

### Ballymoney Borough Council

#### Health & Environmental Services Committee Meeting No 325 - 23<sup>rd</sup> January 2007

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**BALLYMONEY BOROUGH COUNCIL**

Minutes of Health & Environmental Services Committee Meeting No 325 held in the Council Chamber, Riada House, Ballymoney on Tuesday 23<sup>rd</sup> January 2007 at 7.30 pm.

**IN THE CHAIR** Councillor E Robinson

**PRESENT**

**Aldermen**  
F Campbell  
C Cousley

**Councillors**  
A Cavlan  
J Finlay  
M McCamphill  
A Patterson  
I Stevenson  
R Wilson

**APOLOGIES**

B Kennedy  
P McGuigan, MLA  
D McKay  
T McKeown  
M Storey, MLA

**IN ATTENDANCE** Director of Borough Services  
Committee Clerk

**325.1 PROPOSED PIT BULL AMNESTY**

Councillor Stevenson advised that he had requested the matter of a Pit Bull Amnesty to be tabled on the Committee's agenda. The Director apologised that this request had been overlooked. Councillor Stevenson explained his request for Members to consider the recommendation to Council of a pit bull dog amnesty similar to that operated recently in both Londonderry and Ballymena.

During discussion, the Director highlighted issues for consideration as an amnesty would mean additional cost for Council. There was the need for expert assistance to help identify dogs which may be brought to Council's attention, the cost of disposal of animals and most importantly the need to properly publicise the proposed amnesty. He thought that an amnesty could be beneficial and suggested that use could be made of the next issue of the Ballymoney Bulletin as a means of publicising the initiative as this would be delivered to every Borough household in April.

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

***to recommend to Council that a Pit Bull Dog Amnesty take place during April/May 200, and that this be widely publicised including making use of the Ballymoney Bulletin.***

\* **Councillor Stevenson left the meeting at 7.46 pm.**

**325.2 MINUTES** – Meeting No 324 – 20<sup>th</sup> December 2006 (copy of summary sheet attached)

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

***that the minutes of Meeting No 324 – 20<sup>th</sup> December 2006, as circulated, be confirmed as a correct record.***

## **ENVIRONMENTAL SERVICES**

\* **Councillor Wilson left the meeting at 7.47 pm.**

### **325.3 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.

The Director urged members to consider whether it would be acceptable to Borough householders that this authority insist that kitchen waste be separated at source and presented at kerbside in a 'pail' for collection by Council on a weekly basis and whether such a system is workable in Ballymoney.

Members discussed issues as highlighted in the Director's report such as the participation rate in the system, size of containers, cost of replacement containers, use of biodegradable bags, frequency of collection, sealed collection vehicles to avoid leachate and initial target areas.

The Director and members discussed the recommendation of the benefits to Council of a delegation visiting Bristol to obtain further first hand information relating to the system in operation in that area.

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

***to recommend to Council that a delegation consisting of the Committee Chair, Vice Chair together with two officers visit Bristol at an early date to view the system currently in use in that area.***

#### **325.4 COUNCIL'S AND NORTH WEST REGION WASTE MANAGEMENT PLAN**

Following adoption by Council of its Waste Management Plan (Minute CM844.1 of 19<sup>th</sup> June 2006 refers) the document, as Members are aware, was submitted on 30<sup>th</sup> June 2006 to the Department of the Environment for Northern Ireland for determination.

As advised at the Committee's last meeting (HES324 on 20<sup>th</sup> December 2006) minor amendments have been made to the Council's and North West Region Waste Management Plan at the behest of DoE simply by way of clarification. Papers explaining the minor changes made were circulated to Members and these are re-issued as Appendix 1, page 16 to this report.

The letter advising that the Department has determined the Council's Waste Management Plan was received on 20<sup>th</sup> December 2006. It states "The determination of your draft Waste Management Plan has been completed and I am pleased to confirm that the Department is content that you proceed to adopt your draft Plan as modified and enhanced by the agreed revisions".

