

Ballymoney Borough Council

Health & Environmental Services Committee Meeting No 337 – 26th February 2008

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BALLYMONEY BOROUGH COUNCIL

Minutes of Health & Environmental Services Committee Meeting No 337 held in the Council Chamber, Riada House, Ballymoney on Tuesday 26th February 2008 at 7.00 pm.

IN THE CHAIR Councillor E Robinson (Item 3 – 38)

PRESENT**Aldermen**

F Campbell

C Cousley

Councillors

J Finlay

B Kennedy (Vice Chair) (Item 1, 2)

M McCamphill

A Patterson

I Stevenson

APOLOGIES

R Wilson

IN ATTENDANCE

Director of Borough Services

Alderman J Simpson

Committee Clerk

Councillor Kennedy (Vice-Chair) opened the meeting in Councillor Robinson's absence.

337.1 MINUTES

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

to recommend that the minutes of Meeting No 336 – 22nd January 2008, as circulated, be confirmed as a correct record.

337.2 MATTERS ARISING**2.1 CROSSTAGHERTY LANDFILL SITE CLOSURE/CONDITIONING PLAN**

With reference to the Crosstagherty Landfill Site Closure/Conditioning Plan, it was proposed by Councillor Finlay, seconded by Alderman Cousley and **AGREED:**

to recommend that the matter be deferred for one month.

* Councillor Robinson and Councillor Stevenson joined the meeting at 7.02pm

Councillor Robinson took position as Chair.

MATTERS FOR CONSIDERATION

ENVIRONMENTAL SERVICES

337.3 PUBLIC HOLIDAY ARRANGEMENTS – REFUSE COLLECTION 2008-2009

The Director of Borough Services requested that the public holiday arrangements be agreed for 2008-2009. The aim was to limit inconvenience to householders and where possible collection takes place on the public holiday.

In response to Alderman Simpson, the Director of Borough Services advised that employees work to terms and conditions and if they work over four hours on a public holiday they receive double time and one day off in lieu. If employees do not wish to take a day in lieu, they will be paid.

Members commended the work of the refuse collectors and their willingness to work on public holidays.

In response to Alderman Simpson, the Director of Borough Services advised that the Council's public holidays listed in the report, in particular three public holidays at Easter, have been the same for past number of years.

In addition, some businesses will be closed only Easter Monday and Easter Tuesday. However refuse collection for business (270 in total) is flexible. Some receive one collection per fortnight, others three/four per week. If businesses request a collection on Wednesday as closed on public holidays, the Directorate try to oblige.

With regards to Christmas arrangements, stickers will be placed on the bin to inform householders. Amendments have be budgeted for and agreed by Council.

IT IS RECOMMENDED that the undernoted arrangements be made concerning the Council's Refuse Collection Service in respect of public holidays in 2008-2009:-

<u>PUBLIC HOLIDAY</u>		<u>ALTERNATIVE COLLECTION</u>
St Patricks Day	Mon 17 th March	Mon 17 th March
Good Fri	Fri 21 st March	Fri 21 st March
Easter Mon	Mon 24 th March	Mon 24 th March
Easter Tue	Tues 25 th March	Tues 25 th March
May Day	Mon 5 th May	Mon 5 th May
Spring Bank Hol	Mon 26 th May	Mon 26 th May
12 th July	Mon 14 th July	Mon 14 th July

13 th July	Tue 15 th July	Tue 15 th July
Summer Bank Hol	Mon 25 th Aug	Mon 25 th Aug
Christmas Day	Thurs 25 th Dec	Sat 20 th Dec
Boxing Day	Fri 26 th Dec	Sat 27 th Dec
New Years Day	Thurs 1st Jan 2009	Thurs 1 st Jan 2009

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

that the above arrangements be made concerning the Council's Refuse Collection Service in respect of public holidays in 2008-2009.

337.4 ENVIRONMENTAL SERVICES CHARGES 2008-2009

The various charges relating to the Council's Environmental Services (refuse collection, refuse disposal, street cleansing and dog control) have been reviewed for the financial year 2008-2009. (It was on the basis of these proposed charges that the environmental services income in the rates estimates for 2008-2009 was predicted). The schedule of Environmental Services Charges 2008-2009 was circulated at the meeting (Appendix 1).

IT IS RECOMMENDED that the schedule of Environmental Services Charges 2008-2009 be adopted by Council and applied from 1st April 2008.

