

## Ballymoney Borough Council

### Health & Environmental Services Committee Meeting No 327 - 27<sup>th</sup> March 2007

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<b>327.3</b>	Industrial Pollution Control (NI) Order 1997 & Pollution Prevention & control Regulations (NI) 2003	<i>Recommend that Council Grant prescribed process permits.</i>
<b>327.4</b>	Industrial Pollution Control (NI) Order 1997 & Pollution Prevention & control Regulations (NI) 2003	<i>Recommend that Council approves the issue of a variation notice.</i>
<b>327.5</b>	Implementing the Batteries Directive	<i>Recommend that Council agree, in principle, to participate in the collection of batteries on a full cost recovery basis.</i>
<b>327.6</b>	The Waste Management Licensing (Amendment) Regulations (NI) 2007	<i>Recommend that Council welcome the EPD proposals for new waste management licensing exemptions.</i>
<b>327.7</b>	Eat Safe Award	<i>Recommend that Council withdraw the Eat Safe Awards in accordance with FSANI requirements.</i>
<b>327.8</b>	Enforcement Policy for the Smoking (NI) Order 2006	<i>Recommend that Council adopts the Smoking (NI) Order 2006 Enforcement Policy</i>
<b>327.9</b>	Local Government (Miscellaneous Provisions) (NI) Order 1985 – Licence Applications (Fourteen Unspecified Days) (Renewal)	<i>Recommend renewal of Indoor Entertainment Licences.</i>
<b>327.10</b>	The Hairdressers Act (NI) 1939	<i>Recommend registration of person and premises</i>
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<b>327.12</b>	Dogs (NI) Order 1983 – Article 13 – Registration of Dog Breeding Establishments	<i>Recommend registration of Dog Breeding Establishments.</i>
<b>327.13</b>	Street Trading Act (NI) 2001	<i>Recommend Council grant Mobile Street Trading Licence.</i>

<b>327.14</b>	Borough Health & Wellbeing Plan 2007-2008	<i>Recommend that Council adopts the Plan.</i>
<b>327.15</b>	The Private Tenancies (NI) Order 2006	<i>Recommend authorization and delegation of officers and adoption of prescribed fees.</i>
<b>327.16</b>	Borough Services Directorate Plan 2007-2008	<i>Recommend that Council adopts the Plan.</i>
<b>327.17</b>	Building Control Applications	<i>Recommend that Council note the Applications, Building Notices and Regulation Certificates.</i>
<b>327.18</b>	Municipal Waste Returns	<i>Recommend to Council that Members who wish would visit the Isle of Man waste incinerator.</i>
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**BALLYMONEY BOROUGH COUNCIL**

Minutes of Health & Environmental Services Committee Meeting No 327 held in the Council Chamber, Riada House, Ballymoney on Tuesday 27<sup>th</sup> March 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**

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

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

**327.1 MINUTES** – Meeting No 326 – 27<sup>th</sup> February 2007 (copy of summary sheet circulated)

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

***that the minutes of Meeting No 326 – 27<sup>th</sup> February 2007, as circulated, be confirmed as a correct record.***

\* **Councillor Wilson arrived at 7.40 pm.**

## ENVIRONMENTAL PROTECTION

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

Notification has been received from EHS Water Quality Management Unit advising that an application for consent to discharge effluent to a waterway under the above Order has been made. The proposed discharge would arise from land adjacent to 71 Bridge Road, Dunloy.

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

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

*To recommend that Council note the above application.*

### 327.3 INDUSTRIAL POLLUTION CONTROL (NI) ORDER 1997 POLLUTION PREVENTION AND CONTROL REGULATIONS (NI) 2003

**TYCO HEALTHCARE (UK) MANUFACTURING LTD, 20 GARRYDUFF ROAD,  
BALLYMONEY, BT53 7AP.  
M HASSON & SONS LTD, 17 GLEBE ROAD, RASHARKIN, BT44 8SS.**

The solvent processes at the above addresses are currently authorised under the Industrial Pollution Control (NI) Order 1997. The system of pollution control established by the Order is now being replaced by a new regime under the Pollution Prevention and Control Regulations (NI) 2003. These regulations require all prescribed processes to hold a permit to operate in place of the current authorisations.