***IT IS RECOMMENDED*** that the Borough Council adopt as its Waste Management Plan, the North West Region (Council's) Waste Management Plan determined by the Department of the Environment for Northern Ireland.

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

***to recommend that Council adopt, as its Waste Management Plan, the North West Region (Council's) Waste Management Plan determined by the Department of the Environment for Northern Ireland.***

### **325.5 CASTLEREAGH BOROUGH COUNCIL CORRESPONDENCE**

Correspondence, reproduced as Appendix 2 to this report, was received from Castlereagh Borough Council on 20<sup>th</sup> December 2006. The Director gave a synopsis of the issue and asked members to consider the points raised and make recommendation to Council as to the action (if any) it ought to take.

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

***to recommend that Council support Castlereagh Borough Council in their request, by writing to BBC Media Centre reiterating the concerns outlined in Castlereagh Council's letter to them dated 8<sup>th</sup> December 2006.***

### **325.6 WASTE HAULAGE CONTRACT TENDER**

Tenders have been received and opened by the Committee Chair and Director for the haulage of the Council's municipal waste for 2007-2008. The Director of Borough Services will report on this business, to be included in Council's rate estimate, to Council at its meeting on 5<sup>th</sup> February 2007.

At the meeting the Director advised that he had not had sufficient time to evaluate the 5 no. tenders received and in consequence a report would be made direct to Council.

## ENVIRONMENTAL PROTECTION

### 325.7 WATER (NI) ORDER 1999 APPLICATIONS FOR CONSENT TO DISCHARGE EFFLUENT

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

1. Dervock Reformed Presbyterian Church, 210 Castlecat Road, Dervock [TC407/06];
2. Chardo Developments Limited, 5 sites at Mullan Road, Ballymoney [TC406/06];
3. Farrans Construction Limited re. Ballinree's to Moys pipeline construction work [TC401/06, TC402/06, & TC404/06];
4. Mrs Allen, 16 Navery Road, Ballymoney – two dwellings [TC10/07].

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 Finlay, seconded by Councillor Cavlan and **AGREED:**

***that Council note the applications as listed above.***

### 325.8 DRAFT AIR QUALITY ACTION PLAN FOR BALLYMONEY BOROUGH COUNCIL

Ballymoney Borough Council are required by Article 13(2) of the Environment (Northern Ireland) Order 2002 to prepare and submit a written action plan to the Department of the Environment for Northern Ireland. The action plan outlines the measures to be taken in pursuit of achieving the air quality objectives and air quality standards for PM<sub>10</sub> within the air quality management area and proposes the timescale for implementing such measures.

A draft copy of this action plan can be found in Appendix 3 of this report.

There is a requirement on other relevant authorities to identify proposals in pursuit of the air quality objectives within their respective responsibilities and functions. Ballymoney Borough Council is required to consult with all relevant authorities prior to submitting the completed action plan to the Department of the Environment, namely the Northern Ireland Housing Executive and Glebeside Community Association as the relevant local point of contact within the air quality management area.

***IT IS RECOMMENDED*** that Council approve the draft action plan and forward the plan for consultation to both the NIHE and Glebeside Community Association.

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

***that Council approve the draft action plan and forward the plan for consultation to the NIHE and Glebeside Community Association.***

### **325.9 CHARGING FOR ENVIRONMENTAL ENQUIRIES**

The Directorate of Borough Services is receiving an increasing number of requests for specific environmental information relating to potential development sites. In the majority of cases these requests are from environmental consultants who are preparing information for a client either as a pre-planning application or development proposal. The information requested varies in detail but usually entails a synopsis of any environmental information held in relation to noise or pollution complaints and any additional information in relation to land contamination of the site.

At present this information is provided free of charge. However, the number of enquiries and the amount of information requested is increasing. Due to the time required to compile this information, which is drawn from a number of sources, it is now proposed to charge for this service.

