

Ballymoney Borough Council

Health & Environmental Services Committee Meeting No 338 – 27th March 2008

Table of Contents

338.1	Minutes	<i>Adopted</i>
338.2	Precast Concrete Wall Units Tender (March 2008)	<i>Recommend accept tender from Macrete Ltd</i>
338.3	Diploma in Nutrition and Health	<i>Letter of congratulations to be sent to Ms Freeburn</i>
338.4	Petroleum (Regulation) Acts (Northern Ireland) 1929 and 1937 Petroleum Spirit Licence (Renewals)	<i>Renew licences</i>
338.5	The Private Tenancies (Northern Ireland) Order 2006 Article 36 (4)	<i>Grant Article 36 (4) Certificates of Fitness</i>
338.6	Local Government (Misc Provisions) (NI) Order 1985 – Licence Application (Fourteen Unspecified Days) (Renewal)	<i>Renew licence</i>
338.7	Dogs (NI) Order 1983 Article 13 – Registration of Dog Breeding Establishments	<i>Register premises</i>
338.8	Underage Sales Test Purchase Exercise	<i>Recommend that Council proceed as set out in the recommendations in the Director's report.</i>
338.9	Building Control Applications	<i>Noted</i>
338.10- 338.17		<i>For information</i>
338.18	NWRWM Group – NW Compost Tender Report	<i>Deferred to next NILAS Working Group meeting</i>
338.19	NILAS Working Group (a) Minutes (b) Next meeting on Friday 11 th April 2008 at 3.00pm	<i>Agreed Agreed</i>
338.20– 338.22		<i>For information</i>

BALLYMONEY BOROUGH COUNCIL

Minutes of Health & Environmental Services Committee Meeting No 338 held in the Council Chamber, Riada House, Ballymoney on Thursday 27th March 2008 at 7.00 pm.

IN THE CHAIR Councillor E Robinson

PRESENT

Aldermen
F Campbell
H Connolly

Councillors
J Finlay
M McCamphill
P McGuigan
I Stevenson

APOLOGIES

D McKay, MLA
T McKeown
A Patterson

IN ATTENDANCE

Director of Borough Services
Committee Clerk

338.1 MINUTES

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

to recommend that the minutes of Meeting No 337 – 26th February 2008, as circulated, be confirmed as a correct record.

MATTERS FOR CONSIDERATION**ENVIRONMENTAL SERVICES****338.2 PRECAST CONCRETE WALL UNITS TENDER REPORT (MARCH 2008)**

Tenders were invited for the supply and delivery of precast concrete wall units to Crosstagherty Waste Handling & Transfer Facility. It is expected that 1 no. corner unit will be purchased for every 10 no. wall units.

The number of tenders received was two and these were detailed in the agenda report.

IT IS RECOMMENDED that the Borough Council accept the tender from Macrete Ltd. to supply and deliver precast concrete wall units.

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

to recommend the Borough Council accept the tender from Macrete Ltd. to supply and deliver precast concrete wall units.

* Councillor Finlay left the meeting at 7.10pm

FOOD CONTROL

338.3 DIPLOMA IN NUTRITION AND HEALTH

The Director of Borough Services was pleased to advise that Ms Judith Freeburn, District EHO has recently successfully completed the above qualification.

The course was organized and delivered in a partnership between the Health Promotion Agency (NI), the Northern Ireland Food Liaison Group and Community Dietitians from the four Health and Social Services Board Areas. The course equips officers with knowledge of the basic principles of nutrition for health to enable the delivery of advice and guidance and training on nutrition to caterers.

IT IS RECOMMENDED that a letter of congratulations be forwarded to Ms Freeburn recognising her success.

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

that a letter of congratulations be forwarded to Ms Freeburn recognising her success.

Personal congratulations were expressed by Councillor Robinson.

HEALTH & SAFETY

338.4 PETROLEUM (REGULATION) ACTS (NORTHERN IRELAND) 1929 AND 1937 PETROLEUM SPIRIT LICENCE (RENEWALS)

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

Premises

81 Kilraughts Road
Ballymoney
BT53 7HL

Applicant

Mr Robert Lamont

The renewal of licence as detailed above is ***RECOMMENDED***.

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

to recommend to Council, renewal of licence as detailed above.

PUBLIC HEALTH GENERAL

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

<u>Landlord</u>	<u>Dwelling- House</u>
Mr. Richard Clyde	7 Union Street BALLYMONEY BT53 6HT
Ms. Sadie Moody	4 Henry Street BALLYMONEY BT53 6HX.

