

Ballymoney Borough Council

Health & Environmental Services Committee Meeting No 348– 24th March 2009

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BALLYMONEY BOROUGH COUNCIL

Minutes of Health & Environmental Services Committee Meeting No 348 held in the McKinley Room, Riada House, Ballymoney on Tuesday 24th March 2009 at 7.00 pm.

IN THE CHAIR Councillor E Robinson

PRESENT

Aldermen
F Campbell
H Connolly
C Cousley, MBE, Deputy Mayor

Councillors
J Finlay, Mayor
M McCamphill
I Stevenson

APOLOGIES

A Cavlan
B Kennedy
T McKeown
A Patterson

IN ATTENDANCE

Alderman J Simpson
Deputy Director of Borough Services
Committee Clerk

348.1 MINUTES – MEETING NO 347 – 24TH FEBRUARY 2009

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

that the minutes of meeting No 347 on 24th February 2009 be confirmed as a correct record.

MATTERS FOR CONSIDERATION

ENVIRONMENTAL PROTECTION

348.2 WATER (NI) ORDER 1999: EFFLUENT CONSENT APPLICATION

NIEA Water Management Unit has advised that it has received the undernoted application –

Applicant**Location**

Alan Mitchell

35 & 37 Mullan Road, Ballymoney.

In that the NIEA will set levels as to the quality of effluent to be discharged to a waterway, ***IT IS RECOMMENDED*** that Council note the application.

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

to recommend that Council note the application.

* Councillor Stevenson arrived at 7.05 pm.

HEALTH & SAFETY

348.3 HEALTH & SAFETY COLLABORATIVE WORKING

Correspondence dated 16th ultimo from the Chair of HELANI together with accompanying documents – 1. Statement of Intent and 2. Strategic Framework was circulated. These “improved partnership arrangements” between HSENI and NI district councils will, it is envisaged, help to overcome a number of issues and challenges that currently exist within the regulatory system in Northern Ireland and will enable all health and safety enforcing authorities to work together more effectively in tackling both regional and local workplace health and safety priorities.

IT IS RECOMMENDED that Council endorse and subscribe to both the statement of Intent and the Strategic Framework.

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

to recommend that Council endorse and subscribe to both the statement of Intent and the Strategic Framework.

ENVIRONMENTAL HEALTH GENERAL

348.4 CERTIFICATE OF FITNESS

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

Landlord

Mr. David McDowell

Dwelling- House40 Charlotte Street,
Ballymoney BT53 6AZ.

The aforementioned dwelling house meets the fitness standard for human habitation as set out in Article 46 of the Housing (NI) Order 1981.

IT IS RECOMMENDED that the Borough Council grant an Article 36 (4) Certificate of Fitness in respect of the above dwelling.

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

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

LICENSING

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

Premises

Applicant

The Bridge Bar,
145 Bridge Road,
Dunloy,
BALLYMENA BT44 9EQ.

Mr. Daniel J. McFerran

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

Messrs. Daniel & Patrick Dixon

The Glynn's Bar,
Gateway Lounge and Pool Room,
23 Church Street,
BALLYMONEY BT53 6HS.

Mr. Brooke Huey

Ballymoney Rugby Football Club,
Lounge, Main Hall and Snooker Room),
63 Kilraughts Road,
BALLYMONEY BT53 7HL.

Mr. Trevor Fleming

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainments Licences as detailed above and in the cases of The Glynn's Bar and Ballymoney Rugby Football Club subject to the proviso that a satisfactory electrical test certificate is provided. 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 Alderman Connolly, seconded by Councillor McCamphill and **AGREED:**

to recommend that Council renew the Indoor Entertainments Licences as detailed above.

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

Premises

Applicant

Finvoy Presbyterian Church Hall,
185 Finvoy Road,
BALLYMONEY BT53 7JS.

Mr. Alan G. Campbell

Loughgiel Millennium Centre,
38 Lough Road,
Loughgiel,
BALLYMENA BT44 9JN.

Mr. Francis J. McCluskey

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

Mr. I. K. Patrick

IT IS RECOMMENDED that the Borough Council renew the Indoor Entertainments Licences as detailed above subject in each case to the receipt of a satisfactory electrical test certificate. 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 Alderman Connolly, seconded by Alderman Cousley and **AGREED:**

to recommend that Council renew the Indoor Entertainments Licences as detailed above.