Providing the information is a legal requirement under the Environmental Information Regulations 2004, which came into effect in NI in January 2005, amending the previous 1993 regulations. The Directorate of Borough Services has endeavored to provide the information in a timely manner, with the regulations specifying a reply within 20 working days.

It is proposed that the following pricing structure be introduced from 6<sup>th</sup> February 2007. The prices are similar to those being charged by neighbouring local authorities for the provision of this service.

#### **Pricing Structure for Environmental Enquiries**

- (A) All information held about one specific property (noise complaints, pollution complaints and potential sites of land contamination) Cost £50
- (B) 0 to 250 m (Building footprint and the area within 250 m of site) Cost £100
- (C) 0.5 km (Building footprint and the area within 0.5 km m of site) Cost £200
- (D) 1 km (Building footprint and the area within 1 km of site) Cost £300

***IT IS RECOMMENDED*** that Council introduce the above charging scheme for the provision of information relating to Environmental Enquires.

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

***to recommend to Council, the introduction of a charging scheme, as outlined above, for the provision of information relating to environmental enquiries.***

## FOOD CONTROL

### 325.10 APPLICATION FOR EXTENSION OF CONDITIONAL APPROVAL OF A STAND-ALONE COLD STORE UNDER REGULATION (EC) NOS. 852/2004, 853/2004, 854/2004 AND 882/2004

**Premises:** Fleming Poultry Ltd., 31 Ballymena Road, Ballymoney, BT53 7EX.

Further to Committee Minute 321.3.15 it was agreed to grant conditional approval to Fleming Poultry under the above legislation. This allowed the premises 3 months from the grant of the conditional approval to provide the documentation necessary to grant full approval.

Following a recent inspection it was determined that the operators require additional time to fulfil the requirements relating to the approval.

Article 31(2)(d) of Regulation 882/2004 allows the conditional approval to be extended for an additional 3 months if it is shown that clear progress has been made, but this is restricted to a maximum of six months from the date of the initial granting of conditional approval.

***IT IS RECOMMENDED*** that Council grant an extension to the conditional approval under Article 31(2)(d) of Regulation 882/2004 for Fleming Poultry Ltd. as they have shown clear progress in fulfilling the requirement. In addition both the Food Business Operator and the FSANI shall be notified.

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

***to recommend that Council grant an extension to the conditional approval under Article 31(2)(d) of Regulation 882/2004 for Fleming Poultry Limited and that the Food Business Operator and the FSANI be notified.***

### 325.11 FOOD COMPLAINT NO. FC/805/C/01/06 ALLEGED PIECE OF LATEX GLOVE IN COLA DRINK

During the report period, 1 no. formal food complaint investigation was completed. The complainant will be advised in writing as to the outcome of the department's investigation.

<u>Ref. No.</u>	<u>Nature of Complaint</u>	<u>Date Received</u>
FC/805/C/01/06	Alleged Piece of Latex Glove in Cola Drink	10/2/06

***IT IS RECOMMENDED*** that no further action be taken other than informing the complainant, manufacturer, retailer and home authority of the outcome of the investigation.

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

***to recommend to Council that no further action be taken other than notifying the complainant.***

### **325.12 APPOINTMENT OF PUBLIC ANALYST AND OTHER ANALYSTS**

Eurofins Scientific has been successful in securing the CEHOG Public Analyst contract for Northern Ireland.

Further to committee minute EH 301.3.14 it is necessary under Article 27(1) of the Food Safety (NI) Order 1991 that every District Council appoints Public Analyst(s) to act as analysts within the district of the Council for the purposes of the functions conferred on the District Council by the Order.