The proposed permits for the above premises are available for consultation in Borough Services Directorate. These have been prepared having considered the information contained in the Process Guidance Note PG No. 6/26 relevant to the operation.

**IT IS RECOMMENDED** that approval be granted for the permits of a prescribed process under Regulation 10 of the above Ordinance to the said operators of the businesses in the form contained in the proposed permit, together with supporting plans and documents and that the annual subsistence fee be applied pro rata as required by statute.

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

*to recommend to Council that approval be granted for the permits of a prescribed process under Regulation 10 of the above Ordinance to the said operators of the businesses in the form contained in the proposed permit, together with supporting plans and documents and that the annual subsistence fee be applied pro rata as required by statute.*

**327.4 MATTHEW ROBINSON & SON, 11 GLENSTALL ROAD, BALLYMONEY, BT53 7NB.**

The above business has previously been granted a permit to operate the process of concrete batching process. As changes have been made to the process a variation notice under Article 17 of The Pollution Prevention and Control Regulations (NI) 2003 has been prepared.

**IT IS RECOMMENDED** that Council approves the issue of the variation notice.

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

*to recommend that Council approves the issue of the variation notice.*

**327.5 IMPLEMENTING THE BATTERIES DIRECTIVE**

The EC Directive on Batteries and Accumulators 2006/66/EC must be transposed into UK law by 26<sup>th</sup> September 2008. The primary reason for the new Directive is that extant legislation on batteries only covers an estimated 7% of consumer batteries on the EU market – batteries with a certain mercury, lead and cadmium content. The new provisions will, with minor exceptions, apply to all types of batteries irrespective of their shape, weight, composition or use.

The Batteries Directive is a producer responsibility measure. Producers will, as a minimum, be required to finance the collection, treatment and recycling of collected portable batteries.

**Collection Targets**

The Batteries Directive specifies the following collection targets:

- A 25% collection rate for waste portable batteries to be met six years after entry into force of the Directive into UK law (by 26<sup>th</sup> September 2012).
- A 45% collection rate to be met ten years after entry into force (by 26<sup>th</sup> September 2016).
- Prohibition of final disposal of automotive & industrial batteries into landfill and incineration, requiring, therefore, all industrial and automotive batteries to be recycled (indirectly, therefore, this means 100% collection rate).
- All identifiable separately collected batteries to be treated and recycled.

**Collection Schemes**

- Collection schemes for the return of used portable batteries are to be established. These are to be free of charge to the end user. As a producer responsibility directive, the collection schemes must be financed by producers. In addition, distributors are required to take back waste batteries free of charge.

- Producers of industrial batteries to offer free take back on all batteries from end users.
- Producers of automotive batteries to set up collection schemes for spent automotive batteries not covered under schemes established under the End of Life Vehicles Directive.

### **Recycling Efficiency Targets**

The Batteries Directive specifies the following recycling efficiency targets to be met by 26<sup>th</sup> September 2011:

- 65% by average weight of lead-acid batteries and accumulators, including recycling of the lead;
- 75% by average weight of nickel-cadmium batteries and accumulators, including recycling of the cadmium;
- Recycling of 50% by average weight of other waste batteries and accumulators.

The UK currently collects for recycling less than 2% of portable batteries placed on the UK market. This compares with Belgium 50%, Austria 44%, Germany 39% and France 16% (2002 figures). The UK therefore faces an extremely challenging task.

The UK does not have available the collection capacity necessary to meet the Directive targets. If these are to be met by 2012 between 6,000 and 7,000 tonnes of batteries need to be collected each year compared with the current level of about 700 tonnes.

Some Councils have recently introduced battery collection points at household waste recycling centres and others have started to collect batteries as part of multi-material kerbside collections. Business as yet has made virtually no provision for the collection of batteries.

Whilst the Batteries Directive does not place obligations on Councils, Government nonetheless is suggesting that they could play a key role, indeed, may be “absolutely critical to success”.

The discussion paper states: “While kerbside collection seems likely to be one of the best ways of collecting waste portable batteries, the present council civic amenity (CA) site infrastructure is likely also to be a key part of the UK’s collection system. Neither kerbside collection nor CA sites on their own will provide the coverage and convenience necessary for the UK to meet the first, 25%, Directive collection targets by 2012.