STREET TRADING

348.7 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:-

Purpose

Applicant

Hot Food Takeaway (Mobile Kitchen)

Mr. J. V. McCook

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

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

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

DOG CONTROL

348.8 DOGS (NORTHERN IRELAND) ORDER 1983 ARTICLE 13 – REGISTRATION OF DOG BREEDING ESTABLISHMENTS

Applications as undernoted have 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 dog breeding establishments:-

<u>Applicant</u>	<u>Premises</u>
Mr. Mervyn Dowey	23 Drumlee Road, Ballymoney, BT53 7LE.
Mrs. Ann McNally	101 Loughabin Road, Dunloy, Ballymena, BT44 9BY.
Mr Paul Hanna	1 Hillcrest Gardens, Killyrammer, Ballymoney BT53 8NB.
Mr Seamus McAleese	95 Bravallen Road, Ballymoney, BT53 7DU.

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

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

to recommend that Council register the above mentioned premises.

BUILDING CONTROL

348.9 BUILDING CONTROL APPLICATIONS

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

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

*to recommend that council note the Applications, Building Notices
and Regularisation Certificates.*

DIRECTORATE PLANS

348.10 BOROUGH BUILDING CONTROL SERVICE PLAN 2009-2010

A Borough Building Control Service Plan has been devised for the period 1st April 2009 to 31st March 2010 and was circulated to members. ***IT IS RECOMMENDED*** that Council adopt and implement the Borough Building Control Service Plan for the year 2009-2010.

At the request of Councillor Robinson, the Deputy Director advised that budget figures for 2008/09 would be available at 31st March 2009. Projected increases were discussed resulting from the downturn in the current economic climate and subsequent reduced income from charges.

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

to recommend that Council adopt and implement the Borough Building Control Service Plan for the year 2009-2010.

* Councillor Finlay arrived during the discussion at 7.15 pm.

348.11 BOROUGH SERVICES DIRECTORATE PLAN 2009-10

A Borough Services Directorate Plan has been devised for the period 1st April 2009 to 31st March 2010 and was circulated to members. The plan identifies the work (primarily that of a pro-active nature) which will be undertaken within the resources Council has provided to the Directorate for the year 2009-2010.

IT IS RECOMMENDED that Council endorse the Borough Services Directorate Plan 2009-2010.

Councillor Robinson requested a breakdown of expenditure for services including assets and staffing for each budget. The Deputy Director agreed to provide this information at the next meeting of Committee.

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

to recommend that Council endorse the Borough Services Directorate Plan 2009-2010 on the basis that a breakdown in the figures for service provision is made available at the next meeting of Committee.

MATTERS FOR INFORMATION

ENVIRONMENTAL SERVICES

348.12 MUNICIPAL WASTE RETURNS

<u>Waste Type</u>	<u>Feb 2009</u>	<u>Apr 08 – Feb 09</u>	<u>Apr 07 – Feb 08</u>
Mixed Residual Waste (waste to landfill)	764.78t -12.76%	9,304.06t -10.91%	10,442.94t
Mixed Dry Recyclables (blue bin recycling)	126.30t -1.97%	1,499.68t -1.38%	1,520.74t
Garden Waste (brown bin recycling)	18.80t	1,048.74t	n/a
	<u>Feb 2009</u>	<u>Sept 08 – Feb 09</u>	<u>Apr 07 – Feb 08</u>
Waste Recovery (segregated CA site waste)	62.94t	478.62t	n/a
Cardboard Recycling	6.26t	46.82t	n/a

Councillor Robinson drew members' attention to the welcome reduction in mixed residual waste, which has fallen overall this year by almost 11%. Reduction in blue bin waste was discussed the cause of which may be attributable to the current economic climate resulting in less packaged goods being purchased. Brown bin recycling continues to be monitored and will be reviewed on the basis of the information gathered during the winter months to enable future planning. Other issues discussed included

- Position of Ballymoney in the league table of Councils relating to recycling
- Removal of wood from CA sites
- Monitoring for increased use of CA sites at weekends
- Monitoring for use of CA sites by businesses

* **Alderman Simpson joined the meeting at 7.45 pm. Alderman Connolly left the meeting at 7.45 pm.**

348.13 NWRWM GROUP JOINT COMMITTEE: WASTE INFRASTRUCTURE PROJECT OUTLINE BUSINESS CASE

The Secretariat of the North West Region Waste Management Group Joint Committee has requested the Department to ensure that the final version of the OBC is placed before Council. The documentation was emailed to all Members on 12th March 2009. The OBC remains "Commercial in Confidence".

Councillor Robinson updated members on the work of the Committees and the recent appointment of a Project Manager.