Fitness inspections of the above dwellings were conducted on the 7th November 2007 and 18th January 2008. The dwelling houses meet 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 houses.

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

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

LICENSING

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

<u>Premises</u>	<u>Applicant</u>
Loughgiel Millennium Centre 38 Lough Road Loughgiel BALLYMENA BT44 9JN	Mr Francis J McCluskey
Finvoy Presbyterian Church Hall 185 Finvoy Road BALLYMONEY BT53 7JS	Mr Alan G Campbell
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 Entertainment's Licence 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 file also apply.

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

to recommend that the Borough Council renew the Indoor Entertainment's Licence as detailed above.

DOG CONTROL

338.7 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 Anne McClarty	1 Ballywindelland Road, Ballymoney, BT53 6QT.

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

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

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

CHILDREN & YOUNG PERSONS (PROTECTION FROM TOBACCO) (NI) ORDER 1991

338.8 UNDERAGE SALES TEST PURCHASE EXERCISE

Article 3 of the Health and Personal Social Services (NI) Order 1978 as amended by Article 3 of the Children and Young Persons (Protection from Tobacco) (NI) Order 1991.

Further to committee report items 334.30 dated 20th November 2007 and 336.29 dated 26th February 2008, an underage sales test purchase exercise was undertaken on behalf of Ballymoney Borough Council on Saturday 9th February 2008 and Friday 15th February 2008, following LACORS guidelines.

The purpose of this exercise was:-

1. To raise awareness amongst retailers that the above legislation makes it an offence to sell tobacco products to any person under the age of 16.
2. To ascertain the level of compliance amongst retailers in accordance with the above legislation.

In total, 33 premises were tested. Of the 33, one had closed down, two no longer sold tobacco products, 19 were compliant and 11 were non-compliant. This equates to approximately 37% of all premises, currently known to sell tobacco products. Prima facie cases exist against all non compliant premises.

This is a disappointing result considering the amount of publicity which had preceded this exercise i.e. press release in local papers dated 12th December 2007 and mail shot dated 6th December 2007 to all retailers.

The offending premises are:

- (1) Milltown Spar – 1 Milltown Road, Ballymoney.
- (2) VIVO – 45 Queen Street, Ballymoney.
- (3) Oaklea Service Station – 93 Frosses Road, Ballymoney.
- (4) Seacon Service Station – 109 Newbridge Road, Ballymoney.
- (5) Ballyboyland Post Office – 30 Ballyboyland Road, Ballymoney.
- (6) Eurospar – 24 Main Street, Rasharkin.
- (7) Elliotts Service Station – 33a Bridge Road, Dunloy.
- (8) Pappy's Shop & Bakery – 2-4 Main Street, Dunloy.
- (9) Finvoy Filling Station – 180 Finvoy Road, Ballymoney.
- (10) Moore's Cloughmills Ltd. – 11 Main Street, Cloughmills.
- (11) Shop Centra – 109 Knock Road, Dervock.

To date nine proprietors have been interviewed under caution. One has declined to be interviewed citing mitigating circumstances and a further has yet to confirm a date for interview. All of those interviewed have expressed regret at what had occurred and have sought advice as to what could be best done to prevent a recurrence. Three business operators had already or were updating their policies and procedures for their staff.

RECOMMENDATION

Having considered the Councils Enforcement Policy Committee Report 304.4.17 dated 31st May 2005 adopted by Council CM807.4.5 dated 6th June 2005, the following recommendations are made:-

- (a) The issue of a formal caution where a business admits to an offence, and extenuating circumstances exist which make prosecution inappropriate. A formal caution is a written acceptance by an offender and may only be used where a prosecution could properly have been brought. **IT IS RECOMMENDED** that the following business operators be issued with a formal caution:-
 - (1) Milltown Spar – 1 Milltown Road, Ballymoney.
 - (2) VIVO – 45 Queen Street, Ballymoney.
 - (3) Eurospar – 24 Main Street, Rasharkin.
 - (4) Ballyboyland Post Office – 30 Ballyboyland Road, Ballymoney.

Where a business operator declines to accept a formal caution **IT IS RECOMMENDED** that legal proceedings be instigated against the operator

failing to comply with Article 3 of the Health and Personal Social Services (NI) Order 1978 as amended by Article 3 of the Children and Young Persons (Protection from Tobacco) (NI) Order 1991.