The DoE Environmental Policy Division has invited comments by 16<sup>th</sup> June 2007.

**IT IS RECOMMENDED** that Council agree in principle to participate in the collection of batteries on a full cost recovery basis, that is producers fully finance the collection, treatment and recycling of all portable batteries by Council.

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

***to recommend that Council agree in principle to participate in the collection of batteries on a full cost recovery basis, that is producers fully finance the collection, treatment and recycling of all portable batteries by Council.***

### **327.6 THE WASTE MANAGEMENT LICENSING (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2007**

DoE Environmental Policy Division has issued a consultation paper (9<sup>th</sup> March) setting out its proposals for four new waste management licensing exemptions in Northern Ireland in relation to agricultural waste. The consultation exercise closes on 29<sup>th</sup> May 2007.

Four exemptions are proposed as follows:

1. Land treatment with ash from on-farm incineration of pig and poultry carcasses – This exemption provides for the treatment (and storage prior to treatment) of the ash to agricultural land so long as the treatment results in agricultural benefit or ecological improvement. Limits will be set within the exemption on the amount of material that can be spread to any particular area of land.
2. Land treatment with dredgings from farm ditches – This exemption provides for the treatment (and storage prior to treatment) of dredgings to agricultural land, as long as the treatment results in agricultural benefit or ecological improvement. As above, limits will be set within the exemption on the amount of material that can be spread to any particular area of land.
3. Lined biobeds – The disposal of pesticide washings by means of a lined biobed on agricultural land, so that the waste is used as: a) soil fertilizer for the treatment of agricultural land for the benefit of agriculture or ecological improvement; and b) water. There are a number of conditions and limits to this exemption and this will be explained further in chapter 3.
4. Land treatment with spent mushroom compost – This exemption provides for the spreading (and storage prior to spreading) of spent mushroom compost to agricultural land, as long as treatment results in agricultural benefit or ecological improvement. Limits will be set within the exemption on the amount of material that can be spread to any particular area of land.

The rationale for these proposed changes is to ensure that they:

- Encourage genuine recovery operations and lowest impact disposal of pesticide washings;
- Prevent abuse;
- Give effect to the Action Plan for Farming; and
- Continue to provide protection of the environment and human health.

**IT IS RECOMMENDED** that Council welcome the EPD proposals for four new waste management licensing exemptions to be enacted via the Waste Management Licensing (Amendment) Regulations (NI) 2007.

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

*to recommend that Council welcome the EPD proposals for four new waste management licensing exemptions to be enacted via the Waste Management Licensing (Amendment) Regulations (NI) 2007.*

## **FOOD CONTROL**

### **327.7 EAT SAFE AWARD**

**DRUMADOON HOUSE, 236 FROSSES ROAD, CLOUGHMILLS, BT44 9PX  
JOHN'S PLAICE, 1 LOUGHILL ROAD, CLOUGHMILLS, BT44 9LT**

Due to a change of ownership of the above businesses it is necessary, as part of the conditions of the Food Standards Agency's Eat Safe Award, to withdraw the original awards given to these premises. The businesses, under the new ownerships, will be inspected to ascertain whether they may be granted with a new Eat Safe Award.

**IT IS RECOMMENDED** that Council withdraw the above Eat Safe Awards and write to the original recipients to inform them of the reasons for withdrawal of the award.

Members discussed the issue of awards to premises where ownership has changed but existing, trained staff are retained with the Director confirming that re-application for the award under new ownership would still apply and that withdrawal of the award in no way reflected the operation of the business but was part of the conditions of the Food Standards Agency.

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

*to recommend that Council withdraw the above Eat Safe Awards and write to the original recipients to inform them of the reasons for withdrawal of the award.*

## **PUBLIC HEALTH GENERAL**

### **327.8 ENFORCEMENT POLICY FOR THE SMOKING (NORTHERN IRELAND) ORDER 2006**

The document, as circulated, outlines the key principles for enforcement of the provisions of the Smoking (Northern Ireland) Order 2006 and subsequent regulations made thereunder.

