoor Entertainment Licences.

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

Applicant

Premises

Lisa Marie Canning

12B Church Street,

BALLYMONEY,
BT53 6DL.

IT IS RECOMMENDED that the above-mentioned person and business be registered accordingly.

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

to recommend that Council register the above mentioned person and business.

STREET TRADING

324.8 STREET TRADING ACT (NI) 2001 - TEMPORARY STREET TRADING LICENCE

Application for the grant of Temporary Street Trading Licence was made on the 30th November to Council via Officers deployed at the Christmas light switch on to monitor street trading activity as follows:-

Purpose

Applicant

Sale of Novelty toys in Ballymoney Town
Centre on 30th November 2006

Mr Richard McLernon

IT IS RECOMMENDED that the Borough Council grant in retrospect a Temporary Street Trading Licence.

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

to recommend that Council grant in retrospect the above Temporary Street Trading Licence.

324.9 POISONS (N.I.) ORDER 1983

Applications for renewal of registration in respect of the sale of poisons included in Part II of the Poisons List together with the appropriate fee have been received as follows:-

Name

Address

Deputies

Mr. James McFadden

Stranocum Post Office,
2 Main Street,
Stranocum,
BALLYMONEY,
BT53 8PE.

Mr. T. McFadden
Miss S. McFadden

Mr. George Pollock

James Pollock & Son,
53-61 Castle Street,
BALLYMONEY,
BT53 6JZ.

Mrs. D. Camp
Mr. R. McMaster
Mrs. Ann Hughes
Miss J. McClelland

Mr. Christopher Logan

Logans Hardware,
36 Drumadoon Road,
Cloughmills,
BALLYMENA,
BT44 9LJ.

Mrs. V. Logan
Mr. R. Logan

Mr David Christie

Christie and Jeffers,
33 Market Street,
BALLYMONEY.

Mr. F. Jeffers
Mr. A. Christie
Mr. B. Lamont
Mr. R. Wilson

Mr James Shaw

Ballymoney Garden Centre,
1 Greenhill Road,
BALLYMONEY,
BT53 6LZ.

Mr. A. Neill
Mr. F. McAteer
Mrs. M. Shannon
Mr. J. Shannon

Mr Ray Boyland	North Antrim Potatoes, 170 Ballinlea Road, Stranocum, BALLYMONEY, BT53 8PR.	Mr. J. Taggart Mrs. M. McDonald
Ms Elizabeth McQuillan	Taggart & Co Ltd, 38-44 Main Street, BALLYMONEY, BT53 6AP.	Mr. R. Taggart Mr. J. Hill Mr. C. Murphy

IT IS RECOMMENDED that the Borough Council give its approval to the above.

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

to recommend that Council renew the above registrations.

324.10 POISONS (N.I.) ORDER 1983

Application for new registrations in respect of the sale of poisons included in part II of the Poisons List together with the appropriate fee has been received as follows:-

<u>Name</u>	<u>Address</u>	<u>Deputies</u>
Mr. John Moore	J McElderry Ltd, 26 Market Street, BALLYMONEY, BT53 6EB.	Mr. W. Pearson Mr. R. Wilkinson Mr. M. Alexander Mr. G. Boyd
Mr. John Steele	Steele Farm Supplies, Unit 4, 14 Market Street, BALLYMONEY, BT53 6EB.	Mr. J. Steele (Snr) Mrs. A. L. Steele Mrs. H. A. M. Steele Mr. R. McKeeman

IT IS RECOMMENDED that the Borough Council give its approval to the above.

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

to recommend that Council approve the above registrations.

324.11 BETTING, GAMING, LOTTERIES & AMUSEMENTS (NI) ORDER 1985

Application has been received from the undernoted Society for registration by the Borough Council (Article 136 of the 1985 Order refers):-

<u>Society</u>	<u>Lottery Promoter</u>	<u>Fee</u>
Ballinagarvey ILOL 33	Mr Frank McClure 5 Bannview Park BALLYMONEY BT53 7LL	£17-50
North Antrim Chosen Few Rangers Supporters Club	Mr Warner Kirkpatrick 2 Landsdale Park BALLYMONEY BT53 7HW	£17-50

Friends of Armour Day Centre	Mr John Esler 34 Cherry Gardens BALLYMONEY BT53 7AS	£17.50
Compass Advocacy Group Ltd	Mrs Linda McKendry 20 Seymour Street, BALLYMONEY BT53 6JR	£17.50
Provincial Towns Indoor Bowling Club	Mr T Smith 13 Meadowbrook Ballybogey BALLYMONEY BT53 6RE	£17.50
Ballymoney Sub Divisional Voluntary Welfare Committee	Mrs Elizabeth Anderson 8 Greenville Ave BALLYMONEY BT53 7BJ	£17.50
Dalriada PTA	Mr Iain McCulloch 100 Balnamore Road BALLYMONEY BT53 7PT	£17.50
Ballymoney Borough Twinning Association	Mr Warner Kirkpatrick c/o Riada House 14 Charles Street BALLYMONEY BT53 6DZ	£17.50
Sam Dunlop Supporters Club	Mr Jim Dunlop 22 Glenlough Road Dunaghy BALLYMONEY	£17.50

IT IS RECOMMENDED that the Borough Council register the above-mentioned Society's.

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

to recommend that Council register the above societies.

