

**ENVIRONMENTAL SERVICES COMMITTEE MEETING
TUESDAY 10 MAY 2022**

Table of Recommendations

| No | Item | Summary of key Recommendations |
|-----------|--|--|
| 1. | Apologies | Councillor McLean |
| 2. | Declarations of Interest | Alderman Boyle; Councillors Hunter and MA McKillop |
| 3. | Minutes of Environmental Services Committee meeting held Tuesday 12 April 2022 | Signed as a correct record |
| 4. | Entertainment Licensing Report | To recommend that Council approve recommendations 4.1- 4.6 above |
| 5. | Health and Safety Partnership Liaison Officer | To recommend that Council continue to support this post until the end of the 2023-2024 financial year at which time it will be reviewed. |
| 6. | All Ireland Pollinator Plan | To recommend that Council Sign up to the All-Ireland Pollinator Plan as a Partner. |
| 7. | Environmental Services Business Plans 2022/23 | To recommend that Council approve the proposed business plans for the 2022 / 23 period, providing a focus for officers responsible for delivering Environmental Services. |
| 8. | Amusement Permit Renewals | Information |

| | | |
|---|---|---|
| 9. | Entertainment Licence Renewals | Information |
| 10. | Licences Issued Under Delegated Authority | Information |
| 11. | Society Lottery Registrations | Information |
| 12. | Petroleum Spirit Licence Renewals | Information |
| 13. | Street Trading Licence Renewals | Information |
| 14. | Poisons Regulations (Northern Ireland) – Registration of Persons Entitled to Sell Non-Medicinal Poisons included in Part II of the Poisons List | Information |
| 15. | Private Contractor Litter Enforcement Statistics (WISE) | Information |
| 16. | Council Emergency Plan | Information |
| 17. | Coleraine Cemetery Vehicular Access Restriction | Information |
| 18. | Castlerock Footbridge Update | Information |
| 19. | Matters for reporting to Partnership Panel | Information |
| IN COMMITTEE (Items 20 - 26 inclusive) | | |
| 20. | Residual Waste Contract – Tender Report | To recommend that Council approves the recommendation made by the Joint Committee of the NWRWMG and awards the tender to River Ridge Recycling. |
| 21. | Asset Realisation – Declaration of surplus to requirements asset known as 'Eastermeade Stores', Ballymoney | To recommend that the decision be deferred until the Director of Environmental Services determines if another Directorate requires use of the asset in advance of it being declared surplus to requirements. |
| 22. | Re-Surfacing and Lighting Project at Ballintoy Harbour and Carpark | To recommend that Council grant permission to progress to stage 3 |

| | | |
|-------------|---|--|
| | | of the procurement gateway and appoint Northstone Ltd to carry out the works for the submitted Tendered sum of £79,193.80 excluding VAT; Council meeting with statutory agencies be expediated with regard to parking options at this site. |
| | | |
| 23. | Affordable Warmth Scheme Update | To recommend that Council write to Department for Communities asking for full monies to be reinstated to the Affordable Warmth Scheme. |
| | | |
| 24. | Food Standards Agency Response to Request for Additional Finance Support | Information |
| | | |
| 25. | Anaerobic Digester Facility – Investigation and Prosecution Update | To recommend that the Director of Environmental Services seek a second opinion in relation to the legal advice. |
| | | |
| 26. | Any Other Relevant Business (notified in accordance with Standing Order 12 (o)) | |
| 26.1 | Grass Cutting bay - Crosstagherty (Councillor Wallace) | Update from Director of Environmental Services |
| 26.2 | Electric Vehicle Charge Points (Councillor McQuillan) | Update from Director of Environmental Services |

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF
THE ENVIRONMENTAL SERVICES COMMITTEE
IN CIVIC HEADQUARTERS AND VIA VIDEO CONFERENCE, ON
TUESDAY 10 MAY 2022 AT 7:00 PM**

In the Chair: Councillor Wilson (C)

Members Present: Alderman Boyle (R)
Councillors Bateson (R), Beattie (R), Chivers (R), Holmes (R/C), Hunter (R), McAuley (C), MA McKillop (R), McLaughlin (R) McGlinchey (R),McQuillan (C), Wallace (C)

Officers Present: A McPeake, Director of Environmental Services (C)
A Mullan, Head of Operations (R)
J Richardson, Head of Capital Works, Energy and Infrastructure (R)
J O’Kane, Environmental Health Officer (R)
S McAfee, Head of Health and Built Environmental (R)
I Owens, Committee & Member Services Officer (C)

In Attendance: A Lennox, ICT Mobile Operations Officer (C)
C Thompson, ICT Operations Officer (C)

Press (2 no.) (R)
Public (0 no.) (R)

Key: (C) Attended in the Chamber
(R) Attended Remotely

The Director of Environmental Services undertook a roll call.

The Director of Environmental Services advised that a Standing Agenda Item – Matters for Reporting to Partnership Panel, had been omitted from the Agenda and would be considered before the meeting went ‘In Committee’.