(b) With respect to the following premises ***IT IS RECOMMENDED*** that legal proceedings be instigated against the business operator for failing to comply with Article 3 of the Health and Personal Social Services (NI) Order 1978 as amended by Article 3 of the Children and Young Persons (Protection from Tobacco) (NI) Order 1991.

- (5) Oaklea Service Station – 93 Frosses Road, Ballymoney.
- (6) Seacon Service Station – 109 Newbridge Road, Ballymoney.
- (7) Elliotts Service Station – 33a Bridge Road, Dunloy.
- (8) Pappy's Shop and Bakery – 2-4 Main Street, Dunloy.
- (9) Finvoy Filling Station – 180 Finvoy Road, Ballymoney.
- (10) Moores, Cloughmills Ltd. – 11 Main Street, Cloughmills.
- (11) Shop Centra – 109 Knock Road, Dervock.

Councillor Stevenson proposed that as the sale of tobacco products to children was a serious matter and that as retailers were notified of the exercise that all eleven business operators should be prosecuted and that none ought to be given the option of accepting a formal caution. Councillor Stevenson's proposal failed to find a seconder.

The Director of Borough Services made reference to the Enforcement Policy adopted by Council and explained the implications of and why use might be made of a formal caution in preference to the institution of legal proceedings. He intimated that publicity of names and addresses of businesses involved would assist also in preventing a recurrence, but nonetheless, given the extent of non-compliance in the Borough, it was the intent to repeat the test purchase exercise in the forthcoming financial year [2008-2009]. The Director then responded to further questions from members, outlining what he considered to be a measured approach as to whether formal caution or legal proceedings be applied.

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

to recommend that Council proceed as set out in the recommendations contained in the Director's report.

BUILDING CONTROL

338.9 BUILDING CONTROL APPLICATIONS

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

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

to recommend that Council note the applications, building notices and regularization certificates as detailed in appendix 1.

MATTERS FOR INFORMATION

ENVIRONMENTAL SERVICES

338.10 MUNICIPAL WASTE RETURNS

<u>Waste Type</u>	<u>Feb 2008</u>	<u>Year to Date</u>	<u>Apr – Feb 07</u>
Mixed Residual Waste (waste to landfill)	876.58t -8.76%	10,442.94t -4.49%	10,933.44t
Mixed Dry Recyclables (blue bin recycling)	128.84t +10.55%	1,520.74t +8.96%	1,395.64t

The Director of Borough Services stated that the figures continued to show a more than satisfactory trend for both waste streams. He intimated that contractors had been instructed to ensure that waste arisings this year were transferred by the end of March in order to obtain as true a picture as possible as to the trends for both waste to landfill and blue bin recycling in 2007-2008.

Councillor Robinson stated that she was hopeful that householders would put grass and other garden waste into their brown bins and so help reduce this type of waste from black bins. The Director of Borough Services informed members that one cycle of brown bin collections is being monitored since 17th March 2008 with the total weight noted and premises counted. This complete exercise he anticipated would be repeated in May 2008. It would be the case that for other collections weight only information would be available and that as previously outlined it was hoped that from June 2008 tonnage for brown bin arisings would be reported regularly to Committee in the same format as for the other two waste streams.

* **Councillor McCamphill left the meeting at 7.42pm**

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

The Department of the Environment on 4th March 2008 advised that the necessary statutory rule: The Waste (Amendment) (2007 Order) (Commencement No. 2) Order (NI) 2008 was made on 27th February and that it will come into effect on **Monday 7th April 2008**.

From that date district councils in Northern Ireland will be able to issue fixed penalties to the occupiers of homes and business premises in respect of their misuse of waste receptacles.

The use of this measure will be considered and a short policy drawn up before the summer months.

FOOD CONTROL

338.12 THE RICE PRODUCTS FROM THE UNITED STATES OF AMERICA (RESTRICTION ON FIRST PLACING ON THE MARKET) REGULATIONS (NI) 2008

The above Regulations made by the DHSSPS on the 10th March came into operation on the 12th March 2008. These Regulations implement the emergency control measures set out in Commission Decision 2006/601/EC, as amended, to deal with the import of long grain rice from the USA which contain the unauthorized genetically modified LLRICE601.