The Director of Borough Services tabled the schedule of proposed charges and apologised for it not having proved possible to have the information issued in advance of the meeting. He explained that following the Rates Estimates meeting when additional trade waste income had been set it had been necessary to re-calculate charges so that the proposed increase in prices would meet the targeted outcome. He then explained in detail the schedule of proposed Environmental Services Charges for 2008-2009.

In response to a query from Councillor Robinson, the Director of Borough Services stated Council had resumed responsibility for sweeping all specified urban car parks (on behalf of Roads Service) as regards Ballymoney town.

Members were informed that the Councils Vet provides an all-inclusive service to cast and dispose of unwanted dogs and those which would be unsuitable for re-homing. The Director also advised that Council had an agreement with Oaktree in respect of a dog re-homing service which was paid for.

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

that the schedule of Environmental Services Charges 2008-2009 be adopted by Council and applied from 1st April 2008.

At the request of Alderman Simpson, the Director of Borough Services clarified the current situation with regards to educational establishments and blue bin recycling.

He also clarified the difference between blue bins and paper banks as regards waste paper.

* **Councillor Stevenson left the meeting at 7.36pm**

HEALTH & SAFETY

337.5 THE HEALTH & SAFETY (FEES) REGULATIONS (NI) 2008

Under the above Regulations, which will come into operation on 10th March 2008, the fees payable under the Petroleum (Consolidations) Act (Northern Ireland) 1929 and the Petroleum (Transfer of Licences) Act (Northern Ireland) 1937 are:

Provision under which a fee is payable	Purpose of application	Fee
Petroleum (Consolidation) Act (Northern Ireland) 1929 (1929 c. 13) Section 4 (see notes 1 and 2)	Licence to keep petroleum-spirit of a quantity-	
	Not exceeding 2,500 litres	£39 for each year of licence
	Exceeding 2,500 litres but not exceeding 50,000 litres	£54 for each year of licence
	Exceeding 50,000 litres	£111 for each year of licence
Petroleum (Transfer of Licences) Act (Northern Ireland) 1937 (1937 c.4) Section 1 (4)	Transfer of petroleum-spirit licence	£8

IT IS RECOMMENDED that the above fees payable under the Petroleum (Consolidations) Act (Northern Ireland) 1929 and the Petroleum (Transfer of Licences) Act (Northern Ireland) 1937 be applied with immediate effect.

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

that the above fees are applied with immediate effect.

FOOD COMPLAINT

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

<u>Ref Number</u>	<u>Nature of Complaint</u>
FC/805/C/01/07	Alleged insect in Picnic Rolls

IT IS RECOMMENDED that legal proceedings are not instituted in relation to the above complaint but that an informal warning letter be sent to the manufacturer. In addition the complainant, vendor, originating and home authority should be informed in writing of the outcome of the investigation.

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

to recommend to Council that the complaint be actioned as detailed above.

LICENSING

337.7 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985 - LICENCE APPLICATIONS (FULL) (RENEWAL)

<u>Premises</u>	<u>Applicant</u>
Ballymoney United Football Social and Recreation Club 35 Castle Street BALLYMONEY BT53 6JT	Mr Gerry McAleese
Ballymoney Rugby Football Club 63 Kilraughts Road BALLYMONEY BT53 7HL	Mr Trevor Fleming
Topp Orange Hall 161 Gracehill Road BALLYMONEY BT53 8LS	Mr Clifford Bellingham

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licences as detailed above. In addition to the Borough Council's "Conditions of Licence" adopted on 7th October 1985 the additional conditions detailed on the premise files also apply.

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

<u>Premises</u>	<u>Applicant</u>
Drumreagh Presbyterian Church Hall	Mr Cecil J Cousley

104 Bann Road
BALLYMONEY
BT53 7NA

Ballymoney High School
(Assembly Hall)
17 Garryduff Road
BALLYMONEY
BT53 7AN

NEELB

Bushvale Presbyterian Church
Hall
118 Fivey Road
BALLYMONEY
BT53 8JB

Mrs Elaine Wilson

Roseyards Presbyterian Church
Hall
115 Kirk Road
BALLYMONEY
BT53 8HN

Mr David Ramsay

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainment's Licences as detailed above. In addition to the Borough Council's "Conditions of Licence" adopted on 7th October 1985 the additional conditions detailed on the premise files also apply.

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

to recommend to Council, renewal of licences as detailed at 337.7 and 337.8.