DOG CONTROL

324.12 DOGS (NORTHERN IRELAND) ORDER 1983

ARTICLE 13 – REGISTRATION OF DOG BREEDING ESTABLISHMENTS

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

Applicant

Premises

Mr Seamus McAleese

95 Bravallen Road, Ballymoney, BT53 7DU.

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

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

to recommend that Council register the above mentioned dog breeding establishment.

324.13 COMMUNITY SAFETY

It is with regret that I have to advise that Julie McGarry, Community Safety Co-ordinator (job share) tendered her resignation for the post on Monday 11th December with effect on the 17th January 2007. In accordance with the Council's Job Share Policy Procedure the vacant position has been offered to the job share partner, Catherine Watson who has accepted. The post will therefore revert to full time for the remainder of the contract period.

IT IS RECOMMENDED that a letter of acknowledgement be forwarded to Julie McGarry for her efforts and commitment given to Community Safety in the Borough since her appointment in 2003.

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

to recommend to Council that a letter of acknowledgement be forwarded to Julie McGarry.

324.14 WATER (NI) ORDER 1999 – APPLICATION FOR CONSENT TO DISCHARGE EFFLUENT

Notification has been received from EHS Water Management Unit advising that the undernoted applications for consent to discharge effluent to waterways have been made –

Dervock Reformed Presbyterian Church, 210 Castlecat Road, Dervock [TC407/06]; and

Chardo Developments Limited, 5 sites at Mullan Road, Ballymoney [TC406/06]

As EHS will set levels as to the quality of effluent to be discharged, **IT IS RECOMMENDED** that Council note the applications.

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

to recommend that Council note the above applications.

BUILDING CONTROL

324.15 BUILDING CONTROL APPLICATIONS

IT IS RECOMMENDED that Council note the **Applications, Building Notices and Regularisation Certificates** as detailed in Appendix 1 to this report, which are in accordance with the requirements of the Building Regulations (NI) 2000.

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

to recommend that Council note the Applications, Building Notices and Regularisation Certificates as detailed in Appendix 2.

Councillor Cavlan and Councillor McKay left the meeting at 3.05pm

ENVIRONMENTAL PROTECTION

324.16 THE WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT REGULATIONS 2006

The Waste Electrical and Electronic Equipment Directive (WEEE Directive) aims to minimise the impact of electrical and electronic goods on the environment, by increasing re-use and recycling and reducing the amount of WEEE going to landfill. It seeks to achieve this by making producers responsible for financing the collection, treatment, and recovery of waste electrical equipment, and by obliging distributors to allow customers to return their waste equipment free of charge.

The Waste Electrical and Electronic Equipment (WEEE) Directive was agreed on 13 February 2003, along with related Directive on Restrictions of the use of certain Hazardous Substances in electrical and electronic equipment (RoHS).

The implementation of the WEEE Directive in the UK has been delayed. It was due to be transposed into Member State legislation by 13 August 2004 and come into force by 13 August 2005.

The UK Regulations implementing the WEEE Directive were laid before Parliament on 12 December 2006 and enter into force on 2 January 2007.

The WEEE Regulations apply to electrical and electronic equipment (EEE), which falls within the 10 product categories listed in the WEEE Directive: -

1. Large household appliances
2. Small household appliances
3. IT & Telecommunications equipment
4. Consumer equipment
5. Lighting equipment
6. Electrical and electronic tools
7. Toys leisure and sports equipment
8. Medical devices
9. Monitoring and control instruments
10. Automatic dispensers

The WEEE Regulations will apply to the following groups:

- **Producers** (any business that manufactures, imports or rebrands electrical and electronic products)
- **Retailers and Distributors** (any business that sells electrical and electronic equipment to end users)
- **Local authorities**
- **Waste management industry**
- **Exporters and reprocessors**
- **Businesses and other non-household users of EEE**
- **Householders**

EHS will be the enforcement agency for the WEEE Directive in Northern Ireland.

324.17 CONSULTATION ON OPTIONS FOR IMPLEMENTING THE ENVIRONMENTAL LIABILITY DIRECTIVE 9 NOVEMBER 2006

The Environmental Policy Division of DoE has written to Council concerning the above Consultation Document (which runs to 281 pages) seeking its views by 22nd February 2007.

The consultation is concerned with options for implementing the Environmental Liability Directive in England, Wales and Northern Ireland. Members may find the following 'background' to the proposal informative –

Background

The Directive is aimed at the prevention and remedying of environmental damage – specifically, damage to habitats and species protected by EC law, damage to water resources, and land contamination, which presents a threat to human health. It would apply only to damage from incidents occurring after it comes into force. The proposal, which does not cover “traditional damage” (that is, economic loss, personal injury and property damage), has, amongst others, the following characteristics:

- It is based on the polluter pays principle, i.e. polluters should bear the cost of remediating the damage they cause to the environment, or of measures to prevent imminent threat of damage.
- Polluters would meet their liability by remediating the damaged environment directly, or by taking measures to prevent imminent damage, or by reimbursing competent authorities who, in default, remediate the damage or take action to prevent damage.
- Competent authorities would be responsible for enforcing the regime in the public interest, including determining remediation standards, or taking action to remediate or prevent damage and recover the costs from the operator.

324.18 SUSTAINABLE DEVELOPMENT – INTRODUCTION OF A STATUTORY DUTY ON PUBLIC AUTHORITIES

The Head of Sustainable Development Unit, OFMDFM, has written to Council on 14th November 2006 regarding the above matter.