**IT IS RECOMMENDED** that Councils adopt the said Enforcement Policy for the Smoking (Northern Ireland) Order 2006.

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

*to recommend that Council adopts the said Enforcement Policy for  
the Smoking (Northern Ireland) Order 2006.*

## LICENSING

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

**Premises**

Loughgiel Millennium Centre  
38 Lough Road  
Loughgiel  
BALLYMENA  
BT44 9JN

**Applicant**

Mr Francis J McCluskey

Dervock Presbyterian Church Hall  
57 Carncullagh Road  
Dervock  
BALLYMONEY  
BT53 8BU

Mr I K Patrick

Finvoy Presbyterian Church Hall  
185 Finvoy Road  
BALLYMONEY  
BT53 7JS

Mr Alan G Campbell

**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 Councillor Wilson, seconded by Alderman Campbell and  
**AGREED:**

*to recommend that Council renew the Indoor Entertainment's Licence as detailed above and that Council's "Conditions of Licence" adopted on 7<sup>th</sup> October 1985 and the additional conditions detailed on the premise file also applies.*

### 327.10 THE HAIRDRESSERS ACT (NORTHERN IRELAND) 1939

**Premises**

Unit 5  
216 Knock Road  
Dervock  
BALLYMONEY  
BT53 8BD

**Applicant**

Miss Linda Quinn and  
Miss Louise Hume

**IT IS RECOMMENDED** that the above-named person and premises be registered under The Hairdressers Act (Northern Ireland) 1939.

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

*to recommend to Council, registration of the above-named person and premises under The Hairdressers Act (Northern Ireland) 1939*

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

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

**Alderman Campbell, who was present, declared an interest in this item.**

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>
Druckendult & District Community Association	Mr Frank Ambrose Campbell 3 Drumdult Park BALLYMONEY BT53 6NG	£35-00

**IT IS RECOMMENDED** that the Borough Council register the above-named Society.

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

*to recommend that Council register the above-named Society.*

## **DOG CONTROL**

### **327.12 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:-

<u>Applicant</u>	<u>Premises</u>
Mr Alastair Scott	25 Bellaghy Road, Dunloy, Ballymena, BT44 9DX.
Mr Patrick O’Kane	110 Bridge Road, Dunloy, Ballymena, BT44 9EG.

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

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

*to recommend that Council register the above-mentioned premises.*

## **STREET TRADING**

### **327.13 STREET TRADING ACT (NI) 2001 MOBILE STREET TRADING LICENCE**

Application for the renewal of a Mobile Street Trading Licence has been made to this Department as follows:-

<b><u>Purpose</u></b>	<b><u>Applicant</u></b>
Hot Food Takeaway (Mobile Kitchen)	Mr J V McCook

**IT IS RECOMMENDED** that a Mobile Street Trading Licence as applied for be renewed.

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

*to recommend that Council renew the Mobile Street Trading Licence as detailed above.*

## **HEALTH & WELL-BEING**

### **327.14 BOROUGH HEALTH AND WELLBEING PLAN 2007-2008**

A Borough Health and Wellbeing Plan has been devised for the period 1<sup>st</sup> April 2007 to 31<sup>st</sup> March 2008 was circulated. The Director gave a précis of the plan, which includes health and wellbeing objectives to be targeted in the forthcoming year and indicates key tasks to be achieved.

Councillor Wilson commended the Fuel Poverty Group for the work undertaken to date, as well as the key objectives to be undertaken during the forthcoming year.

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

*to recommend that Council endorse the Borough Health and Wellbeing Plan 2007-2008.*

\* **Councillor Stevenson arrived at 9.05 pm.**

## OFFICER AUTHORISATIONS

### 327.15 THE PRIVATE TENANCIES (NI) ORDER 2006

This Order makes provision with respect to privately rented dwelling-houses in Northern Ireland.

PART II deals with certain obligations of landlords and tenants under private tenancies.

Part III empowers district councils to issue notices of unfitness and notices of disrepair in respect of dwelling-houses let under private tenancies.

PART IV provides for certificates of fitness to be issued in respect of certain dwelling-houses and for the determination of a rent limit in respect of tenancies which are subject to control.