* **Councillor Stevenson joined the meeting at 7.41pm**

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

337.9 Applications have been received from the undernoted Societies 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	Elizabeth McIlhatton 41 Main Street Stranocum BALLYMONEY BT53 8PQ	£17.50
Ballymoney Homing Pigeon Society	Derek McMullan 20 Straham View Dervock	£17.50

BALLYMONEY
BT53 8BQ

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

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

to recommend that Council register the above-named Societies.

337.10 ARTICLE 115 – AMUSEMENT PERMIT RENEWAL

Application for the renewal of amusement permit under the provisions of Article 115 of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 has been received from Mr. Robert Leitch, 160 The Roddens, Larne, BT40 1PN, in respect of premises at 19 Linenhall Street, Ballymoney. The requisite fee of £250.00 has been received. The notice of intention (as required by Article 119 of the Order) has been served on the applicant.

IT IS RECOMMENDED that the Borough Council give its approval to the renewal of the amusement permit as detailed above and apply to same the Borough Councils “Amusement Permit Conditions” as permitted by virtue of Article 115(6) and 115(7) of the said Order.

It was proposed by Councillor Kennedy, seconded by Councillor McCamphill and
AGREED:

to recommend that Council renew the permit as detailed above.

337.11 RENEWAL OF REGISTRATION OF CLUB LICENCE NOTIFICATIONS

Premises

Applicant

The Provincial Towns
Indoor Bowling Club
Ballybrakes Industrial Estate
Ballybrakes Road
BALLYMONEY

Joseph Herbert Boyd

Lucky's Bingo Club
27-29 Castle Street
BALLYMONEY

Bingovision Limited

Loughgiel Shamrocks Hurling
Club
7 Lough Road
Loughgiel
BALLYMENA

Patrick Joseph O'Mullan

Ballymoney Masonic Social
Club
Charlotte Street

George Field

BALLYMONEY

The Royal British Legion
11 Townhead Street
BALLYMONEY

Liam McCurdy

Ballymoney Rugby Football
Club
Kilraughts Road
BALLYMONEY

Trevor Fleming

Ballymoney United Football
Social and Recreation Club
35 Castle Street
BALLYMONEY

Gerard McAleese

Ballymoney Bowling Club
Church Street
BALLYMONEY

Dennis Connelly

IT IS RECOMMENDED that Council note the applications.

It was proposed by Councillor McCamphill, seconded by Councillor Kennedy and
AGREED:

to recommend that Council note the above applications.

STREET TRADING**337.12 STREET TRADING ACT (NI) 2001
MOBILE STREET TRADING LICENCE**

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

Purpose**Applicant**

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 Kennedy, seconded by Councillor Patterson and
AGREED:

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

DOG CONTROL

337.13 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 Dowey	17 Agherton Park, Ballymoney, BT53 6PS.
Mr Alastair Scott	25 Bellaghy Road, Dunloy, Ballymena, BT44 9DX.
Mr Patrick O'Kane	110 Bridge Road, Dunloy, Ballymena, BT44 9EG.
Jacqueline and Vincent Graham	14 Ozone Avenue, Ballymoney, BT53 6HU.

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

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

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

BUILDING CONTROL

337.14 BUILDING CONTROL APPLICATIONS

IT IS RECOMMENDED that Council note the **Applications, Building Notices and Regularisation Certificates** as detailed in Appendix 2, 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 Patterson and **AGREED:**

to recommend that Council note the applications, building notices and regularization certificates as detailed in appendix 2.

337.15 NEW ROAD SERVICE APPLICATION – CAUSEWAY COACH HIRE

The Director advised that correspondence had been received on 26th February from the Road Transport Licensing Division of the Driver & Vehicle Agency advising Council that an application had been received from a Charmaine Valerie Doherty T/A Causeway Coach Hire, to operate one vehicle from 61 Bravallen Road, Ballymoney, to carry out the following services –

- occasional private hire
- excursions or tours

He intimated that, in accordance with Section 6 of the Transport Act (NI) 1967, Council was asked to proffer any comments it had by 11th March 2008.

IT IS RECOMMENDED that Council note the application.

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

to recommend that Council note the above application.

337.16 COMMENCEMENT OF ARTICLE 10 OF THE WASTE (AMENDMENT)(NI) ORDER 2007

The Director intimated that the DoE Planning and Environmental Policy Group had advised on 26th February that following the Department's recent consultation on the proposed commencement of Article 10 of the Waste (Amendment)(NI) Order 2007 the DoE had decided to bring forward legislation in the near future which will commence Article 10. He reminded members that Article 10 would enable Councils to take more effective enforcement action against householders and businesses in respect of the misuse of waste receptacles and was something which Council had indicated it would welcome.