That correspondence states –

The NI Sustainable Development Strategy, launched on 9th May includes a key target to “by 2007 introduce a statutory duty on relevant public bodies to contribute to the achievement of sustainable development”.

In the first instance the duty will fall on central NI Government Departments and District Councils.

The legislation necessary to bring the new duty into place has been implemented (through an amendment to the Northern Ireland (Miscellaneous Provisions) Act 2006).

The new statutory duty “to contribute to the achievement of sustainable development” will come into force on 31st March 2007.

The relevant provision (Article 25) is reproduced in full as Appendix 2 to this report.

324.19 AIR QUALITY MONITORING IN NORTHERN IRELAND 2005

The Air Quality Monitoring in Northern Ireland 2005 Report received electronically on 1st December has been reproduced as Appendix 3 to this report for the benefit of Members.

The report provides details of air quality monitoring undertaken in 2005, setting out a summary of the main results and long term trends. It also includes information on progress being made by District Councils in implementing local air quality management.

324.20 NWRWM GROUP COMPOSTING TENDER

Members of the North West Region Waste Management Group Sub-Committee were advised at the meeting in Ballymoney on 13th December regarding the NWRWM Group’s procurement process to obtain treatment capacity for brown bin waste (kitchen and garden waste). Whilst 12 businesses had expressed interest in tendering, only 2 tenders had been returned. When evaluated, only one tender was found to be compliant and due to the price offered value for money could not be demonstrated. In such circumstances, it was recommended that no award of contract be made under the NWRWM Group’s procurement process. It is thought that the NWRWM Group tender was not attractive to the market place in that minimum tonnages of brown bin waste were not guaranteed. Both ARC21 and SWAMP who were in the market at the same time did secure the treatment capacity sought on the basis of guaranteed tonnages.

As brown bin treatment capacity is essential for the NWRWM Group constituent councils in order that we might need our Waste Management Plant obligations, work is presently on-going with a view of ‘piggy-backing’ on the SWAMP contact.

324.21 WASTE MANAGEMENT PLAN UPDATE

Also at the NWRWM Group Sub-Committee meeting Members were given an update as to the Waste Management Plan process. Following adoption by Council of its Waste Management Plan the document was submitted on 30th June 2006 to the DoE for determination. Since then minor amendments have been made at the behest of the Department simply by way of clarification. Papers explaining the minor changes made are to be found as Appendix 4 to this report. It is understood that the Department’s letter of determination on the Waste Management Plans submitted by NI district Councils may issue shortly

324.22 NORTHERN IRELAND WASTE INFRASTRUCTURE TASK FORCE REPORT

The NI Waste Infrastructure Task Force Report, which is reproduced as Appendix 5 to this document for the benefit of Members, was officially received by the Minister (Paul Coggins) on 11th December 2006 at Clifton House, Belfast.

The purpose of the Task Force, which was established in April 2005, was “to consider and report on being stakeholders” views on how best to facilitate the delivery of the waste infrastructure required to enable Northern Ireland to meet national and European waste management targets.

The Task Force made the following recommendations –

1. Recommendation 1 – Long-Term Structural Arrangements

Given the pressures placed on the legislative timetable by the RPA, and the need to ensure that no option is excluded from full consideration, by time or other factors, the Task Force recommends the preparation of legislative proposals that allow for the creation of one or more waste disposal authorities within local government, facilitating the introduction of the preferred structure(s) once outstanding issues have been resolved in consultation with local government. We further recommend that the Department of the Environment (DoE) continues to work with key stakeholders to resolve issues identified by Task Force members.

2. Recommendation 2 – Short-Term Structural Arrangements

The Task Force recommends that the DoE encourages the Waste Management Groups to address the barriers to co-operation they have identified, and that it works with them to establish enhanced mechanisms for improving liaison between central and local government on issues such as data collection, research and funding. We also recommend that the Department takes steps to ensure that local government’s interests are represented when other Departments propose actions which impinge on waste management issues.

3. Recommendation 3 – Location, Type and Cost of Infrastructure

The Task Force recommends that the Minister takes note of its ongoing work on Financial Modelling, and considers the implications of the findings of the Comparative Analysis of Waste Management Funding for the preparation of a full and detailed business case for central government support for waste infrastructure funding.

4. Recommendation 4

We recommend that the Minister endorses the establishment of the Programme Delivery Support Unit, and approves the prompt establishment of the Strategic Waste Board.

324.23 WEEE RECYCLING

The amount of Waste Electrical & Electronic Equipment (WEEE) recycled since Council introduced this new service at the beginning of October 2006 is as follows –

	<u>CRT's*</u>	<u>Small WEEE</u>	<u>Total</u>
October 2006	1,874 kgs	2,251 kgs	4,089 kgs
November	4,258 kgs	2,051 kgs	6,309 kgs

*CRT's = equipment with cathode ray tubes

The cost being incurred is in part being offset by new burdens funding claimed from EHS for CRT WEEE and fluorescent tubes collected and disposed of by Council through appropriately licensed facilities.

324.24 WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE) DIRECTIVE – APPOINTMENT OF DISTRIBUTOR TAKEBACK SCHEME OPERATOR

EHS Environmental Policy Division has advised as follows concerning the above matter –

“As you will be aware the Government’s proposals for the implementation of the WEEE Directive include a UK-wide network of Designated Collection Facilities (DCF’s) where householders can take-back their waste electrical and electronic equipment (WEEE) free of charge. I am writing to let you know that Valpak Retail WEEE Services Ltd has now been appointed as the Distributor Takeback Scheme (DTS) operator. It will collect a fund of £10m from the retailer community, the majority of which will be distributed to local authorities.