PART V amends the Rent (Northern Ireland) Order 1978 and Part VI contains provisions of a miscellaneous or supplemental nature.

The provisions of the Order come into effect on the 1<sup>st</sup> April 2007.

#### **Authorisation of Officers**

**IT IS RECOMMENDED** that Ballymoney Borough Council appoints and authorises the following persons to exercise the Councils powers, functions and duties under the Private Tenancies (NI) Order 2006 on behalf of the Council, and in particular authorises the following persons under Art 27 to enter dwelling houses for the purpose of survey and examination.

**John Campbell Michael**  
**Bryan Edgar**  
**Lynne O'Brien**  
**Judith Freeburn**  
**Damian Gavin**  
**Warner Kirkpatrick**

#### **Delegation of Authority**

In exercise of its powers under Section 47 (A) of the Local Government Act 1972 as amended by Article 26 of the Local Government (Miscellaneous Provisions) (NI) Order 1985, **IT IS RECOMMENDED** that Council hereby delegates to the undernoted officers being proper and competent persons to exercise the delegated powers or duties, all the powers and duties of the Council under the Private Tenancies (NI) Order 2006, and in particular,

Art. 18 (service of notice of unfitness)  
Art. 19 (service of notice of disrepair)  
Art. 21 (duty to consult with the NIHE prior to service of unfitness notice)  
Art. 25 (enforcement of notice of unfitness or notice of disrepair - works in default, authorisation of appropriate persons, and recovery of costs)  
Art. 26 (power to require payment for enforcement action)

Art. 34 (duty to inform tenant of landlords application to have dwelling house inspected)

Art. 35 (duty to inform landlord of tenants application to have dwelling house inspected)

Art. 36 (duty to inspect dwelling house, and duty to provide certificate of fitness or notice of refusal to landlord, tenant and rent officer)

Art. 62 (duty to act in accordance with Department directions)

Art. 65 (power to obtain information as to ownership of dwelling house)

Art. 68 (prosecution of offences)

**John Campbell Michael**

**Bryan Edgar**

**Lynne O'Brien**

**Judith Freeburn**

**Damian Gavin**

The officers name in this paragraph shall be duly authorised under Section 124 of the Local Government Act (NI) 1972 to authenticate notices, orders or other documents arising from the above powers and duties, and indemnified as provided for by Section 48 of the said Act.

### **Charges for enforcement action**

Article 36 (2) of The Private Tenancies (Northern Ireland) Order 2006 permits a district council to charge a fee to a landlord or tenant in respect of an application to conduct an inspection of a dwelling house, which is let or to be let under a private tenancy, in order to determine whether the dwelling house is fit for human habitation.

The Prescribed Fees and Charges Regulations (NI) 2007 prescribe the fees as follows:

### **Inspection fees chargeable by a district council for the inspection of a dwelling house under Articles 33 or 35 of the Private Tenancies (Northern Ireland) Order 2006**

Initial inspection fee	£50
Re-inspection fee	£100

**IT IS RECOMMENDED** that Council adopts the above prescribed fees.

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

*to recommend that Council authorise the above mentioned officers as being proper and competent persons to exercise the delegated powers or duties, and adopts the prescribed fees and charges, as outlined above.*

## BOROUGH SERVICES PLAN 2007-2008

### 327.16 BOROUGH SERVICES DIRECTORATE PLAN 2007-2008

The Borough Services Directorate Plan 2007-2008 was circulated to members with the Director advising that the work identified will be carried out within the resources that Council has provided to the Directorate for that period.

**IT IS RECOMMENDED** that Council endorse same.

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

*to recommend that Council endorse the Borough Services Directorate Plan 2007-2008, as circulated.*

## BUILDING CONTROL

### 327.17 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 Patterson, seconded by Councillor McCamphill and  
**AGREED:**

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

## MATTERS FOR INFORMATION

### ENVIRONMENTAL SERVICES

#### 327.18 MUNICIPAL WASTE RETURNS

<u>Waste Type</u>	<u>Feb 2007</u>	<u>Year To Date</u>
Mixed Residual Waste (waste to landfill)	960.78t +16.11%	10,933.44t +3.12%
Mixed Dry Recyclables (blue bin recycling)	118.48t +0.92%	1,352.98t +5.75%

The Mayor expressed concern at the increase over the present year in the amount of waste disposed off via landfill and asked the Director how the trend might be reversed. The Director advised that he had given some consideration to how the

increased publicity budget might be used to get necessary information and messages to householders regarding the importance of recycling more of their waste and suggested two initiatives –

1. the use of Council vehicles to display 'changing' essential information; and
2. the monitoring of black bin useage and consequent targeting of specific homes with a personal visit / information drop.