The Director of Environmental Services presented each of the reports.

1. APOLOGIES

Apologies were recorded for Councillor McLean.

2. DECLARATIONS OF INTEREST

Declarations of Interest were recorded for:

- Alderman Boyle in Item 25 – Anaerobic Digester Facility Investment and Prosecution Update, as a Member of the Planning Committee. Alderman Boyle did not participate in the Item and left the Council Chamber during discussion.
- Councillor MA McKillop in Item 25 – Anaerobic Digester Facility Investment and Prosecution Update, as a Member of the Planning Committee. Councillor McKillop did not participate in the Item.

- Councillor Hunter in Item 25 – Anaerobic Digester Facility Investment and Prosecution Update, as a Member of the Planning Committee. Councillor Hunter did not participate in the Item.

3. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 12 APRIL 2022

Summary previously circulated.

AGREED – that the Minutes of the Environmental Services Committee meeting held Tuesday 12 April 2022 were signed as a correct record.

4. ENTERTAINMENT LICENSING REPORT

Report, previously circulated.

4.1 GRANT OF INDOOR ENTERTAINMENTS LICENCE

Licence No: EL373

Premises: Limavady Masonic Hall, 48 Linenhall Street, Limavady

Application: Grant of an Annual Indoor Entertainments Licence
Days and times on which it is applied to provide entertainment:
Monday to Saturday 11:30 hrs to 23:30 hrs

Representations: To be received by 12th May 2022

PSNI No objections

NIFRS: To be received by 2nd May 2022

4.2 GRANT OF INDOOR ENTERTAINMENTS LICENCE

Licence No: EL254

Premises: The Village Inn, 1 Bellaghy Road, Dunloy

Application: Grant of an Annual Indoor Entertainments Licence
Days and times on which it is applied to provide entertainment:
Monday to Saturday 11:30 hrs to 01:30 hrs
Sunday 11:00 hrs to 00:00 hrs

Representations: To be received by 19th May 2022

PSNI No objections

NIFRS: To be received by 11th May 2022

4.3 GRANT OF INDOOR ENTERTAINMENTS LICENCE

Licence No: EL414

Premises: The Cove Bistro, 6B Seaport Avenue , Portballintrae

Application: Grant of an Annual Indoor Entertainments Licence
Days and times on which it is applied to provide entertainment:

Monday 17:00hrs to 23:30hrs
Friday, Saturday 17:00hrs to 01:30hrs
Sunday 17:00hrs to 00:00hrs

Representations: To be received by 12th May 2022

PSNI No objections
NIFRS: To be received by 4th May 2022.

4.4 GRANT OF INDOOR ENTERTAINMENTS LICENCE

Licence No: EL154

Premises: Billy Church Hall, 88 Haw Road, Bushmills

Application: Grant of an Occasional 14 day Unspecified Entertainments Licence
Days and times on which it is applied to provide entertainment

PSNI No objections
NIFRS: To be received by 11th May 2022.

4.5 GRANT OF INDOOR ENTERTAINMENTS LICENCE

Licence No: EL406

Premises: Ballymully Cottage Farm (Family Big Top) , 61 Ballyavelin Road, Limavady

Application: Grant of Indoor Occasional 14 days specified Entertainments Licence

Days and times on which it is applied to provide entertainment:

Thursday 30th June 2022 15:00hrs to 01:00hrs
Friday 1st July 2022 09:00hrs to 01:00hrs
Saturday 2nd July 2022 09:00hrs to 01:00hrs

Representations: To be received by 5th May 2022

PSNI No objections

NIFRS: To be received by 12th May 2022

4.6 VARIATION OF ANNUAL INDOOR ENTERTAINMENTS LICENCE

Licence No: EL330

Premises: Amuse, 23-25 Catherine Street, Limavady

Application: Variation of Annual Indoor Entertainments Licence to include: An extension of hours on the following dates:

Every Friday from 23rd May to 30th September 2022

11:30 hrs to 03:00hrs

Every Friday from 2nd December 2022 to 31st March 2023 11:30hrs to 03:00hrs

Friday 22nd April 2022 11:30hrs to 03:00hrs

Friday 29th April 2022 11:30hrs to 03:00hrs

Friday 28th October 2022 11:30hrs to

03:00hrs Friday 4th November 2022

11:30hrs to 03:00hrs

Every Saturday from 9th April 2022 to 17th December 2022 11:30hrs to 03:00hrs

Every Saturday from 31st December 2022 to 1st April 2023 11:30hrs to 03:00hrs

Sunday 17th April 2022 11:30hrs to 03:00hrs

Sunday 1st May 2022 11:30hrs to 03:00hrs

Sunday 12th June 2022 11:30hrs to 03:00hrs

Sunday 28 August 2022 11:30hrs to 03:00hrs

Sunday 30th October 2022 11:30hrs to

03:00hrs Sunday 11th December 2022

11:30hrs to 03:00hrs Sunday 18th December

2022 11:30hrs to 03:00hrs Monday 18th April

2022 11:30hrs to 03:00hrs Monday 31st

October 2022 11:30hrs to 03:00hrs Monday

26th December 2022 11:30hrs to 03:00hrs

Monday 28th December 2022 11:30hrs to
03:00hrs

Representations: Closing date 5th May 2022

PSN I& NIFRS: No objections received

The Licensing and Registration of Clubs (Amendment) Act (NI) 2021 became law on 26th August 2021. The Act amends both the Licensing (NI) Order 1996 (the Licensing Order) and the Registration of Clubs (NI) Order 1996 (the Clubs Order). Section 3 of the Act allows pubs and hotels (which already have an Article 44 order) to apply to the courts for later opening for an additional hour, up to 104 nights in any year. Food and/or entertainment must continue to be provided during late opening.

As a result of the changes to the above legislation, this premises has applied to vary the entertainment licence hours to coincide with the hours permitted in the above Act.

Recommendation

It is recommended to grant an Annual Entertainments Licence subject to compliance with any recommendations of the Council's Licensing Department and no objections being received from NIFRS.

Proposed by Councillor McQuillan
Seconded by Councillor Wallace and

AGREED – to recommend that Council approve recommendations 4.1- 4.6 above.

5. HEALTH AND SAFETY PARTNERSHIP LIAISON OFFICER

Report, previously circulated.

Purpose of Report

The purpose of this report is to seek Council's continued support of the shared Health and Safety Partnership Liaison Officer resource.

Background

The Partnership Liaison Officer (PLO) post is a joint resource created to ensure effective partnership-working relationships and operational delivery of the joint Health & Safety Strategy between local authorities across Northern Ireland and the HSENI- saving lives not stopping them. Lisburn and Castlereagh City Council is the employing authority and the post is funded by contributions from the remaining Councils and HSENI.

Further to committee report ES181002 and CM181023 Council has previously supported the post. The current postholder took up position in July 2020 via a 2-year Interchange secondment, with the possibility of extension.

During the pandemic the post offered support to the health and safety team on covid related work, provided a point of contact between The Executive Office and other groups dealing with the pandemic and eased the burden on Council Health and Safety teams by filtering and sharing information, advice, data and statistics.

As COVID restrictions have eased the PLO will build on the partnerships between HSENI and Councils to deliver on the required Health and Safety needs across Northern Ireland.

To progress a 2-year extension to the current postholder's contract the following requirements have been identified:

- All 12 partners (11 Councils and HSENI) must be committed to the post.
- Costs associated with the post must be divided equally amongst the 12 partners.
- HSENI will continue to host the PLO in Ladas Drive and give day-to-day management support (dependent on COVID requirements for home working).
- Lisburn and Castlereagh City Council will continue to be the employing authority and recover costs as previous.
- A review of the effectiveness of the PLO will be conducted in the second year to inform whether the post should continue and if so in what form.

There is current budgetary provision within the service area to support this post.

Recommendation

It is recommended that Council continue to support this post until the end of the 2023-2024 financial year at which time it will be reviewed.

Proposed by Alderman Boyle
Seconded by Councillor Wallace and

AGREED to recommend that Council continue to support this post until the end of the 2023-2024 financial year at which time it will be reviewed.

6. ALL IRELAND POLLINATOR PLAN

Report, previously circulated.

Purpose of Report

Council have been asked to join many other organisations and sign up to the All-Ireland Pollinator Plan to help protect pollinators and local food producers.

Background

In 2015 the All-Ireland Pollinator Plan was launched with sixty-eight governmental and non-governmental organisations agreeing a shared plan of action to tackle pollinator decline and make the island of Ireland a place where pollinators can survive and thrive. Delivering the 81 actions has been shared out between the supporting organisations, which include Northern Ireland Environment Agency, National Trust, RSPB, Transport NI, Ulster Farmers' Union, Ulster Wildlife along with organisations in the Republic of Ireland. Nine

of Northern Ireland's 11 Councils have signed up to the scheme and there are now over 90 organisations involved in delivering the Plan.

The Plan identifies actions that can be taken on farmland, public land, and Private land. These include creating pollinator highways along transport routes, making public parks pollinator friendly and encouraging the public to see their gardens as potential pit-stops for bees and other pollinators.

Declines in wildflowers are subjecting our pollinators to starvation. Fertiliser application has resulted in increased crop yields, but in strong declines in wildflowers in managed fields and in adjacent semi-natural habitats. The tendency to tidy up the landscape rather than allowing wildflowers to grow along roadsides, field margins, and in parks and gardens is also playing a big part in fewer of these resources being available. It's not just crops; about three-quarters of wild plants also require insect pollinators.