The Government is keen to make use of the existing waste collection infrastructure rather than see new facilities being set up, and for that reason is encouraging local authorities to register their civic amenity, recycling centres and bulky waste sites as DCF’s before the end of March 2007.

Local authorities which register their sites as DCF’s will:-

- not have to pay the costs of transport, treatment, recovery, recycling and disposal of household WEEE as producers will be responsible for these costs
- be provided with containers and get free collection by producers of all the separately collected household WEEE at DCFs
- may count the recycling of WEEE deposited at DCFs and collected by producers towards their recycling targets
- reduce the amount of waste sent for landfill and therefore reduce their landfill costs

In addition they will receive funding from the DTS to be spent as they see fit to support the separate collection of household WEEE at those site which have public access. The precise distribution of funding has yet to be agree but local authorities can expect to receive up to £9,000 per site depending on circumstances.

The Government has been keen to avoid putting new burdens on local authorities and believes that the proposed package of funding for CA sites, combined with the producers taking on all costs associated with disposal of WEEE, will be a benefit for local authorities.

The costs of transport, treatment, recovery and recycling and disposal of WEEE collected at site which are not DCFs will fall to local authorities and will not be reimbursed by either the WEEE Exchange or new burdens funding.”

It has been intimated that Valpak is arranging a series of seminars across the country to provide further information. The proposed NI seminar will not be held until 8th February 2007. Such a proposed timetable does not greatly assist NI district councils. What will be required of Councils registering their Civic Amenity Sites as ‘designated collection facilities’ and the precise funding available remain unknowns.

324.25 NORTHERN IRELAND LANDFILL ALLOWANCE SCHEME (NILAS) 1st Scheme Year 2005/2006 – Final Reconciliation

The NILAS Monitoring Team at EHS wrote to Council on 20th November to state **the total amount of BMW (biodegradable municipal waste) sent to landfill by Ballymoney Borough Council for the scheme year 2005/06 was 8,119 tonnes.** It is the case that Council did not exceed its Landfill Allowances for the first scheme year 2005/06. The final reconciliation tables for both Council and the NWRWM Group are reproduced as Appendix 6 to this report.

324.26 NILAS REVISITED

It is widely regarded that presently the single most important issue for NI district councils is how might they comply with the very onerous targets imposed on them by the Department of the Environment by the **Northern Ireland Landfill Allowance Scheme (NILAS).**

It is necessary to remind ourselves (from time to time) as to the targets Council must meet.

Ballymoney Borough Council NILAS Allowances

<u>Year</u>	<u>allowance</u>
2005-2006	12,968
2006-2007	10,889
2007-2008	10,721
2008-2009	10,550
2009-2010	7,960
2010-2011	8,010
2011-2012	7,992
2012-2013	5,525

Should Council exceed its landfill allowance in any given year statute states that it is liable to a fine of £150 per tonne for each tonne in excess of its target.

The NILAS Monitoring Team at Environment & Heritage Services has issued on 20th November 2006 its final reconciliation (based on the Council's Waste Data Flow Returns) for the 1st year of NILAS, that is 2005-2006, that the total amount of biodegradable municipal waste (BMW) sent to landfill by Ballymoney Borough Council was 8,119 tonnes.

It is estimated (from the data up to the end of period 8) that 8,467 tonnes of BMW will be sent to landfill this year (2006-2007). This represents an increase of 4.3%.

The trend Members are asked to note, since 2004-2005 is upwards year on year, despite present waste reduction and recycling initiatives. More waste is being sent to landfill year on year.

Whilst it might be said that presently this not critical, such an assertion is not true for 2009-2010 – 2 years hence. Assuming that the amount of BMW sent by Council to landfill will increase by 3% this year (2006-2007) and again by that amount in 2007-2008, 2008-2009 and 2009-2010, this would mean that the amount of BMW Council might send to landfill in 2009-2010 might be 9,093 tonnes. In that year Council's NILAS allowance is 7,960 tonnes. Council would therefore exceed its NILAS target by 1,133 tonnes and would as a consequence face a potential fine of 1,133 tonnes x £150 = £169,950, a considerable potential burden on the rates.

324.27 WASTE COLLECTION IN BRISTOL

From time to time in order to be better informed the Directorate will research how other Councils innovatively are tackling the difficult issues of waste separation at source and improved recycling performance.

The latest case study undertaken has centered on the City of Bristol and in particular how that authority has sought to deal with the collection of kitchen waste. The question posed is – ***Ought the Bristol pail become the Ballymoney bucket?*** Is the system which operates in Bristol a viable option for Ballymoney or is it a retrograde step?

Bristol consists of 155,000 households. The Council already uses 240l wheeled containers with 360l bins for households with more than 6 people for the collection of residual waste [black/grey bin waste] and this collection is fortnightly.

There are weekly collections of recyclable waste as follows:

- garden waste – brown bin, now being phased out in favour of clear bags
- cardboard – loose or packed inside a box and left at the kerbside for collection
- black box for other materials -
- ✓ steel & aluminium cans
- ✓ newspapers & magazines
- ✓ catalogues & junk mail
- ✓ glass bottles
- ✓ clothes, shoes, blankets and material
- ✓ aluminium foil & containers
- ✓ household batteries
- ✓ aerosol cans

Bristol Council introduced a new system this year whereby all suitable households were provided with a 5l kitchen caddy and a 25l minimax container for presentation at the kerbside. Refuse collection crews bring a 'slave bin' - a 240l container and the minimax containers are emptied into this. When full this is then transferred to a refuse collection vehicle.