The Mayor again suggested that the separation of both wood and cardboard at the Council's Civic Amenity Sites would make a positive contribution to the Council's recycling performance. The Director intimated that due to the Chancellor's budget announcement regarding the dramatic increase in Landfill Tax it was imperative that consideration be given to the mixed waste collected by Council via its 2 CA Sites as this accounted for approximately one third of the total amount of mixed waste disposed off via landfill, and indicated that it may be possible to outsource the sorting of this waste to recycle material and therefore reduce the tonnage sent to landfill. Such a review would also point up whether further source separation at the Council's CA Sites was the more viable option. The Director asked Members to raise with Community Associations the important issue of waste disposal / recycling and offered to facilitate debate by the provision of speakers, etc.

Councillor Finlay referred to a visit made to the Isle of Man waste incinerator and advocated that it would be very beneficial for Members to undertake a study tour. It was agreed that Members would be better informed were they also to visit the facility and could use their allowances to do so.

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

***to recommend to Council that interested members visit the Isle of Man incineration facility with the cost being borne from members' allowances.***

\* **Councillor Finlay left the meeting at 7.54 pm**

### **327.19 NWRWM GROUP ANNUAL REPORT 2005-2006**

The Annual Report 2005-2006 which assesses the progress that has been made within the sub-region towards the implementation of the North West Region Waste Management Group Waste Management Plan was circulated to members.

### **327.20 STUDY OF KITCHEN WASTE COLLECTION SCHEME IN BRISTOL.**

A study visit to investigate the kitchen waste collection scheme managed by Bristol City Council took place from February 28 to March 1 2007. In attendance were Cllr. McCamphill, Cllr. Robinson, Nigel McKeown and Clive Anderson.

The visit provided an invaluable insight into the collection scheme, in particular, how the scheme operates and the response from participants since its inception in June 2006.

Like Ballymoney, Bristol only collects residual waste fortnightly. However, there is a weekly kerbside collection on the same day for kitchen waste, cardboard, green waste and recyclables by assorted containment methods. The kitchen waste is presented by the householder at the kerbside in a 25 litre minimax container. This minimax container is kept outside and kitchen waste is transferred into it by way of a 5 litre kitchen caddy. The same refuse collection vehicle is then used to collect kitchen waste, cardboard and garden waste. During collection, minimaxs are emptied into a 'slave bin' (a 240 litre wheelie bin), which in turn is emptied into the refuse collection vehicle. The operatives also put any cardboard and garden waste set out by the householder into the same lorry. The cardboard and garden waste mix helps soak up the leachate content from the kitchen waste.

By separating out kitchen waste from the residual waste there is the potential for Bristol to reduce the amount of waste it sends to landfill by 30%. To date, there is a 60% participation rate in the kitchen waste collection scheme. In Ballymoney, a waste composition study revealed that approximately 20% of an average wheelie bin contents is putrescible kitchen waste.

On observing the scheme there are a number of drawbacks. Firstly, the collection process involves considerable manual handling, both in the emptying of the minimaxs into the 'slave bin' and the lifting of cardboard and bags of garden waste. The use of a 'slave bin' also creates odour problems for operatives, especially during spells of hot weather. Compared to wheelie bins, the minimaxs and kitchen caddies are much less durable and if not properly used require replacement after a short time. The minimaxs are also susceptible to being blown away on windy days, as is the cardboard.

Whilst many householders in Bristol have embraced the new scheme, others have contacted the council and the local media to highlight a number of problems. These have included complaints regarding vermin, maggots, confusion over when to put out the various items of waste and the quality of containers provided to householders.