Proposals

Council are already carrying out many of the actions included in the plan such as the provision of wild-flower beds, meadows and the Don't Mow Let It grow Scheme. By signing up to the Plan Council will benefit from:

1. Partnership with an internationally renowned strategy to reverse declines in biodiversity.
2. A framework outlining options with the flexibility to choose from a variety of low/cost-neutral evidence-based actions that will have a positive impact.
3. Access to training, guidance documents, support materials, case studies, etc. to help Council decide on appropriate actions.
4. Helps demonstrate compliance with statutory requirements such as the Council's Biodiversity statutory responsibilities.
5. Enhancing the local landscape for pollinators supporting local food producers
6. A framework to help support the delivery of key plans such as the Biodiversity Strategy for Northern Ireland.
7. A demonstration of Councils' biodiversity credentials to residents who are increasingly concerned with supporting environmentally friendly initiatives.
8. Actions to support community engagement and strengthen relationships with local groups who are also working to protect our pollinators, e.g., Ulster in Bloom.
9. Actions to support Eco-Schools (NI)
10. There is no cost to join the Scheme.

In return Council commit to:

1. Supporting the ethos of the All-Ireland Pollinator Plan and will consider the Plan in their policies, plans, and management decisions where possible.
2. To consider the evidence-based actions in the guideline document *Councils: Actions to help Pollinators*, and to carry out one pollinator-friendly action in the first year of signing up and plan to carry out at least three more within the following five years. The guideline document lists 30 possible actions, many of which are low cost or cost neutral.

3. To update the All-Ireland Pollinator Plan Team (within the National Biodiversity Data Centre) on the positive pollinator actions Council have planned, implemented, or maintained at the end of each year, when contacted, to help promote our work.

Recommendation

It is recommended that the Environmental Services Committee recommends that Council Sign up to the All-Ireland Pollinator Plan as a Partner.

Proposed by Councillor Hunter
Seconded by Councillor McLaughlin and

AGREED to recommend that Council Sign up to the All-Ireland Pollinator Plan as a Partner.

7. **ENVIRONMENTAL SERVICES BUSINESS PLANS 2022/23**

Report, previously circulated.

Purpose of Report

The purpose of this report is to present to Members the 2022/2023 Environmental Services Business Plans for consideration and approval.

Introduction

As Council enters the final year of the Council term no-one could have predicted the impact COVID-19 has had over the last 2 years. The business plans represent a continuation of work from the 21/22 period, as well as, new targets for 22/23 for each of the service areas:

- Estates
- Health & Built Environment
- Infrastructure
- Operations

The plans for each of the aforementioned service area are developed based upon:

- The emerging actions from the Community Planning Process.
- The Council's exiting Corporate Plan.
- Endorsed service area strategies.
- Relevant Central government strategies and policies.
- Council decisions and direction from the 2021/ 22 period.

The Purpose Of The Plans

The purpose of the annual business plans is to:

- Give a clear sense of what the service is for and the challenges it faces.
- Show how it is supporting Council's priorities.
- Show how it is contributing to the efficiency drive and transformation of service delivery.
- Show how it is aligning its resources to meet the challenges ahead.

- Help us to hold ourselves to account and ensure we deliver for Council and its residents.
- Bring key information together in one place about the service, which Members, staff and stakeholders can understand.

Financial Position

Year End Position for 21/22 has not yet been issued. Council has approved the annual budget for Environmental Service and delegated authority to officers to utilise this budget in the provision of services to the rate payers. ES budget for 2021/22 was £24,503,517.26. The net budget is comprised of Gross Expenditure of £29,83k and Gross Income of £5,328k.

The Environmental Services position at month 11 shows a £ 748,531.80 positive variance. COVID-19 continues to have an impact on the budget. The main negative contributing factors are the car parking income streams and COVID-19 operational costs.

The main costs attributing to the ES P11 position are COVID 19 related and are summarised as follows:-

- COVID-19 Costs - £249k (Adverse) (Additional Waste Collection, Vehicle hire, HRC.
- Reduced Car Park Income - £434k (Adverse)
- Harbour and Marina Income - £122k (Favourable)
- Waste Collection Costs - £439k (Adverse)
- Waste Contract Costs - £865k (Favourable)
- Employee Costs - £279k (Favourable)
- Premises Costs - £329k (Adverse)
- Transport Costs - £22k (Favourable)

The impact of these costs have been mitigated by costs savings throughout ES.

ES budget for 2022/23 is £26,403,908.00. COVID-19 will have less impact on the budget for 22/23. These impacts are likely to be mainly from loss of income. A breakdown of the ES Budget was previously circulated.

Environmental Services Risk Register – Update April 2022

The ES Risk Register is attached in Appendix 2, previously circulated.

Recommendation

The ES Committee is asked to consider and approve the proposed business plans for the 2022 / 23 period, providing a focus for officers responsible for delivering Environmental Services.

The Director of Environmental Services advised that all Heads of Service were available to answer questions from Elected Members with the exception of the Head of Estates.

Alderman Boyle welcomed the positive variance and thanked the Director of Environmental Services for the report.

Councillor McQuillan asked for an update on the timeline regarding legacy staff conditions of employment. The Director of Environmental Services advised that

the first tranche of terms and conditions had been agreed and that the next stage was the matching process, subject to Trade Union agreement. The Director of Environmental Services said he was hopeful that vacant posts could be filled post Summer 2022.