338.13 UNAUTHORISED 'BT 63' GENETIC MODIFICATION IN RICE AND RICE PRODUCTS FROM CHINA

The FSA NI have issued advice 7th and 10th March with respect to the above in advance of an emergency measure that will apply from 15th April 2008. This will require imports of rice and rice products (including composite products) originating or consigned from China to be certified as free of the unauthorized genetically modified organism 'BT 63'. The FSA is to issue further advice to District Councils regarding the implementation of the Emergency Decision before it comes into operation on the 15th April.

338.14 LEVEL 2 AWARD FOOD SAFETY IN CATERING

During the report period, the above course was delivered within the Borough. Of the eight candidates entered for the examination, six passed with 2 candidates not achieving the required standard. Arrangements will be made regarding the presentation of certificates to successful candidates.

* **Councillor McCamphill joined the meeting at 7.44pm**

HEALTH & SAFETY

338.15 GAS WISE INITIATIVE (THE GAS SAFETY (INSTALLATION AND USE) REGULATIONS (NI) 2004)

All 26 district councils in Northern Ireland have agreed to make gas safety a special area of focus during their health and safety visits. Ballymoney Borough Council has incorporated this initiative into the Health and Safety workplan of 2007/2008 where it has been actively promoting gas safety, in partnership with other agencies, such as HSENI and CORGI under the "Gas Wise" banner.

The risks associated with Liquefied Petroleum Gas (LPG) can be properly managed if employers make sure they take the appropriate safety measures. The main hazards associated with the use of gas are explosion, fire and carbon monoxide poisoning which may lead to serious injury, ill health and even death.

Throughout the year Borough Services have been writing to local businesses that have gas appliances providing them with relevant information and advice on this issue.

The key points for employers on "Gas **WISE**" are:

W - work on gas systems should only be undertaken by appropriately registered CORGI installers

I - instruct staff on how to operate equipment correctly and safely

S - service appliances in accordance with manufacturer's instructions

E - ensure adequate ventilation in premises at all times

Employers and self-employed persons have a statutory duty to ensure that the gas system they use has been installed by a competent person, is being used safely and is properly maintained. A number of businesses have been written to throughout the year requesting they forward a copy of their gas certificate. In most cases business have been compliant.

However there have been a minority of businesses that have failed to forward a copy of their gas certificate. Subsequently contravening regulation 35 of the aforementioned legislation. Six local businesses have been each issued with a Health and Safety improvement notice, serial numbers HIS/03/08 to HIS/08/08, after failure to provide evidence of effective routine maintenance of gas appliances in order to prevent risk to injury to employees and members of the public.

Notices have been served on business at the following addresses -

- 160A Tullaghans Road, Dunloy
- 16 Victoria Street, Ballymoney
- 9 Royal Terrace, Balnamore
- 10 Market Street, Ballymoney
- 77 Main Street, Ballymoney
- 19 Main Street, Cloughmills.

COMMUNITY SAFETY

338.16 COMMUNITY SAFETY PARTNERSHIP FUNDING 2008-2011

The NIO CSU have recently advised of the funding that is to be made to Ballymoney CSP for 08/09, 09/10 and 10/11 financial years. This allocation covers both indicative allocation funding covering project delivery monies and a Technical Assistance budget allocated to fund the employment of a Community Safety Manager and associated administrative expenses.

The programme funding formula (as detailed below) has been used to calculate specific CSP allocations:

25% Basic amount allocated to each CSP.

25% Population.

10% Deprivation.

40% Recorded crime. *

- Recorded crime has been further subdivided to take specific account of the main key performance indicators (15% reduction in Anti-Social Behaviour and a reduction in violent crime) under Safer Communities Public Service Agreement.

Accordingly the amount available to Ballymoney Community Safety Partnership for programme delivery is:-

08/09	09/10	10/11	TOTAL
£35,847	£35,847	£37,617	£109,311

(The previous and current years funding was £29,170 and £33,337 respectively).

In addition, funding will also be given to employ a full time Community Safety Manager and associated administrative expenses has been guaranteed for the next three fiscal years.

The amount available to Ballymoney Community Safety Partnership for Technical Assistance is:-

08/09	09/10	10/11	TOTAL
£41,000	£41,000	£41,000	£123,000

(The previous and current level of funding was £40,000 per annum).

The total amount available to Ballymoney Community Safety Partnership is therefore £232,311. The terms and conditions covering both funding streams are currently being prepared and will require acceptance prior to the confirmation of funding.