*** Alderman Simpson left the meeting at 7.46pm**

In response to Councillor Finlay, the Director commented on the current debate in England regarding the possible separate charging of households for waste collection, recycling and disposal services.

IT WAS AGREED:

to recommend that Council note that the Department OF THE Environment is minded to commence Article 10 of the Waste (Amendment)(NI) Order 2007.

MATTERS FOR INFORMATION

ENVIRONMENTAL SERVICES

337.17 BROWN BIN DISTRIBUTION

The Director gave the following update as to progress made in respect of the distribution of brown bins to certain Borough households. The work had commenced on Monday, 21 January and it was anticipated that the distribution of bins would be completed by Monday, 3rd March – within the target set. Despite at times very inclement weather it is anticipated that the initial distribution will encompass 7,026 households. Details of those addresses in receipt of a brown bin are being entered on a database.

All participating households will receive one collection over a 10 day cycle by a dedicated vehicle and crew [comprising driver + refuse collector]. It is anticipated that brown bins will be collected from 3,548 households in week 1 and from 3,478 households in week 2. The first collection of brown bins will take place on Monday,

17th March and each participating household will have had one collection by Friday, 28th March 2008.

All participating households will have been issued with a brown bin a minimum of 3 weeks prior to their first collection.

The Director then responded to member questions. He indicated that in the initial weeks of the service going live staff would follow-up complaints and comments. It was then the intention to monitor both participation rates and yield on at least a quarterly basis in the services' first year so that updates might be brought to Committee. The Director again emphasised that should the participation rate in the new service exceed 50% then additional collection resource might well be required to cope with service demands.

336.18 MUNICIPAL WASTE RETURNS

<u>Waste Type</u>	<u>Jan 2008</u>	<u>Year to Date</u>	<u>April- Jan 2007</u>
Mixed Residual Waste (waste to landfill)	988.64t -13.30%	9,495.08t -4.79%	9,972.66t
Mixed Dry Recyclables (blue bin recycling)	153.00t +10.66%	1,353.66t +8.27%	1,234.50t

The Director in presenting this item commented that the January figures for both 'black' and 'blue' bins were encouraging. The Chair agreed, indicating that in January 2007 there had been a marked increase in 'black' bin waste which had resulted in the quantity of waste landfilled showing an increase on the previous year's figure.

336.19 NILAS WORKING GROUP

The Director of Borough Services asked that consideration be given as to when the NILAS Working Group would next meet and suggested a number of possible dates in March. **IT WAS AGREED** that the next meeting of the NILAS Working Group take place in Riada House on Friday, 7th March at 3.00pm.

FOOD CONTROL

336.20 THE MISCELLANEOUS FOOD ADDITIVES (AMENDMENT) REGULATIONS (NI) 2008

The above Regulations which come into operation on 7th March 2008, further amend the Miscellaneous Food Additives Regulations (NI) 1996, as amended, in order to rectify an error caused by a defect in the Miscellaneous Additives and Sweeteners in Food (Amendment) Regulations (NI) 2007.

336.21 THE CONDENSED MILK AND DRIED MILK (AMENDMENT) REGULATIONS (NI) 2008

These Regulations, which come into operation on 7th March 2008 amend the 2003 Regulations to make provision for the implementation of Council Directive

2007/61/EC amending Directive 2001/114/EC relating to certain partly or wholly dehydrated preserved milk for human consumption.

336.22 CAUSEWAY CHILDMINDERS' TALK

During the report period, the Directorate gave a short talk to the Support Network Childminders' Association, in collaboration with Coleraine Borough Council's Environmental Health Department. The talk was in relation to food safety in childminders including purchasing, handling, storing and cooking food.

336.23 MISSION: POSSIBLE!

A class of Primary 7 pupils from the Leaney Primary School became secret agents such as James Bond for a week on a mission to beat food bugs in their homes.

Following an intensive two-day training programme the children were given hi tech secret agent kits to take home over a weekend to carry out experiments in their own kitchens. The experiments included checking fridge temperatures and looking for where cross contamination might occur. An accompanying workbook was completed and class-based activity rounded up what the children had learnt.

The feedback from the teacher, pupils and parents was extremely positive. The pupils thoroughly enjoyed carrying out the experiments in the home and the parents also became involved.

In response to Councillor Robinson, the Director of Borough Services advised that there are no further plans for Mission: Possible.