348.14 NWRWM GROUP JOINT COMMITTEE PAPERS

The undernoted North West Region Waste Management Group Joint Committee Papers were circulated.

1. Minutes of Joint Committee Meeting held on 13th January 2009;
2. Minutes of Joint Committee Meeting held on 27th January 2009; and
3. Project Manager Presentation Slides: The Competitive Dialogue Process Procurement ... and Beyond.

ENVIRONMENTAL PROTECTION

348.15 POLLUTION PREVENTION AND CONTROL REGULATIONS (NI) 2003 REGISTER OF PUBLIC INFORMATION

NIEA has recently furnished information, as undernoted, for Council to include on its copy of the public register relating to the Pollution Prevention and Control Regulations (NI) 2003 –

1. Application number: PPC0089/08B
Applicant: Patrick Keenan – Dunloy Quarry Document: PPC Part B Permit
2. Application number: PPC0103/08B
Applicant: W & J Taggart (Quarries) Ltd. Document: PPC Part B Permit
3. Application number: PPC0104/08B
Applicant: George Peden Ltd. Document: PPC Part B Permit

348.16 WASTE MANAGEMENT LICENSING REGULATIONS (NI) 2003 APPLICATION FOR EXEMPTION

NIEA has recently furnished to Council, as it is required under the above statute to do, details of the exemption certificate and conditions pertaining to an exemption application from Sean Christie, T/A Drumdollagh Construction covering activities at the site between 24 and 26 Fivey Road, Stranocum.

FOOD CONTROL

348.17 NEW LEGISLATION - THE PLASTIC MATERIALS AND ARTICLES IN CONTACT WITH FOOD REGULATIONS (NORTHERN IRELAND) 2009

The above Regulations, which provide for the implementation in Northern Ireland of Commission Directive 2008/39/EC, came into operation on 13th March 2009.

Directive 2008/39/EC makes several important amendments to the 2002 Directive:

- It lays down the dates by which the list of additives that may be used in the manufacture of food contact plastics will be closed and makes interim arrangements for those additives that were the subject of an application for authorisation by the deadline of December 2006;
- It sets a date of 31st December 2009 up to which additives not on the positive list may continue to be used. This period will enable the European Food Safety Authority (EFSA) to obtain any additional information it might need for its risk assessment of the additives in question;
- It prohibits the use of additives not on the Community list of additives (the positive list), including the provisional list, from 1st January 2010;
- It prohibits as from 7th March 2010 the manufacture and importation into the Community of food contact plastic materials and articles that do not comply with the Directive, as amended. In effect this creates a phase-out period for substances that have either been removed from the Community list, or have not been adopted on to it;
- It routinely updates the lists of authorised substances, taking into account the published opinions of EFSA; and
- It permits the trade in and use of plastic material and articles intended to come into contact with food and complying with the Directive, as amended, from 7th March 2009.

HEALTH & SAFETY

348.18 CONSULTATION DOCUMENT: PROPOSALS FOR CHEMICALS (HAZARD INFORMATION AND PACKAGING FOR SUPPLY) REGULATIONS (NORTHERN IRELAND) 2009

HSENI has advised that it has issued the above consultation. The main aims of the proposals are to update the current Chemicals (Hazard Information and Packaging for Supply) Regulations (NI) 2002 as a consequence of the adoption and entry into force of the European Regulation (Regulation EC No. 1272/2008) on the Classification, Labelling and Packaging of substances and Mixtures – CLP Regulation. The deadline for comments is noon, Friday 17th April 2009.

FUEL POVERTY

348.19 The Northern Investing for Health Partnership's Fuel Poverty Steering Group has won the prize for most Innovative Fuel Poverty Scheme in the Housing Executive's Home Energy Awards 2009. It was chosen for its ability to target those facing fuel poverty across the Northern Health & Social Services Board area. Through a number of partnerships, including that with Ballymoney Borough Council, the

initiative has referred over 1,600 households to fuel poverty grant schemes, trained over 400 people in energy efficiency and supported the establishment of seven oil stamp savings schemes.

Ballymoney Borough Council is represented on the NIFHP Fuel Poverty Steering Group by its Director of Borough Services and has worked closely with the Partnership to tackle fuel poverty and encourage energy efficiency locally. Council hosts both the Fuel Poverty Strategy Co-Ordinator and the Causeway Energy Efficiency Adviser. The award submission highlighted local initiatives such as the promotion of fuel poverty grant schemes, the Ballymoney Oil Stamp Saving Scheme and the establishment of the Ballymoney Warmer Homes Group.