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

HOME SAFETY

338.17 HOME ACCIDENT PREVENTION/CHILDHOOD INJURY PREVENTION GRANT FUNDING 2007 – 2008

Following the launch of the Home Accident Equipment Scheme on 26th February 2008, the Director of Borough Services was pleased to advise that the Directorate has been successful in securing additional funding from Northern Investing for Health Partnership for the incoming year in the sum of £14,537.50.

The total amount of funding secured during 2006/07 for this purpose is £33,537.50

Alderman Campbell welcomed this funding as HAP group work hard to install safety equipment into homes. The work inputted to achieve this funding is to be condemned.

338.18 NWRWM GROUP – NW COMPOST TENDER REPORT

An addendum to Director of Health and Environmental Services' report is detailed below.

MATTERS FOR CONSIDERATION

ENVIRONMENTAL SERVICES

NWRWM GROUP – NW COMPOST TENDER REPORT

As was previously advised the North West Region Waste Management Group sought tenders during Autumn 2007 seeking “to appoint a contractor to process mixed organic kitchen and garden waste, collected through segregated waste collection schemes by each participating council within the North West Region. Further as an additional option, the tenderers are required to offer a service to collect and process garden wastes from civic amenity sites.” The tender report, prepared by the NWRWM Group consultants: RPS Consulting Engineers, is reproduced as Appendix 1. The report **RECOMMENDS** that the NWRWMG nominate NWP Recycling Limited as its preferred bidder for the provision of Compost Services. Prior to Council making a decision a number of matters require consideration.

1. As members are aware, it was necessary for Council to satisfy the conditions attached by EHS for the utilization of Waste Management Grant for the purchase, etc., of ‘brown’ bins i.e. that any bins purchased be distributed and operational by 31st March 2008. In order to fulfil this condition Council, in the absence of an approved waste processor for composting services, (a tender sought on behalf of the NWRWM Group Councils), had no option but to introduce its brown bin scheme as a garden waste only scheme.
2. Now that the NWRWM Group tender process has reached the stage of a recommendation of a preferred bidder, Council has to consider the following:–
 - (a) Does it wish to sign up to the NWRWM Group Composting Services Tender or not?
 - (b) Were Council minded to signed up to the contract when would it wish to supply waste to the contract?
 - (c) What are the associated policy and resource implications of Councils decisions.

The Director will speak further to this complex and important matter at the Committee meeting.

At the Committee meeting the Director advised, that until the preferred bidder’s Glenside facility is operational in Spring 2009, the waste processor had offered immediate access to the company’s other facility at Keady so that Councils signing up to the proposed NWRWMG contract could send their mixed garden and kitchen waste there. The Director intimated that both the processor and the Council’s waste haulier had priced transport. He made reference to the NILAS Working Group minutes in which the implications of various options in respect of the Councils brown bin scheme had been outlined.

The Director advised that it was too early to say what impact brown bins would have either on black bin tonnage or on the amount of garden waste handled at the Councils two civic amenity sites.

* **Councillor Finlay joined the meeting at 8.06pm**

In response to Councillor McGuigan, the Director informed members that the NWRWGMG Contract was based on a situation which had now changed insofar as Council was concerned in that due to circumstances brown bins had been distributed on the basis that they be used only for garden waste for the 12 months from their distribution. It was the case that a change in the nature of the Councils brown bin scheme had not been budgeted for in the 2008-2009 financial year.

* **Councillor McGuigan left the meeting at 8.14pm**

In response to Councillor Finlay, the Director of Borough Services advised that the proposed compost or bio-waste contract might achieve up to a 40% landfill reduction but that this benefit would come at a significant cost. The most significant cost increases would stem from an extension of the brown bin scheme to accept both kitchen and garden waste co-mingled in the one container. This would mean that Council would have to make appropriate arrangements for the temporary storage of this waste and also its transfer.

* **Councillor McGuigan joined the meeting at 8.18pm**

The Director advised that it was necessary to look again at the Councils NILAS position in light of all its present diversion proposals and the potential change in BMW percentage before Council could reasonably commit itself to any further contracts and that projections covering the period up to 2014-2015 would hopefully be brought to the next meeting of the NILAS Working Group. He **RECOMMENDED** that this matter be deferred to the next meeting of that Group so that the additional work and information might be supplied and the matter further considered then.

* **Councillor McGuigan left the meeting at 8.44pm**

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

to recommend that this matter be deferred to the next meeting of the NILAS Working Group.