336.24 FSA NI – FOCUSED AUDIT – COLDSTORES, 14TH-15TH DECEMBER 2006

Members will be pleased to learn that following the above audit and the subsequent action plan developed to address issues raised, the FSA have advised that all outstanding measures have been fully implemented and that their files have now been closed. The completed action plan is to be placed on the FSA website www.food.gov.uk, following the links to Northern Ireland, enforcement, local authority audits.

336.25 IMPORTED FOOD CONTROL – DISTRICT COUNCIL RESOURCE PACK

The FSA NI have advised by correspondence dated 15th February that the above resource has been updated to take account of the new regulations that came into operation in 2007. Officer authorisations will be amended following Council procedure HES 272.3.3.7 (29th October 2002) adopted by CM 727.12.3 (dated 4th November 2002) refers, which delegated authority to the Chief Executive/Director of Borough Services with respect to such matters. In addition the FSA (NI) have asked Council to note that there are a number of changes in the Products of Animal Origin (Third Country Import) Regulations (NI) 2007. These mainly relate to illegal import controls and 'inland' enforcement powers in particular:

1. Enforcement Authorities

Under regulation 5(4) if an officer of an inland District Council who is not authorised under The Products of Animal Origin (Third Country Import) Regulations (Northern Ireland) 2007 considers the POAO (TCI) Regulations have not been complied with or if a consignment/product is considered to be from a

third country and may present a risk to animal or public health, he/she must notify an authorised officer and detain the consignment/product until an authorised officer takes charge of it.

2. Powers of entry and inspection

Regulation 8(1)(a) sets out that authorised officers may only enter premises used only as a dwelling house if 24 hours notice is given. This reflects the Food Safety (Northern Ireland) Order 1991 position.

3. Detention of products

Regulation 8(2) now provides detention powers pending carrying out of further checks and no longer requires a sample to be taken in order to detain goods.

4. Fishery products

There have been changes to the definition of “fishery products”. The definition now includes “all edible forms, parts and products of such animals”, which reflects the definition in 853/2004. Bivalve molluscs have been replaced by “filter-feeding lamellibranch molluscs”, which is how bivalve molluscs are defined in 853/2004.

5. Suspension of border inspection posts (BIPs) and inspection centres

Regulation 13(5) through to (9) gives DARD new powers in that where a BIP is failing on one or more categories of product for which it is approved (but not all), then DARD can suspend the approval in relation to that specific category or categories and to suspend failing inspection centres in BIPs.

6. Advance notice of introduction or presentation

Regulation 17(3)(d) amends the timescale for prior notification of POAO arrivals – i.e. it is no longer 6 or 24 hours. The BIP must now be pre-notified of imports before the consignment is unloaded from the ship/aircraft.

7. Veterinary checks and official controls

Regulation 19 applies Article 14(1) of Regulation (EC) 882/2004 as regards enforcement of POAO imports. Where a product is detained under Article 18 and 19 of 882/2004 it is an offence to remove it (as per regulation 64 of the POAO (TCI) Regulations). Where a sample is taken the importer bears the costs of storage.

Examples of the notices for use under the POAO (TCI) Regulations and the OFFC Regulations are provided within the “Imported Food Control – District Council Resource Pack”.

336.26 SAFER FOOD, BETTER BUSINESS DVD

The FSA NI have advised that the Safer Food Better Business (SFBB) DVD was launched on the 21st February. The Agency has developed the interactive DVD to compliment the SFBB catering and retail packs. The main aims of the DVD are:

- to provide guidance for managers of small catering and retail businesses, on using SFBB as their food safety management system and
- as a resource to help train staff on SFBB.

The DVD has a voiceover in 16 different languages with English subtitles. The content can be accessed following the link at www.food.gov.uk/sfbb where it may be watched on-line or downloaded.

PLANNING CONSULTATIONS

336.27 PLANNING CONSULTATION RESPONSES

The following response has been returned to Planning Service and is provided to Members for information. This information has been shared with the Head of Corporate and Development Services and the Head of Building Control.

Application	Address	Proposal	Comment
D/2006/0283/F	Livestock Market 30 Market Street Ballymoney	Demolition of all Buildings and provision of residential development of 11 no. Townhouses, 12 no. Maisonettes and 68 no. apartments with landscaped open space and associated car parking.	It is recommended that Planning Permission be withheld until a number of issues regarding contaminated land are addressed.

* Councillor Kennedy left the meeting at 20.07pm

In response to Alderman Campbell, the Director of Borough Services advised the above site has been cleared, no other work has been completed as partially through planning process.