The Award was presented by the Minister for Social Development, Margaret Ritchie, to Jacqui Frazer, Fuel Poverty Strategy Co-Ordinator at a ceremony in the Stormont Hotel, Belfast in February.

Councillor Robinson congratulated the Fuel Poverty Strategy Co-ordinator on her award and thanked the officers and staff in the Department for their work, Ballymoney having led the way in initiatives, which have been replicated throughout the Province.

HEALTH & WELLBEING

348.20 NO SMOKING DAY 11TH MARCH

This years National No Smoking Day theme was "Up In Smoke". It was designed to get the message across about the cost involved with smoking especially in the current economic climate as well as the health inequalities, and that it is financial circumstances that is likely to give smokers the final nudge to quit.

A poster competition was held between the secondary schools in the Borough; Our Lady Of Lourdes, Dalriada and Ballymoney High School. The aim of the poster was to get the pupils thinking about how money could be better spent e.g. TVs, holidays or magazines, than on cigarettes. An excellent response was received and all three schools participated.

There was 1st, 2nd and 3rd within each school and an overall 1st prize, which went to Our Lady Of Lourdes. Basil Knipe Electrics sponsored three MP3 Players for winners and an audio system for overall winner; with the Directorate providing 2nd and 3rd place prizes.

Campaign posters were posted on town map sites; a leaflet drop and freebies handed out to the community association groups and information displayed at Joey Dunlop Leisure Centre, as part of the Directorate's promotion of the event.

DIRECTORATE PLANS

348.21 FOOD AND HEALTH & SAFETY SERVICE PLANS

The above plans for 2009-2010 will be presented for consideration at the April committee meeting following assessment and report of all work completed within the functions by 31st March 2009. The plans will reflect variances recorded and the resources provided to deliver the statutory service.

The meeting closed at 8.10 pm

Appendices attached

Appendix 1 Building Control Notices

APPENDIX 1

**Ballymoney Borough Council
Building Control Department
Approvals report for February 2009**

Ref No: B/2006/0318
Applicant: Mr & Mrs Rouke
Agent: Ivan McDonald 17 Lissadell Avenue, Portstewart
Location: 40 Burnquarter Road, Leck, Ballymoney
Description: Dwelling and garage

Ref No: B/2007/0165
Applicant: Mr Patrick Mooney
Agent: Maine Designs 51a Killyless Road, Cullybackey, Ballymena
Location: 111 Tamlaght Road, Rasharkin, Ballymena
Description: Extensions to dwelling

Ref No: B/2008/0040
Applicant: Mr Adrian Wright
Agent:
Location: 189 Castlecat Road, Dervock, Ballymoney
Description: Extension to dwelling

Ref No: B/2008/0084
Applicant: Miss Jayne Logan
Agent: Hunter Associates 8 Charlotte Street, Ballymoney
Location: 70 Knockahollet Road, Lisnisk, Dunloy, Ballymena
Description: Dwelling and garage

Ref No: B/2008/0097
Applicant: Mr Stanley Armstrong
Agent: The Harbour Studio 36b The Promenade, Portstewart
Location: 49 Benvardin Road, Benvardin, Ballymoney
Description: Extension and alterations to dwelling

Ref No: B/2008/0156/MAST
Applicant: Mr Ken Caswell
Agent: Mr Jeff Wilson 1 Sedgemoor Close, Coleraine

Location: 129 Newbridge Road, Moneygobbin, Ballymoney
Description: 4 holiday apartments

Ref No: B/2008/0172
Applicant: Mr William Montgomery
Agent: Hunter Associates 8 Charlotte Street, Ballymoney
Location: 19 Tober Road, Pharis, Ballymoney
Description: Extension to dwelling and erection of detached garage

Ref No: B/2008/0181
Applicant: Mr Richard Hunter
Agent: R Robinson & Sons 59 High Street, Ballymoney
Location: 128a Newbridge Road, Ballymoney
Description: Extension and alterations to dwelling

Ref No: B/2008/0193
Applicant: Mr David Rodgers
Agent: Hunter Associates 8 Charlotte Street, Ballymoney
Location: 27 Mounthill Drive, Cloughmills, Ballymena
Description: Extension to dwelling

Ref No: B/2008/0205
Applicant: Mr & Mrs E McHenry
Agent: Mr RT Archer 76 Knockahollet Road, Dunloy, Ballymena
Location: 38 Ballyweaney Road, Corkey South or Little, Corkey, Ballymena
Description: Dwelling and garage