Councillor McQuillan asked for an update on the risk matrix, in the light of current strike action by UNITE Union members employed by Council. The Director of Environmental said that the Chief Executive had provided an update on strike action at the Council meeting on 3 May 2022 and that every effort was being made to minimise disruption to services. The Director of Environmental Services advised that the strike action concluded at 12 noon today and he was not aware of any further planned action at this time.

At the request of Councillor McAuley, the Director of Environmental Services provided clarity on the role of Supervisors outlined on page 4 of the Estates Structure report.

The Director of Environmental Services advised of a typographical error within the Estates Structure report and clarified that 3 Technical Officers at the same grade reported directly to the Head of Estates.

Proposed by Councillor McQuillan
Seconded by Alderman Boyle and

AGREED to recommend that Council approve the proposed business plans for the 2022 / 23 period, providing a focus for officers responsible for delivering Environmental Services.

8. AMUSEMENT PERMIT RENEWALS

For information report, previously circulated.

The Betting, Gaming, Lotteries and Amusements (NI) Order 1985
Renewal of an Amusement Permit

The undernoted applications for renewal of an amusement permit have been received and processed during the report period.

| <u>Licence No:</u> | <u>Name of Premises</u> |
|--------------------|---------------------------------|
| AP015 | Kiddieland Portrush |
| Ap013 | Hayes Caravan Park, Ballycastle |
| AP009 | Goldrush, Portrush |

9. ENTERTAINMENT LICENCE RENEWALS

For information report, previously circulated.

**Local Government (Miscellaneous Provisions) (NI) Order 1985
Entertainment Licences**

The undernoted applications for an entertainments licence have been received, acknowledged and processed during the report period.

| <u>Unique Reference Number</u> | <u>Name of Premises</u> |
|---------------------------------------|----------------------------------|
| EL301 | Kilmore Country House |
| EL152 | Marquee at Kilmore Country House |
| EL349 | Roe Park Resort (Hotel) |
| EL319 | The Dolphin Bar & Restaurant |
| EL048 | Mary Pats Bar |
| EL081 | Portstewart Football Club |
| EL085 | Quays Bar |
| EL060 | Atlantic Bar – Londonderry Hotel |
| EL046 | Garvagh Sports & Social Club |
| EL020 | Castlerock Golf Club |
| EL174 | Mary McBrides Ltd |
| EL171 | Mosside Presbyterian Church Hall |
| EL073 | Portballintrae Boat Club |
| EL078 | Portrush Yacht Club |
| EL335 | Harkins Bar |
| EL317 | Crown Bar & Function Room |
| EL399 | Cultúrlann Léim An Mhadiadh |
| EL059 | Lodge Hotel |
| EL340 | St Canice's GAA Social Club |
| EL197 | Rooks Nest |
| EL256 | Ballymoney Town Hall |
| EL029 | Coleraine Town Hall |
| EL055 | Kilrea Town Hall |
| EL077 | Portrush Town Hall |
| EL222 | Ballymoney Rugby Football Club |
| EL219 | Ballymoney High School |
| EL257 | St. Patricks Parochial Hall |
| EL275 | Loughgiel Millennium Centre |
| EL358 | United Services Club |
| EL017 | Bushtown Hotel |

10. LICENCES ISSUED UNDER DELEGATED AUTHORITY

For information report, previously circulated.

The below licence was issued under Delegated Authority during the last report period:

Local Government (Miscellaneous Provisions) (NI) Order 1985
**ARTICLES 13 &14, PRACTICE OF ACUPUNCTURE/BUSINESS OF
COSMETIC PIERCING/TATTOOING/SEMI-PERMANENT SKIN-
COLOURING/ELECTROLYSIS**

| Unique Number | Reference | Premises | Type of Registration |
|---------------|-----------|--|----------------------|
| CP/02/22 | | Bearman Barbour, 106 Mains Street, Portrush | Cosmetic Piercing |
| CP/03/22 | | Pinhole Piercing, 3A Causeway Street, Portrush | Cosmetic Piercing |
| T/02/22 | | Bearman Barbour, 106 Main Street , Portrush | Tattooing |

11. SOCIETY LOTTERY REGISTRATIONS

For information report, previously circulated.

The Betting, Gaming, Lotteries and Amusements (NI) Order 1985
Registration of a Society

The undernoted applications for society lottery registrations have been received, acknowledged and processed during the report period.

| <u>Registration No:</u> | <u>Name of Society</u> |
|-------------------------|---------------------------------------|
| SL005 | Marie Curie Cancer Care Moyle Support |
| SL011 | Ballymoney Homing Pigeon Society |

12. PETROLEUM SPIRIT LICENCE RENEWALS

For information report, previously circulated.