In response to Councillor McCamphill, the Director of Borough Services advised the nature of the contamination is manure and other contaminants.

336.28 STAFF MATTERS

TEMPORARY ENVIRONMENTAL HEALTH TECHNICAL ASSISTANT

In order to provide cover for personnel deployed on the distribution of Brown Bins, a replacement Technical Assistant (Environmental Health) was selected via Hays Recruitment. Ms Meredith Anderson was appointed from the 28th January to the 29th February 2008 inclusive.

The Director of Borough Services informed members this appointment is budgeted for as part of the brown bin distribution.

336.29 CHILDREN AND YOUNG PERSONS (PROTECTION FROM TOBACCO) (NI) ORDER 1991

UNDERAGE SALES TEST PURCHASE EXERCISE

Further to Committee report item 334.30 dated 27th November 2007, the above exercise was conducted on the 9th and 15th February 2008, following LACORS guidelines. All of the know retail outlets in the Borough that sell tobacco products across the counter had previously been notified by direct correspondence dated 6th December advising of their obligations under the above legislation and of the Directorates intention to carry out such an exercise during January and February 2008. In addition an advertisement was placed in both of the local newspapers week dated 12th December 2007.

During the two days, 31 premises were visited with 11 (38%) selling tobacco products to a person under 16 years of age. All business operators have subsequently been advised with regard to sales and non-sales and formal interviews are currently being arranged with those operators found to be in breach. Upon completion of these interviews, a report will be presented to Council, together with a recommended course of action in line with the current enforcement policy.

It was brought to the members' attention that despite correspondence and advertisements 38% retail outlets sold tobacco products to a person under 16 years of age. No action is taken at this stage.

LICENSING

336.30 LICENSING (NORTHERN IRELAND) ORDER 1996

<u>Applicant</u>	<u>Purpose</u>	<u>Date</u>
James Stevenson, 21 Church Street, BALLYMONEY.	Application for an Occasional Licence (Annual Ballymoney Drama Festival – Town Hall on 6-8 March 2008)	30/1/08

HOME SAFETY

336.31 AWARENESS RAISING - WINDOW BLIND SAFETY

Families and carers have been made aware of the accidents caused by window blinds by an information pack sent to all community groups, health centres, playgroups, churches etc

Window and blind cords are increasingly becoming a strangulation hazard for young children under the age of five. A child can place their head in the loop created by a blind cord and if the child then tries to sit or falls down they can hang themselves in the loop. The cord or chain loop used to open and close vertical blinds can also strangle children. These accidents happen very quickly and can usually result in a fatality.

In USA it is estimated that one child every month dies following strangulation in window and blind cords. In 2006 a young child died in Northern Ireland following strangulation in this manner, and recently a two year old from Scotland died after becoming tangled in a window blind cord.

At the request of Councillor Robinson, the Director of Borough Services noted the childminders should receive above information.

336.32 HAZARD HOUSE

The Northern Ireland Fire and Rescue Service recently spent the day filming a DVD at Hazard House to be used to promote home safety in a light hearted way for older people. This DVD will be widely available and will be presented by Julian Simmons from UTV.

Councillor Robinson requested that those involved with Hazard House should be complimented on its presentation to warrant the above exercise.

336.33 CARBON MONOXIDE WORKSHOP

Representatives from the local HAP group recently attended a Carbon Monoxide workshop facilitated by the Royal Society for the Prevention of Accidents in Ballymoney Town Hall. The workshop raised awareness of the problem in Northern Ireland, the causes and how it can be prevented. It is hoped that this information can be used by Ballymoney HAP in a workshop for the general public in the Autumn.

HOME SAFETY

336.34 FUEL POVERTY SEMINAR

Over 80 delegates from across Northern Ireland attended a recent seminar in Ballymena entitled "Tackling Fuel Poverty – an Integrated Approach" organised by the Northern Investing for Health Partnership, Ballymena Borough Council and the University of Ulster.

Those present heard from a number of key speakers including Christine Liddell, a Professor of Psychology from the UU who spoke about the wide range of health risks associated with fuel poverty which affect everyone from young babies to senior citizens. Declan O'Loan MLA, Noel Rice, NIHE, Jenny Boyd, NIE and Philip Thompson from Antrim Borough Council gave presentations about energy efficiency, the Government's position and the role of local Councils. Delegates were also given an overview of the achievements of the Northern Investing for Health Partnership's Fuel Poverty Steering Group and heard some personal stories from the Warmer Ways to Better Health grant scheme.