Ref No: B/2008/0206
Applicant: Mr James Price
Agent: Mr Lee Walker 30 Toberdoney Road, Liscolman, Ballymoney
Location: 2 Bushvale Terrace, Stranocum, Ballymoney
Description: Extension to dwelling

Ref No: B/2008/0211
Applicant: Mr Jim Sayers
Agent: Mr Ivan McClean 64 Old Portglenone Road, Ahoghill
Location: 16 Mounthamilton Road, Ballylig, Cloughmills, Ballymena
Description: Dwelling and garage

Ref No: B/2008/0213
Applicant: Ms Donna Loughran
Agent: Ivan McDonald 17 Lissadell Avenue, Portstewart
Location: 306 Townhill Road, Dreen, Rasharkin, Ballymena
Description: Dwelling and garage

Ref No: B/2008/0214
Applicant: Mr William McKendry
Agent: Select Design Services 49a Main Street, Portglenone, Ballymena
Location: 82 Anticur Road, Bellaghy, Dunloy, Ballymena
Description: Dwelling and garage

Ref No: B/2008/0216
Applicant: N I Housing Executive
Agent: Design Services North East, Twickenham House, Mount Street, Ballymena
Location: 15 Cloneen Drive, Ballymoney
Description: Extension to dwelling

Ref No: B/2008/0227/MAST
Applicant: N K Construction
Agent: Select Design Services 15a Main Street, Portglenone
Location: Site adj to Bamford Park, Carnfinton, Rasharkin, Ballymena
Description: 9 dwellings

Ref No: B/2008/0232
Applicant: Mr N Henry
Agent: Mr Lee Walker 30 Toberdoney Road, Liscolman, Ballymoney
Location: 2 Ashlea Avenue, Ballymoney
Description: Extension to dwelling

Ref No: B/2009/0009
Applicant: Mr & Mrs M Hasson
Agent: Mr Andrew G McCallin 66 Mayfield Square, Belfast
Location: 80 Tamlaght Road, Rasharkin, Ballymena
Description: Sun room extension to dwelling

Ref No: BN/2009/0003
Applicant: Mr Jerome McKendry
Agent:
Location: 32 Glenbush Road, Armoy, Ballymoney
Description: Garage

Ref No: BN/2009/0004
Applicant: Mr Herbert Ballintine
Agent: DCI Energy Control Ltd 8 Meadowbank Road, Carrickfergus
Location: 27 Portrush Road, Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2009/0005
Applicant: Ms Mary Lennox
Agent: CFM Ltd 65 Deerpark Road, Castledawson
Location: 1 Belmont Park, Rasharkin, Ballymena
Description: Installation of oil-fired central heating

Ref No: BN/2009/0006
Applicant: Ms Ellen Walsh
Agent: O'Kane Plumbing & Heating 46 Dunamore Road, Cookstown
Location: 1 Travers Place, Dervock, Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2009/0007
Applicant: Mrs Eileen McKay
Agent:
Location: 42 Tamlaght Road, Rasharkin, Ballymena
Description: Alterations to kitchen and bathroom

Ref No: BN/2009/0008
Applicant: Mr Graham Thompson
Agent:
Location: 12 Livery Road, Stranocum, Ballymoney
Description: Garage

Ref No: BN/2009/0009

Applicant: Ms Martha O`Neill
Agent:
Location: 100a Bravallen Road, Ballymoney
Description: Sun room extension to dwelling

Ref No: BN/2009/0010
Applicant: Ms Elizabeth Lowden
Agent: O'Kane Plumbing & Heating 46 Dunamore Road, Cookstown
Location: 31 Townhead Street, Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2009/0011
Applicant: Ms Sadie Mullan
Agent: O'Kane Plumbing & Heating 46 Dunamore Road, Cookstown
Location: 4 Vow Road, Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2009/0012
Applicant: Ms Jill Huston
Agent: Heat Ltd 27 - 29 Sydenham Road, Belfast
Location: 5 The Brambles, Dervock, Ballymoney
Description: Installation of oil-fired central heating

Ref No: RC/2006/0027
Applicant: Mr Phelim McIntyre
Agent: Hastings & Co, 6a Charlotte Street, Ballymoney
Location: 7 Ballycormick Park, Ballymoney
Description: Roofspace conversion to dwelling

B - Full Plans
 BN - Building Notices
 RC - Regularisation Applications

Totals	
B	18
BN	10
RC	1
Totals	29

APPENDIX 2