**IT IS THEREFORE RECOMMENDED** *that Ballymoney Borough Council appoints the following persons to act as Public Analysts in accordance with Article 27(1) of the Order:-*

Mr Duncan Kenelm Arthur  
Mr Gary Steven Burton  
Mr Ronald Anthony Ennion  
Mrs Joanne Hubbard  
Miss Elizabeth Moran  
Dr Andrew Christopher Smith  
Mr Kevin Wardle  
Mr Jeremy Paul Wootten

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

***to recommend that Council appoints the persons named above to act as Public Analysts for it in accordance with Article 27(1) of the Food Safety (NI) Order 1991.***

## **LICENSING**

### **325.13 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) Order 1985 - LICENCE APPLICATION (FULL) (RENEWAL)**

#### **Premises**

Rafters Snooker Club  
18 Seymour Street  
BALLYMONEY  
BT53 6JR

#### **Applicant**

Mr Samuel Trevor Wylie

**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 7<sup>th</sup> October 1985, the additional conditions detailed on the premise file also apply.

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

*to recommend to Council, renewal of the Indoor entertainments  
Licence as detailed above.*

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

**Premises**

**Applicant**

John Armstrong Hall,  
Dalriada School,  
1-9 St. James's Road,  
BALLYMONEY,  
BT53 6BL.

Mr. David R. Balmer

First Ballymoney Presbyterian  
Church Hall,  
65 Meetinghouse Street,  
BALLYMONEY.

Mr. John Thomas Kennedy

Trinity Presbyterian Church Hall,  
28 Queen Street,  
BALLYMONEY,  
BT53 6JJ.

Mr. J. L. Snodgrass

The Robinson Hall,  
56 Moyan Road,  
BALLYMONEY,  
BT53 8NX.

Mr. Maurice F. R. Christie

Allen & Adair Memorial Hall,  
233 Castlecatt Road,  
Dervock,  
BALLYMONEY,  
BT53 8BP.

Mr. Thomas Johnston

***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 7<sup>th</sup> October 1985 the additional conditions detailed on the premise file also apply.

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

*to recommend to Council, renewal of Indoor Entertainment Licences  
as detailed above.*

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

<u>Applicant</u>	<u>Premises</u>
Rolanda Hughes	164A Tullaghans Road, Dunloy, BALLYMENA BT44 9AF.

***IT IS RECOMMENDED*** that the above-mentioned persons and businesses be registered for electrolysis accordingly.

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

***to recommend that council register the applicant and business as detailed above.***

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

**325,16** 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>
Stranocum & District Community Association	Ms. E. McIlhatton, 88A Gracehill Road, Stranocum, BALLYMONEY, BT53 8JD.	£17.50
County Londonderry Horse Breeding Society	Ms. Yvonne Hanna, 74 Glenstall Road, BALLYMONEY, BT53 7QN.	£17.50
Ballymoney Homing Pigeon Society	Mr. Derek McMullan, 20 Straham View, Dervock, BALLYMONEY, BT53 8BQ.	£17.50
The Friends of the Process Medical Centre	Mr. James Munnis, 206 Drones Road, BALLYMENA, BT44 9BQ.	£17.50
Cloughmills Vintage Club	Mr James McCollum 26 Corkey Road	£17.50

Loughgiel  
BALLYMENA  
BT44 9JJ

**IT IS RECOMMENDED** that the Borough Council register the above-mentioned Societies.

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

*to recommend that Council register the Societies as detailed above.*

## DOG CONTROL

### 325.17 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:-

<u>Applicant</u>	<u>Premises</u>
Mrs. Ann McNally	101 Loughabin Road, Dunloy, Ballymena, BT44 9BY.
Mr. Bill Warke	30 Benvardin Road, Ballymoney, BT53 8AF.
Mr. Patrick McAleese	44 Finvoy Road, Ballymoney, BT53 7JE.
Mrs Mary Spratt	87 Garryduff Road, Ballymoney, BT53 7DF.