The programme, presentations, notes from group discussions and photographs can be found at the following website:

<http://www.science.ulster.ac.uk/psyri/profiles/fuelpoverty.html>.

COMMUNITY SAFETY

336.35 EVALUATION

Advantage Fundraising Solutions are currently undertaking the evaluation of the Community Safety Partnership Action Plan Projects. The findings will be presented to the partnership on Wednesday 12th March 2008.

336.36 VEHICLE THEFT AWARENESS CAMPAIGN

The vehicle theft awareness campaign will be running from 10 March for two weeks. This campaign will "run" until Good Friday, as a minimum. The ad-mobile will also be returning to the Ballymoney area to promote awareness during the campaign.

336.37 ANIMAL WELFARE FEDERATION NI

The Director of Borough Services explained that following the Animal Welfare Federation NI presentation at the January meeting of the Consultation Committee its had decided that the matter be referred to the Health & Environmental Services Committee. He intimated that as the issue raised was "to urge Council to adopt a policy of banning circuses with wild animals from performing anywhere on Council land" that he, in consultation with Alderman Campbell, had felt that the Leisure and Amenities Committee, given its remit, would be the most appropriate Committee to deal with the matter. The business had been therefore tabled at the meeting of the Councils Leisure & Amenities Committee which had met on 19th February.

In response to Councillor Finlay, the Director stated it was the Councils policy to consider applications for use of its property on their individual respective merits and that in the last 30 years there had not been single request to Council requesting permission the use of Council land for use by a circus.

336.38 IoM REQUEST for RECYCLING PRESENTATION

The Director asked that members note that the Councils Chief Executive had received a request from the Isle of Man Twinning Association seeking permission for Declan Donnelly the Councils Education/Recycling Officer to make a presentation on the recycling work at Ballymoney Borough Council to the IoM authorities. This he indicated followed on from a presentation by Declan to representatives from Douglas when they had last been in Ballymoney. He advised that the officers expenses would be covered.

This being all the business, the meeting closed at 8.23 pm.

Appendices attached:

- Appendix 1 Environmental Services Charges 2008-2009
- Appendix 2 Building Control Applications

APPENDIX 1

ENVIRONMENTAL SERVICES CHARGES 2008-2009

ENVIRONMENTAL SERVICES CHARGES 2008-2009

(a) REFUSE COLLECTION

1a. Trade Waste (Container Service)

container size [litre]	purchase price [inc. delivery]	leasing charge [per quarter]	weekly emptying charge [per quarter]
120	£29.60	£3.70	£42.25
240	£38.30	£3.83	£61.62
330	-	-	£76.44
500	£211.20	£25.60	£126.10
660	£222.27	£26.63	£152.88
750	£249.40	£27.34	£166.40
1100	-	-	£245.96

Charges inclusive of landfill tax but exclusive of v.a.t.

1b. Educational Establishments

The charge for collection of mixed waste from premises forming part of a school or other educational establishment shall be 38/52 of the relevant annual charge per container type.

2. Price of Containers/Parts

240L 'Grey' bin	£38.30 + vat [£45] including delivery.
240L 'Blue' bin	£29.79 + vat [£35] including delivery.
Replacement axle or wheel	£5 + vat [£5.88]
Replacement lid	£10 + vat [£11.75]

3. Bulky Household Waste Collections

£52.39 + v.a.t. [£61.56].

This charge will apply on the 2nd request for service in any year.

4. Special Collections

£51.98 per collection + disposal charge + landfill tax + v.a.t.

(b) **REFUSE DISPOSAL CHARGE**

£50 per tonne + landfill tax [£32] + v.a.t. [£96.35]

(c) **STREET CLEANSING**

Sweeping of Premises

£61.37 per hour plus v.a.t. [£72.11].

Sweeping Specified Urban Car Parks [on behalf of Roads Service]

Non-Pay Car Parks	£810.59 per month [£952.44 inc. vat]
Pay & Display Car Parks	£422.04 per month [£495.90 inc. vat]

(d) DOG CONTROL

(i) Dog Recovery Fee

£38 for the first day or part thereof + £3 for each subsequent day or part thereof, to a maximum of £56 + v.a.t.

day 1	£38	£44.65 [inc. v.a.t.]
day 2	£41	£48.18
day 3	£44	£51.70
day 4	£47	£55.23
day 5	£50	£58.75
day 6	£53	£62.28
day 7	£56	£65.80

(ii) Dog Kennelling Service Fee

£56 + v.a.t. be charged per dog, with an extra £3 + v.a.t. being charged for each day a dog is held beyond the 7th day.