It is not possible to make a 'like for like' comparison because the same lorry is used to collect brown bins [garden waste], kitchen waste and cardboard on the same day, with the cardboard absorbing any leachate.

Implementation Costs

Presently the cost of both caddy and minimax container, without supplying biodegradable liners would be £6 per household. Implemented Borough wide on that basis the Bristol kitchen waste system would cost £69,000 + the cost of distributing the two necessary containers to each household. Obviously additional collection costs would also be incurred, namely the operation of 2 additional refuse collection vehicles.

Bristol City Council engaged in a significant communications campaign costing approximately £450,000. If this spend per household was applied in Ballymoney, Council would have to spend in the region of £31,900.

Points to consider

- ◆ Bristol City Council has concerns over the durability of the 5l kitchen caddy in particular.
- ◆ The council chose not to provide biodegradable bags due to both their expense and the cost of ongoing administration. However bag suppliers are happy to work with local businesses to ensure a steady supply and this does not involve Council at all.
- ◆ There is an issue of waste contamination due to the use by householders of plastic bags which are not biodegradable.
- ◆ Maggots are a problem, but liners may mitigate this.
- ◆ How acceptable the proposed system might be to Borough householders?
- ◆ What might be the actual householder participation rate were the system to be introduced in Ballymoney?
- ◆ Ought the service only to be provided in the more urbanized parts of the Borough and if such an approach were adopted how might the Council stand in terms of equality of service to ratepayers?

Waste composition and returns

- ◆ The last waste composition study in Ballymoney revealed that 21.61% of the contents of an average wheelie bin was putrescible kitchen waste.
- ◆ A similar study in Bristol revealed this figure to be 30.35%

Returns from Bristol suggest that on average, each household presents 2.75kg of kitchen waste for collection each week. Were this to be replicated in Ballymoney we could expect the following diversion of biodegradable waste from landfill -

100% participation

➤ 11,500 households x 2.75kg x 52 weeks = 1,644.50t per annum.

75% participation

➤ 8,625 households x 2.75kg x 52 weeks = 1,233.38t per annum.

50% participation

➤ 5,750 households x 2.75kg x 52 weeks = 822.25t per annum.

25% participation

➤ 2,875 households x 2.75kg x 52 weeks = 411.13t per annum.

Members are asked to note that the figure of 2.75kg per household per week is more of a guesstimate as regards the amount of kitchen waste collected by Bristol City Council, as different waste streams are collected by the same vehicle on the same day. The figure would appear to be somewhat inflated given other data and so it may be more prudent to work on a more conservative basis, say 50% of the guesstimate.

Ballymoney is obviously not Bristol. *So the key question is – would it be acceptable to Borough householders that this authority would insist that kitchen waste be separated at source and presented at kerbside in a ‘pail’ for collection by Council on a weekly basis?*

324.28 KNOCK ROAD CA SITE – HEIGHT BARRIER

As Members are aware one of the measures to be installed as part of improvement work undertaken this year at the Council’s Knock Road Civic Amenity Site was the installation of a height restriction barrier at the entrance to the facility which Council decided would be set at a height of 2.0m (Minute HES313 of 27.2.2006 refers).

The barrier has now been installed and will be brought into operation on Monday, 22nd January 2007. In the meantime users of the facility will be advised concerning its introduction and the reasons behind the measure, both personally and in the new year via notice and leaflets.

324.29 CHRISTMAS RECYCLING OPPORTUNITIES

Yellow Pages

This year Council is once again facilitating the collection of old Yellow Pages through schools under the Yellow Woods Challenge. As well as participating in a worthwhile recycling exercise, schools have an opportunity to win a share of a £700 prize fund. Schools now respond enthusiastically to the scheme, which is open to all Borough schools.

Christmas Cards

The Woodland Trust is working with Tesco Ballymoney and Council to facilitate the collection and recycling of old Christmas cards. These can also be placed in blue bins but residents will be encouraged to either place them in the container at Tesco or in the bins provided at both CA sites. Yell, publishers of the Yellow Pages make a donation to the Woodland Trust for every tonne of cards recycled.

324.30 MUNICIPAL WASTE RETURNS

<u>Waste Type</u>	<u>Nov 2006</u>	<u>Year to Date</u>
Mixed Residual Waste (waste to landfill)	1,021.82t +3.84%	7,950.04t +1.81%
Mixed Dry Recyclables (blue bin recycling)	125.26t +2.67%	1,003.98t +5.24%

FOOD CONTROL

324.31 THE FISHERY PRODUCTS (OFFICIAL CONTROLS CHARGES) REGULATIONS (NORTHERN IRELAND) 2006

The above Regulations made on the 29th November 2006 by the DHSSPS came into effect on the 1st January 2007. They revoke the 2005 Regulations of the same title. The new Regulations continue to provide powers to councils to recover costs for official hygiene controls carried out on direct landings of fish and fishery products.