All the kitchen waste collected is taken to a waste transfer station prior to being hauled to an in-vessel composting facility for processing. The most noticeable feature of the material when tipped up at the transfer station was the lack of leachate run-off. It was apparent that the mix of cardboard and garden waste greatly aided this process.

Bristol City Council has been able to secure funding of £250,000 from WRAP (The Waste and Resources Action Programme) to communicate the new scheme to the participating 155,000 households via literature, billboard advertising, TV and radio. This funding is only available on the mainland. Any complaints resulting from the scheme are handled by a call centre which is open from 8.30am – 8.00pm Monday to Friday. Additional call centre staff were recruited on the introduction of the scheme and the council also employed five 'Waste Doctors' whose role is to meet householders and resolve any issues they may be encountering.

While there is need to separate kitchen waste from the residual waste stream in order to increase recycling rates in the Borough and avoid potential future fines, the collection scheme operated by Bristol is unlikely to be the best solution for Ballymoney. However, were Council to consider collection of kitchen waste via a third bin this may be both more manageable and acceptable.

Councillor Robinson gave an overview of the recent member/officer study visit to Bristol and in the ensuing discussion Councillor McCamphill also commented in respect of questions posed concerning whether the system could be with or without modification rolled out in Ballymoney. The consensus was that further consideration was necessary. Councillor Robinson also gave a brief résumé on her recent visit to Norway where energy from waste systems were viewed and indicated that a report would be tabled at the next meeting of Council.

The Director reminded Members that it would be necessary to return to this business as it would be necessary to decide on the optimum system for Ballymoney early in the next financial year, so that implementation could be achieved by the year end.

### **327.21 LANDFILL TAX**

As Members will be aware the Chancellor of the Exchequer announced via his Budget statement on 21<sup>st</sup> March his intent to increase Landfill Tax by £8 per year from April 2008 until 2011.

## **ENVIRONMENTAL PROTECTION**

### **327.22 DEVELOPMENT AT 37 AND 39 CARNCULLAGH ROAD, DERVOCK.**

Water Service advised on 14<sup>th</sup> February that as a result of the review of its procedures the above development “will not be approved for connection to the public sewerage system. Furthermore, the sewers within the development will not be adopted until permission to connect to the public sewerage system has been granted.

This decision is due to the receiving waste water treatment works/sewerage network having no spare capacity at this time.

A scheme to upgrade the works/sewerage network is not currently on our Capital Works Programme, the scope of which is subject to available funding.”

At the request of Alderman Campbell and Councillor Wilson, the Director advised members of the future role of the Planning Service when Planning matters become the responsibility of Council. He encouraged dialogue with planners relating to water and sewerage issues in the early stages of planning applications and prior to approval being issued, particularly in brown field type developments. The Director advised that delegation of powers to officers might need to be considered in the future to further enforce the issue.

### **327.23 CONSULTATION ON UK ENFORCEMENT OF ‘REGISTRATION, EVALUATION AND AUTHORISATION OF CHEMICALS (REACH)’ REGULATION**

The DoE Environmental Policy Division has issued a consultation paper about how REACH will be enforced in the UK. The response deadline is 4<sup>th</sup> June 2007.

The REACH Regulation will come into force on 1<sup>st</sup> June and will form the EU’s framework legislation for the management, control and use of chemicals replacing

much of the current patchwork of over 40 separate pieces of legislation over a phase-in period from June 2007 to 2018.

It is envisaged that local authorities will enforce REACH in conjunction with wider day to day inspection and enforcement of health and safety legislation on those premises falling to LAs by virtue of that remit.

## HEALTH & SAFETY

### 327.24 THE HEALTH AND SAFETY (FEES) REGULATIONS (NORTHERN IRELAND) 2007

The DETI made the above Regulations on the 6<sup>th</sup> February with an operational date of 2<sup>nd</sup> April 2007. They revoke and re-enact the Health and Safety (Fees) Regulations (NI) 2005. They consolidate amendments made to these Regulations and also update the fees to be charged. The changes relevant to the Directorate relate to fees payable under the Petroleum (Consolidation) Act (Northern Ireland) 1929 and the Petroleum (Transfer of Licences) Act (Northern Ireland) 1937. These are indicated in the table below.