338.19 NILAS WORKING GROUP

The fifth meeting of the NILAS Working Group was held on 7th March and the meeting minutes were circulated.

The Director of Borough Services advised that with the benefit of additional information received after the NILAS Working Group meeting the date for the availability of the NWP Glenside facility was 1st May 2009 and not 1st October 2008 as stated in the NILAS minutes.

He also advised that were Council to combine with another authority in order to procure a processing service in respect of co-mingled civic amenity site waste it

would be likely that the proposed pilot exercise would extend to between six to eight months.

IT IS RECOMMENDED that the Minutes of the NILAS Working Group be adopted, subject to the above clarifications.

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

to recommend that the minutes of NILAS Working Group, as circulated and subject to the Directors clarifications be accepted.

The Chair and the Director responded to further member questions regarding the implications of NILAS targets for Council in light of the various measures being deployed to divert waste from landfill and the Chair explained the benefit to Councils were it to be accepted that the bio-degradable percentage of mixed residual was now 64% as opposed to the currently accepted figure of 71%.

IT IS FURTHER RECOMMENDED that the next meeting of the NILAS Working Group be held on Friday, 11th April 2008 at 3.00pm.

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

to recommend that the next meeting of the NILAS Working Group be held on Friday, 11th April 2008 at 3.00pm in Riada House.

MATTERS FOR INFORMATION

ENVIRONMENTAL SERVICES

338.20 NWRWMG/SWaMP JOINT PROJECT TO PROCURE RESIDUAL WASTE TREATMENT CAPACITY POST 2012 – UPDATE

At the meeting of the North West Region Waste Management Group held on Wednesday 5th March 2008 in Derry City Council Offices, the above matter was discussed. The seven Councils of the Group have all agreed the Memorandum of Understanding (MoU), Rules and Standing Orders of the proposed Joint Committee of Councils and the project should have been operational by the beginning of March.

Unfortunately the project has been experiencing some delays due to the fact that the member Councils of SWaMP sought additional legal opinion on the above matters. All delays have the potential to impact on delivery, spend and the ability of Councils to avoid fines.

The Department of the Environment and SIB have been assisting us on this matter and jointly sponsored the two-day conference in Derry in October 2007. The outcome of the conference pointed towards a satisfactory solution and culminated in the appointment of Addleshaw Goddard to advise on an appropriate structure. Mr Damien McMahon, the City Secretary and Solicitor Derry City Council had significant input to the final documentation and advised from a local government perspective.

Advice from Mr McMahon as legal adviser to the North West Region Waste Management Group has remained consistent throughout this process. The position as outlined in the current MoU, a Joint Committee of Councils, provides a robust and appropriate model with which to move forward

The member Councils in the SWaMP region wish to incorporate the Joint Committee, that is, to give it a separate legal entity. It is clear that this is their preferred structure.

Mr McMahon informed the Group that the decision to incorporate or not is a policy, not a legal matter. The proposed structure contained in the MoU has delivered in GB and the operation of the NWRWMG demonstrated that there is no need to incorporate.

The Development Officer informed the meeting that he had had discussions with the Deputy Secretary, DOE, and had investigated the option of the NWRWMG delivering their own project. The Department has assured him that the Group would receive their full support in terms of financial and advisory resources should they decide on this course of action. Members had a lengthy discussion on this matter and concluded that in order to avoid further delays it would be necessary to split the project. The Department has been informed of this decision.

The MoU will now be prepared for signing and sealing by the member Councils of the NWRWMG.

338.21 WASTE MANAGEMENT LICENSING REGULATIONS (NI) 2003 – APPLICATION FOR EXEMPTION

EHS has recently furnished (11.3.08) a copy of the exemption certificate and conditions in relation to an exemption application from Drumreagh Presbyterian Church covering activities at its premises at 104 Bann Road, Ballymoney.

FOOD CONTROL

338.22 THE MEAT PRODUCTS (AMENDMENT) REGULATIONS (NI) 2008

The above Regulations, which come into operation on 6th April 2008, implement changes to the Meat Products Regulations (NI) 2004 by removing labelling requirements relating to added starch and added protein (from either animal (some species to the meat) or (vegetable origin) in certain meat products. These requirements originated from Council Directive 77/99/EEC.

This being all the business, the meeting closed at 9.00 pm.