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

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

*to recommend that council register the Dog Breeding Establishments as detailed above.*

## HEALTH & WELLBEING

### 325.18 SMOKING (NORTHERN IRELAND) ORDER 2006

The introduction of the above legislation is widely regarded as that which potentially will have the greatest impact on public health for over 200 years. The department is currently planning for its introduction on the 30<sup>th</sup> April 2007. This will be divided into two phases. Firstly, a compliance building period where officers will visit high profile premises giving advice as to how the Regulations may be met followed by a period of compliance monitoring, post implementation date. The compliance-building period will include public relations and education campaigns to complement that being run by the Health Promotion Agency regionally and that through local partnerships.

In order to ensure successful implementation, it will be necessary to divert resources from within the department from other service areas for approximately 12 weeks. This will mean that some customers may experience delays in response and resolution times to service requests and all programmed work will be suspended during the period. In addition, out of hours inspections will be increased following the implementation date to ensure compliance. It is recommended that an additional £3600 be included within rates estimates for salaries for this purpose.

***IT IS RECOMMENDED*** that an additional £3600 be budgeted to provide for the compliance monitoring of the above legislation.

The Director set out for Members the measures considered vital by way of enforcement resource in order to ensure that the proposed smoking ban is respected when it comes into operation and responded to a number of questions. Committee fully appreciated the views expressed by the Director that additional resource was required to fulfil the obligations placed on it as the enforcing authority for the proposed smoking ban within the Borough, but considered that it was appropriate that Council make the decision as to additional expenditure as part of the on-going Rates Estimates process.

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

***that the matter be deferred until the Rates Estimates meeting on 25<sup>th</sup> January 2007.***

## **BUILDING CONTROL**

### **325.19 BUILDING CONTROL APPLICATIONS**

***IT IS RECOMMENDED*** that Council note the **Applications, Building Notices and Regularisation Certificates** as detailed in Appendix 4 to this report, which are in accordance with the requirements of the Building Regulations (NI) 2000.

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

***to recommend that Council note the Applications, Building Notices and Regularisation Certificates as detailed in Appendix 4.***

## **MATTERS FOR INFORMATION**

### **ENVIRONMENTAL PROTECTION**

#### **325.20 ABANDONED VEHICLES CONTRACT – NEW BURDENS FUND**

Notification has been received from Environment & Heritage Service that financial assistance from the New Burdens Fund for the collection, treatment and disposal

of abandoned vehicles will end on 31<sup>st</sup> March 2007. On the same date the Northern Ireland Abandoned Vehicles contract will cease.

From 1<sup>st</sup> April 2007, councils can avail of free manufacturer take-back. However, councils will be required to collect and deliver abandoned vehicles to a contracted Authorised Treatment Facility.

### **325.21 REGULATION OF WATER SERVICE DISCHARGES REPORT 2005**

Environment & Heritage Service furnished the above report on 15<sup>th</sup> January 2006. EHS states:-

In considering the Report it should be taken into account that, as Water Service is currently an Agency of the Department for Regional Development (DRD), the discharge standards and conditions set for Water Service (WS), are not covered by the Water (NI) Order 1999. However, standards are applied and regulated in a similar manner to that which would apply under the Order. The details of the regulatory regime and the standards employed are set out in the 2001 Report. Application of the current regulatory regime enables EHS to fulfil its duties under the Water (NI) Order 1999 to promote the conservation and cleanliness of water resources. WS discharges are also subject to the requirements issued by the European Commission and in particular the Urban Waste Water Treatment Directive (91/271/EEC) and the Northern Ireland Regulations that implement that Directive.

From 1<sup>st</sup> April 2007 Water Service will become a Government Owned Company (GOCO) and will be subject to the full Water (NI) Order 1999 regulatory regime.

There are a number of issues highlighted in the previous Reports where progress has been made but EHS acknowledges that substantial improvement is still required to match the performance in the rest of the UK.

Members are asked to note the following key points contained in the Report –

- Percentage waste water treatment works compliance with EHS standards continues to increase as a result of increased investment in interim improvement and capital schemes. This situation can only continue to get better as WS implements its investment programme.
- Outline information on the implementation of the reform process that will result in Water Service becoming self-financing and more independent of Government.
- Updated information on the investments to be provided to ensure that WS fully complies with all regulatory requirements.
- Derivation of the “planning hotspots” in May 2002 and an update of the current position at these locations.