Petroleum (Regulation) Acts 1929 and 1937
Petroleum Spirit Licences

The undernoted applications for renewal of petroleum spirit licence have been received, acknowledged and processed during the report period.

| <u>Licence No:</u> | <u>Name of Premises</u> |
|--------------------|---------------------------|
| PL061 | Greenbank Service Station |

| | |
|-------|-------------------------|
| PL057 | Roebank Service Station |
| PL059 | Supervalu, Ballykelly |
| PL020 | Strand Service Station |
| PL068 | Nicholls24 |

13. STREET TRADING LICENCE RENEWALS

For information report, previously circulated.

Street Trading (NI) Act 2001

The undernoted applications for a street trading licence have been received, acknowledged and processed during the report period.

| <u>Unique Reference Number</u> | <u>Applicant</u> | <u>Type of Licence</u> | <u>Commodity</u> | <u>Location</u> |
|--------------------------------|-------------------|------------------------|------------------|---|
| SST 017 | Steven McAllister | Stationary | Ice Cream | Lay-by (picnic Area) Opposite Bishops Gate on West Side of A2 (Mussenden Road). |
| MST 004 | Danny O’Kane | Mobile | Ice Cream | Borough of Causeway Coast and Glens |

14. POISONS REGULATIONS (NORTHERN IRELAND) – REGISTRATION OF PERSONS ENTITLED TO SELL NON-MEDICINAL POISONS INCLUDED IN PART II OF THE POISONS LIST

For information report, previously circulated.

Poisons Regulations (Northern Ireland) 1983

Registration of Persons Entitled to sell Non-Medicinal Poisons Included in Part II of the Poisons List.

The undernoted registrations of persons entitled to sell non-medicinal poisons have been received, acknowledged and processed during the report period.

| Registration Number | Name of Business |
|----------------------------|--|
| P/01/2022 | Workman Hardware |
| P/02/2022 | Willis McCloskey's |
| P/04/2022 | J Bradley & Sons |
| P/05/2022 | B&Q |
| P/06/2022 | David Coils |
| P/09/2022 | Tesco Stores Ltd Coleraine |
| P/10/2022 | Ivan Wright |
| P/11/2022 | James Pollock & Sons |
| P/13/2022 | Logans Hardware |
| P/14/2022 | Stranocum Post Office |
| P/16/2022 | Steele Farm Supplies |
| P/17/2022 | North Antrim Potatoes |
| P/18/2022 | Ashwood Garden Centre |
| P/19/2022 | John McElderry Ltd |
| P/20/2022 | Aquasun |
| P/21/2022 | McAlisters Hardware |
| P/22/2022 | John M Curry & Sons Ltd |
| P/23/2022 | Glen Farm Supplies Ltd (Cushendall) |
| P/25/2022 | Fane Valley Stores (Ballycastle) |
| P/26/2022 | JSC Builders Merchants |
| P/27/2022 | McListers Hardware |
| P/28/2022 | B McKinney Farm & Garden Supplies |
| P/29/2022 | D Donnelly |
| P/30/2022 | Limavady Hardware Company |
| P/31/2022 | Fane Valley Stores |
| P/32/2022 | George Canning & Sons |
| P/08/2022 | Martins Hardware |

15. PRIVATE CONTRACTOR LITTER ENFORCEMENT STATISTICS (WISE)

For information report, previously circulated.

Purpose of Report

The purpose of this report is to update members on the private contractors Actions from August 2021 to April 2022.

Background (to include any previous decisions of Council)

Further to report item ES210810 Item 22, members will be aware that this service commenced 2nd August 2021.

Statistical information for the period 2nd August 2021 to 30th April 2022 of operation were provided in Tables, previously circulated.

Litter Composition Report 2019/20 compiled by Keep Northern Ireland Beautiful produced the graphic, previously circulated, which highlights the categories of littered items and the amount of litter that could be on our streets at any one time.

Officers continue to be deployed across the Borough, 7 days per week to detect offences with the aim of reducing the amount of litter across the Borough.

Members are reminded that should they wish to accompany any of the officers on patrol to observe first-hand how they engage with the public, that may be arranged.

All those that have been given a FPN have the right of representation directly to the company to challenge the issue. Details are provided on the FPN and on the Councils website. <https://www.causewaycoastandglens.gov.uk/live/health-and-built-environment/environment-health-and-well-being/environmental-health/litter-enforcement>

For those who do not have internet access an address for written representations can be provided.

Council officers will continue to work with WISE officers targeting litter hotspots and promoting anti-litter initiatives such as the Butt Ballot boxes, use of litter bins, and the Green Dog Walker scheme.

Recommendation

It is recommended that the Environmental Service Committee recommends to Council to note the above.

16. COUNCIL EMERGENCY PLAN

For information report, previously circulated.

Purpose of Report

The purpose of this report is to inform members of a review of the Emergency Plan for the organisation.

Background

The Council Emergency Plan provides a framework to enable decisions to be made and an appropriate response provided with a minimum of delay, regardless of the type of Emergency occurring within the Borough.

The aim of the plan is to assist Causeway Coast and Glens Borough Council in meeting the expectations of the Public, Central Government and the Emergency Services in an emergency situation.