Appendices attached:

Appendix 1 Building Control Applications

APPENDIX 1

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/2005/0119/
Applicant: Miss Sheena McKendry
Agent: Mr Paul McLean 41 Bridge Road Ballymena
Location: 98B Coolkeeran Road Coolkeeran Armoy Ballymoney
Description: Dwelling

Ref No: B/2006/0334/
Applicant: Mr Patrick Douthart
Agent: Hunter Associates 8 Charlotte Street Ballymoney
Location: 10 Shelton Road Altarichard Armoy Ballymoney
Description: Dwelling and garage

Ref No: B/2006/0340/
Applicant: Mr Gerard Cassley
Agent: Pro Design 43 Kilmandil Road Ballymena
Location: 32 Ballyveely Road Culbane Ballymoney
Description: Dwelling and garage

Ref No: B/2006/0351/
Applicant: Mr James Chestnutt
Agent: W & M Given Beresford House Coleraine
Location: 110 Newbridge Road Seacon Beg Ballymoney
Description: Dwelling with attached garage

Ref No: B/2006/0359/
Applicant: Mr Derek Graham
Agent: Hunter Associates 8 Charlotte Street Ballymoney
Location: 7 Castlehill Park Ballymoney
Description: Roofspace conversion and installation of shower facilities

Ref No: B/2006/0380/
Applicant: Mr Nicholas Christie
Agent: RD Architectural Design Services 75 New Row Coleraine
Location: 21A Ballyveely Road Culbane Armoy Ballymoney
Description: Dwelling and garage

Ref No: B/2006/0382/
Applicant: Mr John Corbett
Agent: Dominic McTague 36 Tullaghans Road Ballymoney
Location: 91B Tullaghans Road Tullaghans Dunloy Ballymena
Description: Dwelling and garage

Ref No: B/2006/0387/
Applicant: Mrs L McDonald
Agent: Mr L Walker 30 Toberdoney Road Ballymoney
Location: 19 Macfin Road Ballymoney
Description: Extension to dwelling

Ref No: B/2006/0412/
Applicant: Mr Russell Clayton
Agent: Mark McMullan 22 Newal Road Ballymoney
Location: 22 Newal Road Ballymoney
Description: Extension to dwelling

Ref No: B/2006/0414/
Applicant: Mr Stephen Nicholl
Agent: Diamond Design Studio 2D The Diamond Ballycastle
Location: 47 Friary Road Armoy Ballymoney
Description: Roofspace conversion to dwelling

Ref No: B/2007/0020/
Applicant: Mr & Mrs RJ Gorman
Agent: Ivan McDonald 17 Lissadell Avenue Portstewart
Location: 308B Townhill Road Dreen Rasharkin Ballymena
Description: Dwelling

Ref No: B/2007/0027/
Applicant: Mr Paul Kyle
Agent: Hunter Associates 8 Charlotte Street Ballymoney
Location: 80A Bravallen Road Leck Ballymoney
Description: Dwelling

Ref No: B/2007/0044/
Applicant: Comhaltas
Agent: Dominic McTague 36 Tullaghans Road Ballymoney
Location: 38 Bridge Road Dunloy Ballymena
Description: Change of external finishes and ramped access to classroom

Ref No: B/2007/0046/
Applicant: Mr Ivan McKelvey
Agent: Mr Ian McKendry 14 Spruce Park Ballymena
Location: 15 Mounthill Drive Cloughmills Ballymena
Description: Extension to dwelling

Ref No: B/2007/0060/
Applicant: Mr Nigel Hyndman
Agent: Fleming McKernan Associates 1 Upper Abbey Street Coleraine
Location: 80A Kirk Road Kirkhill Ballymoney
Description: Dwelling and garage

Ref No: B/2007/0066/
Applicant: Mr & Mrs Wilbert & Olive Harvey
Agent: R Robinson & Sons 59 High Street Ballymoney
Location: 32 Lislagan Road Ballymoney
Description: Sun lounge with first floor balcony

Ref No: B/2007/0080/
Applicant: Mr & Mrs Peden
Agent: Mr Dennis R Tosh 40 Nursery Avenue Coleraine
Location: 15 Railway View Macfin Ballymoney
Description: Sun room extension to dwelling

Ref No: B/2007/0096/
Applicant: Mr Campbell Watson
Agent:
Location: 107 Duneaney Road Rasharkin Ballymena
Description: Sun room extension to dwelling

Ref No: B/2007/0106/
Applicant: Mrs Jean Shields
Agent: S J Montgomery 207 Straid Road Bushmills
Location: 17A Kirk Road Ballymoney
Description: Extension to dwelling