<b>Licence to Keep Petroleum Spirit</b>	<b><u>Current Fee</u> (For Each Year)</b>	<b><u>New Fee (2.4.07)</u> (For Each Year)</b>
Not exceeding 2,500 litres	£37.00	£38.00
Exceeding 2,500 litres but not exceeding 50,000 litres	£52.00	£53.00
Exceeding 50,000 litres	£105.00	£108.00
Transfer of Licence	£8.00	£8.00

## FOOD HYGIENE

### 327.25 THE COLOURS IN FOOD (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2007

The above Regulations made on the 28<sup>th</sup> February come into operation on the 6<sup>th</sup> April 2007. They amend the 2006 Regulations of the same title implementing Directive 2006/33/EC which lays down specific purity criteria for colours for use in foodstuffs. This is a technical amendment to the existing specifications for two colours, sunset yellow (E110) and titanium dioxide (E117).

**327.26 THE QUICK FROZEN FOODS (NO. 2) REGULATIONS (NORTHERN IRELAND) 2007**

The above Regulations made by the DHSSPS on the 22<sup>nd</sup> February came into operation on the 1<sup>st</sup> March 2007. They revoke and remake with amendments the 2007 Regulations of the same title.

**327.27 THE FOOD SUPPLEMENTS (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2007**

The above Regulations made by the DHSSPS on the 9<sup>th</sup> February come into operation on the 6<sup>th</sup> April 2007. They amend the 2003 Regulations of the same title by implementing Commission Directive 2006/37/EC relating to the inclusion of certain substances.

**327.28 THE CURD CHEESE (RESTRICTION ON PLACING ON THE MARKET) (REVOCATION) REGULATIONS (NORTHERN IRELAND) 2007**

The above Regulations, which became operative on 7<sup>th</sup> March 2007 remove the prohibition on the placing on the market of curd cheese manufactured in a dairy establishment in the United Kingdom.

**327.29 HIGHLY PATHOGENIC AVIAN INFLUENZA TRADE RESTRICTIONS LIFTED**

DARD has advised that the trade restrictions introduced on 5<sup>th</sup> February 2007 following the outbreak of HPAI in Great Britain were lifted on 12<sup>th</sup> March 2007.

**LICENSING (NORTHERN IRELAND) ORDER 1996****327.30 LICENSING (NORTHERN IRELAND) ORDER 1996**

<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
James Craig Black The Bush Tavern 15-17 Market Street BALLYMONEY	Grant of Licence	15/3/07
Glenn and Angela Biesty 8 Ballybogey Road BALLYMONEY	Provisional Grant of Licence	20/3/07

**327.31 PROPOSED BONFIRE 'CARBON SINK' PROJECT**

During 2006 the Bonfire Safety Programme received contributions for prizes of £1750, however not all the prize money was distributed with only 1<sup>st</sup> and 2<sup>nd</sup> prizes

awarded following the July competition with only a 1<sup>st</sup> prize presented in October. This has resulted in surplus donations of £975 left in the programmes budget.

As a result of this under spend the Community Safety Partnership Bonfire sub group has proposed that the money is put into a new community initiative aimed at reducing the 'carbon footprint' (a measure of the impact human activities have on the environment in terms of the amount of greenhouse gases produced) produced by bonfires in the Borough last year.

This project will offset the effects of carbon emissions produced from the local bonfires. Five trees will absorb one tonne of CO<sub>2</sub>, but if the CO<sub>2</sub> is produced annually, these trees need also to be planted annually. It is hoped that local people will participate in this forward thinking initiative, not only in the planting of trees within the Borough but also in gaining a greater understanding of the importance of reducing carbon emissions locally and how that may reduce the effects of global warming.

It is proposed that planting would begin in Riverside Park, Ballymoney with other areas beginning identified locally. It is anticipated that Local people and school children would be involved in the project and their participation would enable them to gain a greater understanding of the concept of climate change. The project would complement the new Borough Air Quality Strategy and the councils LA21 policy.

The Director advised members of the intention to work with conservation volunteers, local residents and other organizations such as 'TEARS' in those areas only where fires occur as a conservation process.

**This being all the business, the meeting closed at 9.15 pm.**