(iii) Unwanted Dog Fee

£49.61 + v.a.t. per dog [£58.29].

APPENDIX 2

BUILDING CONTROL APPLICATIONS

BUILDING CONTROL APPLICATIONS

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

Ref No: B/2006/0379/
Applicant: Mr Liam McMullan
Agent: Mr F A Wheeler 201 Garron Road Ballymena
Location: 19 Glenbush Road Knockavrinnan Armoy Ballymoney
Description: Dwelling

Ref No: B/2007/0045/
Applicant: Ms Denise McGarry
Agent: Mr David J Lawrence 80 Kilraughts Road Ballymoney
Location: 21 Friary Road Friary Armoy Ballymoney
Description: Dwelling and garage

Ref No: B/2007/0049/
Applicant: Mr Paul Simpson
Agent: Bell Architects 65 Main Street Ballymoney
Location: 146A Seacon Road Ballymoney
Description: Dwelling and garage

Ref No: B/2007/0054/
Applicant: Mr Allan Bartlett
Agent: Bell Architects 65 Main Street Ballymoney
Location: 34 Killyrammer Road Ballymoney
Description: Dwelling and garage

Ref No: B/2007/0087/
Applicant: Mr Sean Dougan
Agent: Ward Design The Gravel Castledawson
Location: 230 Garryduff Road Caldanagh Dunloy Ballymena
Description: Dwelling and garage

Ref No: B/2007/0091/MAST
Applicant: Mr Peter Sheerin
Agent: Architectural Services 3 O'Cathans Place Dungiven
Location: Sites 1-6 Kilraughts Road Dunaghy Ballymoney
Description: 6 dwellings & garages

Ref No: B/2007/0101/
Applicant: Ms Celia Currie
Agent: Pro Design 43 Kilmandil Road Ballymena
Location: 21A Shelton Road Shelton South Armoy Ballymoney
Description: Dwelling

Ref No: B/2007/0102/
Applicant: Ms Anne Currie
Agent: Pro Design 43 Kilmandil Road Ballymena
Location: 21B Shelton Road Shelton South Armoy Ballymoney
Description: Dwelling and garage

Ref No: B/2007/0121/
Applicant: Mr M Duffin
Agent: Mr F A Wheeler 201 Garron Road Ballymena
Location: 41 Ballyportery Road Ballyportery South Dunloy Ballymena
Description: Dwelling

Ref No: B/2007/0138/
Applicant: Mr David Steele
Agent: Hunter Associates 8 Charlotte Street Ballymoney
Location: 86 Garryduff Road Garryduff Ballymoney
Description: Dwelling and garage

Ref No: B/2007/0139/
Applicant: Mr Ian McGarel
Agent: Alan Thompson Partnership Ltd 34A Kingsgate Street Coleraine
Location: 1 Woodview Park Ballymoney
Description: Extensions and alterations to dwelling

Ref No: B/2007/0141/
Applicant: Messrs J & A Elliott
Agent: George Shaw 18 Sandmount Park Ballymena
Location: 73 Anticur Road Dunloy Ballymena
Description: Dwelling

Ref No: B/2007/0142/
Applicant: Mr & Mrs R McMullan
Agent: Mr S W Atkinson 18 Milltown Road Ballymoney
Location: 9 Ballynacree Drive Balnamore Ballymoney
Description: Roofspace conversion and extension to dwelling

Ref No: B/2007/0156/
Applicant: Mr Victor Pollock
Agent: Pro Design 43 Kilmandil Road Ballymena
Location: 26 Postboys Walk Ballymoney
Description: Extension to dwelling

Ref No: B/2007/0223/
Applicant: Mr & Mrs McClarty
Agent: Hunter Associates 8 Charlotte Street Ballymoney
Location: 52 Eastermeade Gardens Ballymoney
Description: Garage

Ref No: BN/2008/0001/
Applicant: Mr Harold Martin
Agent: O'Kane Plumbing & Heating 46 Dunamore Road Cookstown
Location: 19 Boyland Road Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2008/0002/
Applicant: Mr & Mrs Getty
Agent: Classic Conservatories 27 Laurel Park Coleraine
Location: 10 Cloneen Drive Ballymoney
Description: Sun room extension to dwelling

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

	Total
B	15
BN	2
Total	17