Ref No: B/2007/0108/
Applicant: Mr Samuel Purdon
Agent:
Location: 7 Armstrong Drive Ballymoney
Description: Extension to dwelling

Ref No: B/2007/0125/
Applicant: Mr Morris Smith
Agent: Select Design Services 49A Main Street Portglenone
Location: 12 Benvardin Road Derrykeighan Ballymoney
Description: Sun room extension to dwelling

Ref No: B/2007/0152/
Applicant: Mr Eugene Clarke
Agent: Bell Architects 65 Main Street Ballymoney
Location: 248 Drones Road Ballyportery North Dunloy Ballymena
Description: Dwelling with attached garage

Ref No: B/2007/0170/
Applicant: Mr Michael Mooney
Agent: Pro Design 43 Kilmandil Road Ballymena
Location: 219 Frosses Road Cloughmills Ballymena
Description: Improvements to dwelling

Ref No: B/2008/0014/
Applicant: Cloughmills Cultural & Historical Society
Agent: Market Studio 14 Market Road Ballymena
Location: 6 Main Street Cloughmills Ballymena
Description: Refurbishment of existing hall

Ref No: BN/2008/0004/
Applicant: Mr Jonathan Tweed
Agent: McBride Lifts 100A Green Road Ballyclare
Location: 124 Newbridge Road Ballymoney
Description: Installation of a through floor lift for disabled person

Ref No: BN/2008/0005/
Applicant: Ms Brenda Wallace
Agent: Mr F Quigg 30 Agivey Road Kilrea
Location: 15 Eastburn Drive Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2008/0006/
Applicant: Ms Ida Mahon
Agent: Mr F Quigg 30 Agivey Road Kilrea
Location: 16 Downview Crescent Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2008/0007/
Applicant: Ms Clare Gough
Agent: Brian McMahon 35 Knockahollet Road Ballymena
Location: 25 Parklands Ballymoney
Description: Sun room extension to dwelling

Ref No: BN/2008/0008/
Applicant: N.I Housing Executive
Agent: H & A Mechanical Services 28 Fivemile Straight Draperstown
Location: 38 Drumahiskey Road Bendooragh Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2008/0009/
Applicant: Ms Alma Murphy
Agent: O'Kane Plumbing & Heating 46 Dunamore Road Cookstown
Location: 14 Millview Park Ballybogey Ballymoney
Description: Installation of solar water heating system

Ref No: BN/2008/0010/
Applicant: Ms Jean Parkhill
Agent: Mr F Quigg 30 Agivey Road Kilrea
Location: 4 Riverview Park Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2008/0011/
Applicant: Mr David Getty
Agent: Mr F Quigg 30 Agivey Road Kilrea
Location: 12 Armstrong Drive Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2008/0012/
Applicant: Ms Margaret Ferris
Agent: O'Kane Plumbing & Heating 46 Dunamore Road Cookstown
Location: 60 Trinity Drive Ballymoney
Description: Installation of gas-fired central heating

Ref No: BN/2008/0013/
Applicant: XXXX
Agent: XXXX
Location: XXXX
Description: XXXX

Ref No: BN/2008/0014/
Applicant: Mr Laurence Kelly
Agent:
Location: 12A- 12E Victoria Street Ballymoney
Description: Installation of additional smoke and heat detectors

Ref No: BN/2008/0015/
Applicant: Mr Alan Dowey
Agent:
Location: 26 Carnany Park Ballymoney
Description: Formation of opening between kitchen & dining room

Ref No: BN/2008/0016/
Applicant: Ms Julie Christie
Agent: O'Kane Plumbing & Heating 46 Dunamore Road Cookstown
Location: 11 Henry Street Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2008/0017/
Applicant: Mr Richard Purcell
Agent:
Location: 19 Castlehill View Ballymoney
Description: Roof conversion to dwelling

Ref No: BN/2008/0018/
Applicant: Ms Mina Nelson
Agent: Mr F Quigg 30 Agivey Road Kilrea
Location: 53 Newal Road Ballymoney
Description: Installation of oil-fired central heating

Ref No: BN/2008/0019/
Applicant: Mr Darwin & Lisa McLaughlin
Agent: RD Architectural Design Services 75 New Row Coleraine
Location: 52 Ballybogey Road Ballymoney
Description: Garage

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

	Total
B	24
BN	16
Total	40