### 325.22 WASTE MANAGEMENT LICENSING EXEMPTION

EHS has advised that it has issued a Certificate of Registration for Exemption from Waste Management Licensing, dated 11<sup>th</sup> January 2007, under the Waste Management Licensing Regulations (Northern Ireland) 2003 in respect of –

Dixons Contractors Limited at 143 Tullaghans Road, Dunloy.

Details of exempt activity:

The storage of waste: glass (200 tonnes per year), plastic (200 tonnes per year), textiles (200 tonnes per year), paper (200 tonnes per year) and waste articles which are to be used for construction work which are capable of being so used in their existing state (100 tonnes per year).

## ENVIRONMENTAL SERVICES

### 325.23 MUNICIPAL WASTE RETURNS

<u>Waste Type</u>	<u>Dec 2006</u>	<u>Year to Date</u>
Mixed Residual Waste (waste to landfill)	882.28t -7.03%	8,832.32t +0.85%
Mixed Dry Recyclables (blue bin recycling)	126.40t +9.32%	1,130.38t +5.68%

The Director was pleased to highlight to members, the reduction in black bin waste and increase in blue bin waste following the Christmas period.

At the request of Councillor Finlay for the Directors views relating to further advertisement of blue bin collections and advice to residents on disposable contents, the Director advised that funding for publicity would not be available from 2006/07 budget. He suggested that the calendar be updated and the information circulated in Ballymoney Bulletin. It is hoped that this can be scheduled to take place before the end of the current financial year.

### 325.24 'THINK DIFFERENTLY ABOUT WASTE'

Borough Services has secured the first ever performances of an exciting science based show called 'Think Differently about Waste'. This is aimed at Key Stage 2 pupils and was offered to every school in the Borough. Performances have been arranged for the 31st January, 1st & 2nd February, beginning with two shows in the Town Hall for surrounding schools. Each performance will last one hour and the shows promise to be fun filled as well as an enhanced learning experience. This is the first time such a service has been offered to Borough schools.

The Director advised that to date there has been substantial interest and he will report to Committee at its next meeting as to the take up and overall impression.

Councillor Robinson requested consideration be given the benefits of Members also attending these events and the possible extension to other interest groups.

### **325.25 RECYCLING FACILITIES – TESCO**

Tesco, Ballymoney in partnership with Borough Services, has introduced a new recycling facility at the Ballymoney store. This includes facilities for recycling glass, cans and textiles. As part of the arrangement, Borough Services is providing signage to ensure common branding at all 'bring' recycling facilities across the Borough. Tesco staff will provide regular updates as to tonnages recycled through the site.

## **HEALTH & SAFETY**

### **325.26 HEALTH & SAFETY AT WORK (NORTHERN IRELAND) ORDER 1978**

Members are advised that following the investigation of a complaint regarding the operation of an indoor karting facility within the Borough, two improvement notices have been served on the operator of the business as follows:

1. as a result of a contravention of Regulations 6(1) and 7(1) of the Control of Substances Hazardous to Health Regulations (NI) 2003 and
2. as a result of a contravention of Regulations 5(1) and 6(1) of the Control of Noise at Work Regulations (NI) 2006.

The compliance dates for the notices are the 28<sup>th</sup> February and 31<sup>st</sup> March 2007 respectively.

The Director in responding to Member questions advised that further assessments will be made.

