

Title of Report:	CORRESPONDENCE REPORT
Committee Report Submitted To:	ENVIRONMENTAL SERVICES COMMITTEE
Date of Meeting:	11th August 2020
For Decision or For Information	FOR DECISION

Linkage to Council Strategy (2019-23)	
Strategic Theme	Leader and Champion
Outcome	Establish key relationships with Government, agencies and potential strategic partners
Lead Officer	Director of Environmental Services

Budgetary Considerations	
Cost of Proposal	N/A
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No N/A	Date:
	EQIA Required and Completed:	Yes/No N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No N/A	Date:
	RNA Required and Completed:	Yes/No N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No N/A	Date:
	DPIA Required and Completed:	Yes/No N/A	Date:

1.0 Purpose of Report

The purpose of this report is to present correspondence for Members consideration.

2.0 The following correspondence has been received:

2.1 DAERA

Re. The Clean Neighbourhoods & Environmental Act (Northern Ireland) 2011

The Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations (Northern Ireland) 2012

Mr Edwin Poots MLA, Minister of Agriculture, Environment and Rural Affairs has issued a response dated 22nd July 2020 to Member's request for the Department to consider reviewing the prescribed range of fines for dog fouling offences.

The Department keeps this legislation under review and feedback was sought from councils on the effectiveness of the current powers and fines. This data will be used to inform the Department's review of the current fixed penalty notice regime. The Minister confirmed that the petition from Causeway Coast and Glens Borough Council to increase the prescribed range of fines for dog fouling offences will be added to the response already received and will be considered as part of the review.

Copy correspondence is attached as Appendix 1.

2.2 Changing Places Toileting Provision

As part of a campaign for greater changing places toileting provision across NI, a request has been received in correspondence dated 15th July 2020. It has been asked if Causeway Coast & Glens Borough Council will make representation to the Department of Finance for any Barnett Formula consequentials arising from the £30 million UK Changing Places Funding Programme, to be ringfenced for the provision of changing places toilets in NI, and to seek a share of this funding for the provision of these facilities within the Council area?

Copy correspondence is attached as Appendix 2.

3.0 Recommendation(s)

It is recommended that the Environmental Services Committee consider the correspondence.

Mr Bryan Edgar
Head of Health & Built Environment
Riada House
14 Charles Street
Ballymoney
BT53 6DZ
By email:
TheTownClerkorChiefExecutiveCausewayCoastandGlensBo@nigov.net

Room 438
Dundonald House
Upper Newtownards Road
Ballymiscaw
Belfast
BT4 3SB
Telephone: 028 9052 4140
Email: private.office@daera-ni.gov.uk

Your reference: ES/40/BE/af
Our reference: CORR-1610-2020
Date: 22 July 2020

Dear Mr Edgar

The Clean Neighbourhoods & Environment Act (Northern Ireland) 2011

The Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations (Northern Ireland) 2012

Thank you for your letter of 24 June 2020, outlining your Members' request for the Department to consider reviewing the prescribed range of fines for dog fouling offences.

I share your concerns regarding both dog fouling and littering. My Department is using a combined approach of legislation, education, awareness and enforcement to tackle these issues. As you are aware, the current legislation (the Clean Neighbourhoods & Environment Act (Northern Ireland) 2011 & the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations (Northern Ireland) 2012) enables district councils to issue fixed penalty notices of between £50 and £80 for dog fouling offences, with a reduced fine of £40 for early payment. When the case is dealt with by the courts, a fine of up to £1,000 can be imposed.

The Department keeps this legislation under review and in late 2019 appointed 'Keep Northern Ireland Beautiful' to gather data from all councils on their use of fixed penalty notices for both litter and dog fouling offences. Feedback was also sought from councils on the effectiveness of the current powers and fines. This data will be used to inform the Department's review of the current fixed penalty notice regime. I can confirm that your petition from Causeway Coast & Glens Council to increase the prescribed range of fines for dog fouling offences will be added to the responses already received and will be considered as part of the review.

I would like to take this opportunity to thank you and Causeway Coast & Glens Council for your concern and ongoing work to tackle the scourge of dog fouling and littering. I wish to assure you that we are also working towards reducing these incidents, and are actively promoting environmental education and civic pride to ensure that sustainability is at the heart ***Sustainability at the heart of a living, working, active landscape valued by everyone.***

of a living, working, active landscape valued by everyone in Northern Ireland. Indeed as we begin our recovery from the Covid pandemic, my Department is presently working with TourismNI to promote the message “Be outdoor smart – leave no trace – love the place” which reinforces the core objective that we all must behave responsibly towards our environment.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Edwin Poots', written in a cursive style.

EDWIN POOTS MLA
Minister of Agriculture, Environment & Rural Affairs

Date: 15th July 2020

Good morning Aidan,

I would be grateful to receive a response to my previous email dated 10th June 2020, included below.

In addition, I seek to inform you that I have been campaigning for greater changing places toileting provision across NI and in response to this Minister of Finance, Conor Murphy MLA, has recently tasked his Department's Building Standards Branch with incorporating mandatory requirements for changing places toilets into local building Regulations – see copy letter dated 19th June 2020 attached for your information. I have been formally invited by the Minister Conor Murphy to join the sub-committee which will provide technical advice to the Building Regulations Advisory Committee (NIBRAC) on the changes needed to the Building Regulations and associated technical guidance, in this regard.

This is hugely important and significant progress in respect of the recognition of the equal rights of severely disabled persons to safe, hygienic and dignified changing places toilet facilities as standard, to enable them to enjoy full and active citizenship rights all across society.

I have also recently been informed that Mid & East Antrim Borough Council has written to the Department of Finance, seeking funding for their Council under the UK Changing Places Funding Programme, a £30 million dedicated changing places toilet fund established in the recent UK budget. MEABC received a reply indicating that budgeting calculations under the Barnett Formula have still to be completed, and it will be later in 2020/21 before any decision will be reached on how much NI will receive, and then in turn, how much potential funding may be awarded to councils.

Will Causeway Coast & Glens Borough Council make similar representation to the Department of Finance for any Barnett Formula consequential arising from the £30 million UK Changing Places Funding Programme, to be ringfenced for the provision of changing places toilets in NI, and to seek a share of this funding for the provision of these facilities within the Council area?

I await your response.

Kind regards

Christine McClements