324.32 THE FOOD FOR PARTICULAR NUTRITIONAL USES (ADDITION OF SUBSTANCES FOR SPECIFIC NUTRITIONAL PURPOSES (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2006

The above Regulations, which will come into operation on 31st December 2006, will implement Commission Directive 2006/34/EC, amending Directive 2001/15/EC as regards the inclusion of certain substances.

324.33 THE CURD CHEESE (RESTRICTION ON PLACING ON THE MARKET) (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2006

The above Regulations which come into effect on 8th January 2007 amend a drafting error in the principal Regulation those also of 2006.

LICENSING

324.34 DRAFT: THE LICENSING AND REGISTRATION OF CLUBS (AMENDMENT) (NORTHERN IRELAND) ORDER 2007

The DSD has furnished to Council for consultation draft legislation entitled "The Licensing and Registration of Clubs (Amendment) (Northern Ireland) Order 2007" accompanied by an Explanatory Memorandum. Copies of these documents have been included with the Committee papers.

The proposed Order has the following effects –

The Order amends the Licensing (Northern Ireland) Order 1996 to –

- extend additional permitted hours for licensed premises (also extending the hours for occasional licences and extension licences) and removes the requirement for the provision of refreshment or entertainment;
- enable the courts to make orders for exceptional permitted hours;

- (c) allow children's certificates to be operational up to 10 pm in certain circumstances;
- (d) enable courts or police to order the closure of licensed premises when there is disorder;
- (e) provide for the courts to attribute penalty points on conviction of offences and for the penalty points to be endorsed on the licence and taken into account.

The Order amends the Registration of Clubs (Northern Ireland) Order 1996 to –

- (a) enable the courts to make orders for additional permitted hours and exceptional permitted hours;
- (b) make similar provision to the licensing amendments in relation to children's certificates and closure of club premises;
- (c) amend the existing provision on penalty points;
- (d) amend the existing provision on club accounts.

DSD has invited Council comment by 28th February 2007.

FUEL POVERTY

324.35 WARMER WAYS TO BETTER HEALTH (NIE LEVY SCHEME) – 2006/07

Warmer Ways to Better Health (WWTBH) is a project that has been part-funded by a number of Councils in the Northern Investing for Health Partnership's area to support vulnerable people living in homes that have inadequate heating and insulation who do not qualify for existing schemes. Ballymoney Borough Council contributed £7,000 to the scheme during the financial year 2006/07 generating 12 referrals; 8 of which have now been confirmed.

All enquiries to the Environmental Health Department regarding central heating, insulation and energy efficiency grant schemes are recorded on an enquiry report. This report was originally set up to record the numbers of referrals to the WWTBH scheme. However, it can also be used to measure the effectiveness of the different forms of advertising undertaken to promote the scheme and provides useful information on potential benefit to households within the Ballymoney Borough Council area from a variety of schemes.

Table 1 shows Ballymoney Borough Council's contribution to the WWTBH scheme for 2006/07 as well as an estimated amount that Council can expect to receive from the DOE for the costs of those staff who took part in the door- to-door survey in the local Air Quality Management Area (AQMA).

Table 1

WWTBH contribution from Council 2006/07	£7,000
Estimated recoverable air quality grant for staff costs	£750
WWTBH total cost to Council	£6,250

Table 2 shows the number of referrals made to WWTBH, Warm Homes and to cashback insulation schemes. The amount of benefit generated has been based on £4,000 for a central heating system and £500 for insulation.

Of the 12 referrals to WWTBH, 4 came from either EAGA or Trust staff - 3 of these were transferred to Warm Homes, one householder decided that he did not want central heating. The remaining 8 referrals, along with 19 to Warm Homes and 6 to cashback schemes, were generated as a direct result of the advertising of the WWTBH scheme through local newspapers and radio, a door-to-door survey in the AQMA, visits to older people's groups, playgroups and community networks as well as the distribution of leaflets and posters. Information on the Ballymoney Affordable Fuel Stamp scheme was distributed along with the WWTBH leaflets. It is difficult to measure the effect of this except by ongoing monitoring of the uptake of the fuel stamps.

Table 2

Scheme	<u>No. of referrals</u>	Detail	Estimated benefit to area
WWTBH 06/07	12 (8 eligible)	8 CHeating, 7 insulation	£35,500
Warm Homes	23 (22 eligible)	5 CHeating, 17 insulation	£24,500
Cashback	6	Insulation	£3,000
Total	36 eligible		£63,000

The funding made available by Council to this year's WWTBH project will undoubtedly improve the quality of life for the eight households referred to the scheme. As Table 2 shows, 28 other households will also be able to access central heating and insulation grant schemes. It is most unlikely that these other referrals would have been made had it not been for the Council's promotion of WWTBH. The advertising undertaken this year has raised public awareness of fuel poverty and created a momentum that can be built on in the year ahead to ensure that those residents most vulnerable to fuel poverty are given the opportunity to live in warmer and healthier homes.

COMMUNITY SAFETY

324.36 SAFER BONFIRE COMPETITION

The second phase of the safer bonfire competition took place in October. A total of 6 sites were visited although only 5 were eligible for the competition as 1 was not a traditional site. Dunloy Development Association was awarded the 1st prize of £175 at an awards presentation on Tuesday 12th December at 2.30pm in the Ballymoney Council Offices. No other prizes were awarded.

324.37 NEIGHBOURHOOD WATCH

Regional Update

There are currently 198 Neighbourhood Watch Schemes registered across 25 District Council areas. A project steering group representing the three partners has been set up.