## **BETTING, GAMING, LOTTERIES & AMUSEMENTS (NI) ORDER 1985**

### **325.27 PROPOSED CHANGES INCLUDING RELAXATION OF SUNDAY RESTRICTIONS**

The Department of Social Development has issued the above Consultation Paper seeking comment on its proposals by 26<sup>th</sup> March 2007. Comments are invited on any aspect of the following proposals –

#### **Sunday Opening of Bookmaking Offices**

- 27.1.1 the removal of the prohibition on the opening of bookmaking offices on Sundays (other than Christmas Day); the prohibition on opening on Christmas Day and Good Friday would be retained;
- 27.1.2 restriction of the Sunday opening hours of bookmaking offices to 10.30am to 6.30pm; and

- 27.1.3 the provision of employment protection rights for betting workers in bookmaking offices on the same basis as those currently available to on-course betting workers in Northern Ireland and to on and off-course betting workers in Great Britain;

#### **Sunday Hours for Bingo and Other Gaming in Licensed Bingo Clubs**

- 27.1.4 the removal of the prohibitions on the provision of bingo, gaming for prizes and gaming by way of gaming machines in licensed bingo clubs on Sundays (other than Christmas Day); the prohibitions applying to Christmas Day and Good Friday would be retained;
- 27.1.5 restriction of the Sunday hours for these activities to 2pm to 11pm (midnight where the Sunday is New Year's Eve); and
- 27.1.6 the provision of employment protection rights for workers in licensed bingo clubs on the same basis as those currently available to on-course betting workers in Northern Ireland;

#### **Payment Methods for Certain Gaming Machines**

- 27.1.7 allow jackpot machines to accept banknotes and payments by means other than cash (e.g. smartcards), as well as coins, and to give out prizes in banknotes and in non-cash forms (e.g. smartcard credits and credit notes exchangeable for cash or cheques), as well as coins;
- 27.1.8 allow higher value AWP machines to accept payments and give out prizes in banknotes, as well as coins (but not by any other means);
- 27.1.9 enable a player's winnings on jackpot machines to be retained for further play, if the player wishes, without the player having to insert money into the machine; and
- 27.1.10 for both types of machines, dispense with the requirement that they should be able to accept payment for a single play;
- 27.1.11 the content of the guidelines and their adoption by local trade interests;

#### **Pools Competitions**

- 27.1.12 allow any premises to be used for the paying out of football pools winnings, in addition to existing lawful pools activities;
- 27.1.13 for protection, provide the Department with power to make subordinate legislation to remove these concessions for particular types of premises should problems arise; and
- 27.1.14 provide the Department with power to make subordinate legislation to extend the sports on which pools competitions can be retained through premises in Northern Ireland.

## LICENSING

### 325.28 DRAFT LICENSING AND REGISTRATION OF CLUBS (AMENDMENT) (NORTHERN IRELAND) ORDER 2007

The Department for Social Development has issued the above consultation. A copy is furnished to each Member with this report. The consultation documents comprise a draft Order together with Explanatory Memorandum. The draft Order will –

- Introduce powers enabling police to temporarily close licensed premises and registered clubs due to disorder and a penalty points system for licence holders and registered clubs who break the law.
- Provide for an extension of opening hours for registered clubs and eligible licensed premises up to 2.00am Monday to Saturday (and beyond in exceptional circumstances). Sunday opening hours will remain unchanged as will opening hours for off-licences.
- Allow young people under the age of 18 in certified licensed premises and registered clubs until 10.00pm for private functions when accompanied by an adult.
- Relax the accounting procedures for registered clubs and pave the way for amendments to accounting regulations and the publication of guidance.

DSD has invited comments on its proposals by 28<sup>th</sup> February 2007.

### 325.29 LICENSING (NORTHERN IRELAND) ORDER 1996

<u>APPLICANT</u>	<u>PURPOSE</u>	<u>DATE</u>
Koi Ming Tang 1 Cambourne Park BALLYMONEY	Transfer of a Licence	8/1/07

## DOG CONTROL

### 325.30 SEIZURE OF ALLEGED PIT-BULL TERRIER TYPE DOG

On 4<sup>th</sup> January 2007 an inspection of premises took place where it was alleged a pit-bull terrier type dog was being kept. Further to this visit, arrangements were made for a second inspection on 8<sup>th</sup> January 2007 with an officer of the USPCA with past experience in identifying dogs of this type present.