Officers together with the internal Emergency Planning Implementation Group have reviewed and updated the existing Emergency Plan to reflect changes in the membership of Council's Emergency Management Team.

A copy of the revised document is available in the members' library and hardcopy is available to members upon request.

Recommendation

It is recommended that the Environmental Services Committee note the above report.

17. COLERAINE CEMETERY VEHICULAR ACCESS RESTRICTION

For information report, previously circulated.

Purpose of Report

In March 2020 committee recommended the implementation of a barrier system to restrict vehicular access to Coleraine Cemetery. This was subsequently approved by Council. This report is to inform Members of the intent to now implement the decision.

Background

A report was brought to committee in March 2020 highlighting the ongoing problems associated with unrestricted vehicular access to Coleraine Cemetery. These include:

1. Damage to headstones and memorials. Many drivers cannot negotiate corners without either driving into or reversing into headstones or memorials or driving over graves. This, may in part, be due to the narrowness of the paths, the sharpness of the corners on paths which were not designed to cope with current traffic volumes.
2. When vehicles meet from opposite directions, they are forced to drive on the grass to pass each other. Also, vehicles will mount the grass to pass stationary vehicles due to the restriction in path width.
3. Access to the graveside by a hearse and family mourners has been compromised in the past due to parked cars in the cemetery.
4. Pedestrians and cemetery staff are at risk from motorists many of whom disregard the 10mph speed limit

Council approved the recommendation to restrict vehicular access to those with mobility problems and to manage access during funerals.

However, before these measures were implemented the Covid pandemic struck. Initially there were concerns that death rates might increase significantly so Officers decided that, while the pandemic was occurring, it would not be the most appropriate time to install the barrier.

Officers now feel that Councils' decision can now be implemented

Proposal (for information)

A vehicular restriction barrier will be installed at the entrance to Coleraine Cemetery and operated on the same principle as the existing barrier at Ballymoney Cemetery. Those who can demonstrate mobility issues (eg. 'Blue badge' holders) can avail of a fob allowing car access.

Signage to be erected at the cemetery to inform the public of the intent to restrict vehicles and the proposed date of implementation.

Council PR to run a media campaign to inform the public of the change and how those with mobility problems might obtain a fob. The campaign will also highlight the reasons for the change and why access had to be restricted.

Recommendation

It is recommended that the Environmental Services Committee notes the intention to now implement the Council decision to restrict vehicular access to Coleraine Cemetery.

At the request of Elected Members, the Director of Environmental Services advised that cases would be looked at on an individual basis from applicants who were not Blue Badge holders.

The Director of Environmental Services agreed to update Councillor McQuillan regarding his query surrounding the purchase of burial plots, outside of the meeting.

18. CASTLEROCK FOOTBRIDGE UPDATE

For information report, previously circulated.

Purpose of Report

The purpose of this report is to update members on the status of Castlerock Footbridge.

Background

In 1996 Coleraine Borough Council entered into a 10,000 year lease with NI Transport Holding Co. (NITHC) for the upkeep of the footbridge at Castlerock Railway Station. In 2017 Council approved the contract for the removal and assessment of the bridge with a view to ascertaining can it be restored and at what cost. Note NIEA has been actively involved in this decision process.

Update since last meeting

In January Council approved the further assessment of the bridge by Translink's consultant with cost to be shared by both parties and Council's share limited to a maximum of £10,000. This was done in an effort to provide Translink with the assurance that the bridge, with remedial work, is capable of being returned to its' location over the railway line. To date they had expressed concerns over its' long-term future.

Translink's consultant has now visited site and has carried out dimensional and condition checks. Subject to Translink agreeing their proposed assessment criteria it is hoped to have a preliminary report completed by the end of June. At this point Council will have some indication of the cost to repair and re-install the bridge. The final report could be available by the end of August.

Recommendation

Committee are asked to note the above information.

Councillor McQuillan asked when it would be clear whether the footbridge would be replaced and if so timeline for same.

The Director of Environmental Services referred Elected Members to the report and confirmed that condition checks had been completed, a preliminary report was expected by the end of June and a report would be tabled for consideration by Environmental Services Committee in August.

19. MATTERS FOR REPORTING TO PARTNERSHIP PANEL

There were no matters for reporting to the Partnership Panel.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Councillor McQuillan
Seconded by Councillor Wallace and

AGREED – that Committee move '*In Committee*'

The information contained in the following items is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

- * **Members of the press and public were removed from the meeting at 7.30 pm.**

20. RESIDUAL WASTE CONTRACT – TENDER REPORT

Confidential report, previously circulated.

Purpose of Report

The purpose of this report is to present a recommendation for consideration and approval.

The recommendation is based on the results of the tender evaluation carried out on the response(s) to the invitation to tender for the provision of residual waste treatment services.

Invitation to tender issued by North West Region Waste Management Group (NWRWVG).

The purpose of the procurement was to ensure that suitably qualified providers were invited to tender to meet the requirements of the NWRWVG and its constituent councils.