Local Update

A neighbourhood watch information evening was recently held in a local community venue. It is hoped that following a local consultation the group will sign up to be the first participants of the scheme in the Ballymoney Borough.

324.38 DOMESTIC VIOLENCE CAMPAIGN

A regional TV and radio campaign on domestic violence is due to run from the 8th – 20th January 2007.

STAFF MATTERS

324.39 MICHAEL COLE AWARD 2006

Members will be pleased to note that Lynne O'Brien, District EHO, is the recipient of this year's Michael Cole award. Each year the NI Region of CIEH in association with Northern Group Systems awards a prize to the successful APC candidate whose case study is considered to make a significant contribution to the EH knowledge base.

The award is named after Michael Cole who was a well known EHO within the NI Region, Principal Officer with Northern Group Systems and, before his death, with the FSA.

She received her award in recognition of the significant contribution she made in the preparation and declaration of the Air Quality management area within Ballymoney Town. The Chief Executive of Ballymena Borough Council presented the award at the Adair Arms Hotel, Ballymena following the recent meeting of the Northern Group Environmental Health Committee.

The Mayor, Councillor Finlay mentioned that it was his intention to invite Mrs O'Brien to the Parlour in order to mark her achievement.

This being all the business the meeting closed at 4.00 pm



The following *Applications, Building Notices and Regularisation Certificates* are in accordance with the requirements of the **Building Regulations (N.I.) 2000**.

Ref No: B/2006/0067/
Applicant: Mr John McCrory
Agent: Terry Hogg Wilson Design Associates 1 Broadlands Drive Carrickfergus
Location: 8 Kilmoyle Road Ballymoney
Description: Extension to dwelling

Ref No: B/2006/0101/
Applicant: Mr Aidan McKillop
Agent:
Location: 15 Reservoir Road Corkey South Or Little Corkey Ballymena
Description: Dwelling

Ref No: B/2006/0113/
Applicant: Mr Nigel Dallas
Agent: Mr J O Dallas 31A Greenhill Road Blackhill Coleraine
Location: 131 Vow Road Vow Ballymoney
Description: Dwelling and garage

Ref No: B/2006/0150/
Applicant: Mr Patrick McKenna
Agent: E C Birt 72 Main Street Toomebridge Antrim
Location: 8 Lisheegan Road Lisheegan Ballymoney
Description: Dwelling and garage

Ref No: B/2006/0161/
Applicant: Mr John Hamilton
Agent: Hunter Associates 8 Charlotte Street Ballymoney
Location: 2 Lisconnan Road Dervock Ballymoney
Description: Conversion of part of dwelling to holiday apartment

Ref No: B/2006/0166/MAST
Applicant: Porthill Developments Ltd
Agent:
Location: 89A & 89B Garryduff Road Leck Ballymoney
Description: 2 dwellings and garages

Ref No: B/2006/0173/
Applicant: Mr Craig Thompson
Agent:
Location: 34 Eastburn Avenue Ballymoney
Description: Extension to dwelling

Ref No: B/2006/0178/MAST
Applicant: Mr Daniel J Dixon
Agent: Bell Architects 76 Main Street Ballymoney
Location: 14,16,18,20 Station Road Dunloy Ballymena
Description: 4 dwellings

Ref No: B/2006/0179/
Applicant: Mr Maurice Scott
Agent: Mr Jeff Wilson 1 Sedgemoor Close Somerset Coleraine
Location: 5 Charlotte Street Ballymoney
Description: Dwelling

Ref No: B/2006/0184/
Applicant: Mr & Mrs B Dowey
Agent: Mr L Walker 30 Toberdoney Road Liscolman Ballymoney
Location: 15 Moyan Road Stranocum Ballymoney
Description: Extension and alterations to dwelling

Ref No: B/2006/0195/
Applicant: Mr Erik Ward
Agent: Diamond Design Studio 2d The Diamond Ballycastle
Location: 68 Fivay Road Stranocum Ballymoney
Description: Double garage, stores and washrooms

Ref No: B/2006/0196/
Applicant: N I Housing Executive
Agent: Hood McGowan Kirk 16 College Gardens Belfast
Location: 2 Hunter Park Balnamore Ballymoney
Description: Extension and alterations to dwelling

Ref No: B/2006/0197/MAST
Applicant: N I Housing Executive
Agent: Hood McGowan Kirk 16 College Gardens Belfast
Location: 4,7 & 13 Hillview Park Dunloy Ballymena
Description: Alterations to dwelling

Ref No: B/2006/0198/MAST
Applicant: N I Housing Executive
Agent: Hood McGowan Kirk 16 College Gardens Belfast
Location: 3,7,11,16 & 17 Millar Avenue Dervock Ballymoney
Description: Extension and alterations to dwelling

Ref No: B/2006/0202/
Applicant: Mr Adrain Gamble
Agent:
Location: 16 Meadow View Ballymoney
Description: Extension and alterations to dwelling

Ref No: B/2006/0204/
Applicant: Mr Martin McCart
Agent: Diamond & Hughes Architecture 77 Main Street Maghera
Location: 239 Lisnahunshin Road Rasharkin Ballymena
Description: Extension to dwelling

Ref No: B/2006/0217/
Applicant: Mr Ivan Morrison
Agent: Gary Gaston 133 Finvoy Road Ballymoney
Location: 82A Finvoy Road Ballymoney
Description: Extension and alterations to dwelling