On the advice received it was agreed to seize the dog under the Dangerous Dogs (Northern Ireland) Order 1991.

The Director advised as to the nature of the work which officers were engaged in and reminded Members that this was the second case where dogs had been

seized and that in consequence costs were being incurred both for kenneling and legal fees. He emphasized that the expenditure now being incurred had not been allowed for in any directorate budget and would therefore subsequently would have to be met out of the Council's reserves.

## **ENVIRONMENTAL HEALTH**

### **325.31 AUTHORISED DEPARTURES**

Correspondence (via email) was received on 14<sup>th</sup> December from the Drinking Water Inspectorate regarding Authorised Departures under Regulation 20 of the Water Supply (Water Quality) Regulations (Northern Ireland) 2002.

### **325.32 DRINKING WATER QUALITY IN NORTHERN IRELAND 2005**

Environment & Heritage Service furnished on 19<sup>th</sup> December 2006 a copy of the above Report by the NI Drinking Water Inspectorate.

## **COMMUNITY SAFETY**

### **325.33 COMMUNITY SAFETY**

I am pleased to advise members that an application made to Ballymoney LSP by the Community Safety Partnership has been successful. The application was based on the Peer Leadership Scheme with the following objectives:

1. To reduce the incidence of criminal damage, relative to DCU policing and Community Safety Partnership priorities
2. To reduce anti-social behaviour in Ballymoney, which will improve the quality of life for all local residents.
3. To reduce the fear of crime that exists within the borough as a result of ongoing anti-social behaviour, especially relating to young people.
4. To deliver an accredited 12-week programme based upon peer education principles.
5. To identify and train thirty-six young people who live in or socialise in Ballymoney, and are representative of a cross section of the community, to successfully complete the course.
6. To utilise the skills developed by peer leaders in later problem solving orientated policing initiatives.
7. To train four additional leaders to deliver the accredited training programme to assist in ensuring sustainability of the scheme.

The CSP has received a letter of offer in the sum of £20,000. The total cost of the project is £39,000, with in-kind support from the PSNI and the CSP making up the

difference. The PSNI will be the lead agency in the delivery of the scheme with the CSP administering all finances.

### **325.34 DOMESTIC VIOLENCE CAMPAIGN**

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

### **325.35 VEHICLE THEFT AWARENESS CAMPAIGN**

Ballymoney has been selected as one of three locations to participate in a media campaign aimed at increasing awareness of thefts from vehicles in the area. The campaign will run for 3 weeks commencing on the 29<sup>th</sup> January **2007**.

### **325.36 KNIFE AMNESTY**

602 knives were handed in at the special knife disposal bins across the province, with 11 knives recovered in the Ballymoney Borough, during the recent November/December phase of the knife amnesty scheme.

## **HOME SAFETY**

### **325.37 HAZARD HOUSE**

There has been 330 visitors to Hazard House from July 2006 – December 2006. Seasonal themes run throughout the year including Halloween and Christmas Safety. Future events include awareness raising around No Smoking Day and the dangers of smoking in the home in partnership with the NI Fire and Rescue Service and Health Promotion.

Alderman Campbell congratulated officers regarding the continued success of this initiative.

### **325.38 INFORMATION SESSIONS**

'Lumps, Bumps, Trips and Falls' will be the theme for Information sessions to local Parent and Toddler Groups in January including groups in Carnany, Kilraughts and Rasharkin. A sing a long CD introduces young children to safety in the home. Parents have the opportunity to find out simple ways to make their homes safer for the under fives, who are most at risk from falls, fire, burns, scalds and poisoning. Each parent receives Home Safety Information and a low energy light bulb, which they are encouraged to keep on at night to prevent falls. A copy of the CD is also left with each group.

**This being all the business, the meeting concluded at 9.00 pm.**