Ref No: B/2006/0219/
Applicant: Mr Dominic McAllister
Agent: Jeff Wilson Chartered Architect 1 Sedgemoor Close Somerset Coleraine
Location: 5 Vow Road Ballymoney
Description: Extension to dwelling

Ref No: B/2006/0223/
Applicant: Mr Gerard McFerran
Agent: George Shaw 18 Sandmount Park Galgorm Ballymena
Location: 29 Glenbuck Road Dunloy Ballymena
Description: Dwelling

Ref No: B/2006/0229/
Applicant: N I Housing Executive
Agent: Maguire Fairweather Partnership 81 Rosetta Road Belfast
Location: 4 Coral Close Ballymoney
Description: Extension to dwelling

Ref No: B/2006/0230/
Applicant: Thomas McMullan & Son
Agent: S J Montgomery 207 Straid Road Bushmills
Location: 62 Knockmore Road Stranocum Ballymoney
Description: Dwelling

Ref No: B/2006/0238/
Applicant: Mr William McMaster
Agent:
Location: 13 Grove Park Balnamore Ballymoney
Description: Extension to dwelling

Ref No: B/2006/0239/
Applicant: Mr Rodney McAuley
Agent: Hunter Associates 8 Charlotte Street Ballymoney
Location: 6 Ballywindelland Road Macfin Ballymoney
Description: Sun room extension and roofspace conversion to dwelling

Ref No: BN/2006/0105/
Applicant: Mr Brian O'Neill
Agent:
Location: 270 Townhill Road Rasharkin Ballymena
Description: Extension to dwelling

Ref No: BN/2006/0106/
Applicant: Mr Jason Gordon
Agent:
Location: 7 Mounthill Close Cloughmills Ballymena
Description: Alterations to dwelling

Ref No: BN/2006/0107/
Applicant: Mr Brian McBride
Agent: Lee Walker 30 Toberdoney Road Liscolman Ballymoney
Location: Bregagh Road Ballybregagh Ballybregagh Armoy Ballymoney
Description: Dwelling

Ref No: BN/2006/0108/
Applicant: Mr Damian McMullan
Agent:
Location: 6 Carrowdoon Road Dunloy Ballymena
Description: Roofspace conversion to dwelling

Ref No: BN/2006/0109/
Applicant: Ms Roberta Kee
Agent:
Location: 3 Westoncraff Park Ballymoney
Description: Roofspace conversion to dwelling

Ref No: BN/2006/0110/
Applicant: Ms Analena Rafferty
Agent: R & P McCallan 7 Mullanmore Road Carrickmore Omagh
Location: 10 Church Lane Rasharkin Ballymena
Description: Installation of oil-fired central heating

Ref No: BN/2006/0111/
Applicant: Mr Derek Mooney
Agent:
Location: 28 Gault Park Ballymoney
Description: Installation of bow window

Ref No: BN/2006/0112/
Applicant: Ms Anne McKinney
Agent: R & P McCallan 7 Mullanmore Road Carrickmore Omagh
Location: 35 Tamlaght Road Rasharkin Ballymena
Description: Installation of oil-fired central heating

Ref No: RC/2004/0014/
Applicant: Mr Brian Kelly
Agent:
Location: 5 Laurel Crescent Ballymoney
Description: Double garage

Ref No: RC/2006/0028/
Applicant: Mr David James Service
Agent:
Location: 138A Bann Road Ballymoney
Description: Store

Ref No: RC/2006/0029/
Applicant: Mr David James Service
Agent:
Location: 138A Bann Road Ballymoney
Description: Sun lounge extension to dwelling

B - Full Plans Applications
BN - Building Notice Applications
RC - Regularisation Certificate Applications

	Total
B	23
BN	8
RC	3
Total	34

Building Control Resource

- From 1997 to 31st March 2005, the building control staff complement was 4 qualified BCOs
- The CBCO managed the service and undertook the majority of the plan assessments
- The 3 BCOs undertook all inspections, on average 5 or 6 per application

- Since 1st April 2005 the building control staff complement is 3 qualified BCOs
- On 1st January 2006 responsibility for the Councils Building Control Service transferred to the Director of Borough Services
- Workload has not diminished, it continues to increase

Service Workload

	2004-2005	2005-2006	2005-2007
Plan Applications Received	191 (157)	245 (191)	655 (752)
Building Notice Approval	112 (92)	127 (92)	386 (412)
Inspection	4,754 (5,362)	2,232 (1,489)	3,205 (1,836)
Project Completion/Residual	471 (447)	534 (524)	342 (352)

Note: the first two columns are the 2004/05 and 2005/06 financial years

- Use is being made of Group Building Control resource for plan assessments
- The inspection regime has been reduced to the absolute minimum (4 inspections per application)
- Despite maximizing existing staff resource, there is now a considerable backlog of work, namely – 199 plans to be assessed; 50 completion inspections; and the postal numbering of 12 new developments

- It is in the Councils interest that plans received are assessed. [After 50 days plans which are not assessed by Council are deemed to be approved]
- The new Regulations [operative from 1st December 2006] will necessitate more time per application (both plan assessment and per inspection)
- As a service, building control must be responsive to build a timetable
- Presently BCOs are under stress managing difficult individual workloads

- The present and anticipated workload cannot be delivered with the existing complement of qualified BCOs
- In order to maintain minimum service standards it is necessary to address the current staff shortfall
- Committee is asked to consider the appointment of an additional full time BCO