NWRWVG tender evaluation report, dated 13th April 2022, was included in appendix. The Director of Environmental Services advised that he would email Elected Members the NWRWVG tender evaluation report referred to within Agenda papers, which had not been attached.

Background

Tender for the provision for residual waste treatment services was advertised in accordance with the EU Open Procedure in the Official Journal of the European Union. In accordance with local guidance, it was also advertised in the Belfast Telegraph, Irish News and Newsletter.

One tender response was received by the deadline on 7th January 2022. The Evaluation Panel conducted their individual scoring prior to the evaluation meeting that took place on 16th March 2022.

Information

The tender is to have an initial contract period of 5 years, with the option to extend for up to a maximum of a further 5 years.

One compliant tender submission was received from River Ridge Recycling.

Further to its meeting on 13th April 2022, the Joint Committee of the NWRWMG has recommended that Council consider the selection of River Ridge Recycling in respect of the above tender.

Recommendation

It is recommended that the Environmental Services Committee approves the recommendation made by the Joint Committee of the NWRWMG and awards the tender to River Ridge Recycling.

The Director of Environmental Services responded to members questions regarding landfill, recycling and associated cost.

Proposed by Councillor McQuillan
Seconded by Councillor Wallace and

AGREED to recommend that Council approves the recommendation made by the Joint Committee of the NWRWMG and awards the tender to River Ridge Recycling.

21. **ASSET REALISATION – DECLARATION OF SURPLUS TO REQUIREMENTS ASSET KNOWN AS ‘EASTERMEADE STORES’, BALLYMONEY**

Confidential report, previously circulated.

Purpose of Report

The purpose of this report item is to inform Members that the Environmental Services department have carried out a strategic review on the current and future usage of an asset within the Estates Division, namely, ‘*Eastermeade Stores*’, with a resultant output being that such an asset is surplus to the requirements of the said department.

Background

The said portion of land is held by Council under a title classification of, ‘Deemed Processionary’, which has been continued from the first part, Ballymoney Urban Council and Ballymoney Borough Council.

We would provide the following key site and building facts: -

- Building is of traditional solid block work construction, (no cavity), with same divided internally into 3no. units.
- An Asbestos pitched roof is present, with supporting steel girder trusses.
- Building is generally defective free and of industrial storage categorisation.
- Building / plot foot print quantity area:- 168sqm
- Restrictive access can be had to the building through 2no. ‘corridors’ adjacent to residential dwellings off Eastermeade Gardens, Ballymoney.

The said building sits within the development boundary of Ballymoney Town Centre, and as such, would be suitable for various uses and development opportunity, subject of course to Statutory Planning review and consent.

Minor storage is currently held by Estates at the facility, however, following consultation with the subject departmental division, storage premises and the like will be considered strategically within the overall Estates/Depot Strategy, with the items as stored there at present, being relocated elsewhere within the Estate.

Appendix A, previously circulated, includes a site survey overview and photographs, previously circulated.

Recommendation

It is recommended that Members declare the said asset as described above, surplus to the requirements of the Environmental Services Department, thereafter Asset Realisation shall review the possible strategic realisation options for the said site and report to the Land & Property Sub-Committee accordingly on the best way to achieve value for money.

At the request of Councillor McAuley, the Head of Head of Capital Works, Energy and Infrastructure confirmed that the asset was not currently being used as storage and was empty. Discussion ensued regarding the potential for use of this asset by other Directorates and the Director of Environmental Services agreed to follow up.

Proposed by Councillor McAuley
Seconded by Councillor Wallace and

AGREED to recommend that the decision be deferred until the Director of Environmental Services determines if another Directorate requires use of the asset in advance of it being declared surplus to requirements.

22. RE-SURFACING AND LIGHTING PROJECT AT BALLINTOY HARBOUR AND CARPARK

Confidential report, previously circulated.

Purpose of Report

The purpose of this report is to request permission to progress this project to Stage 3 of the Capital Programme Management System (Appointment of a Contractor and Construction of the Works).

Background

At the Environmental Services Committee meeting of 14th December 2021 it was agreed that members approve progression to stage 2 of the procurement gateway and grant permission for officers to carry out a detailed design, prepare tender documents and publicly advertise the works.

This was subsequently ratified at full Council on 4th January 2022.

Proposals

A detailed design was prepared and ITT (Invite to Tender) documents were uploaded to eSourcing NI website on 30th March 2022 with a return date of 12:00 noon on 15th April 2022 for the ITT documents.

A total of four ITT submissions were received by the return date. The ITT Documents from the four suppliers were opened and the administrative/compliance items of the four submissions were assessed. QBS Ltd and OB Construction did not return the signed NEC3 Engineering and Construction Short Contract – Contract Document, the Declaration document, and Model CE. Due to incomplete tender documentation QBS Ltd. and OB Construction Ltd were disqualified.

The remaining two compliant submissions were arithmetically checked, and no arithmetical errors were identified.

On completion of this exercise, the most economically advantageous tender assessed was in the sum of £79,193.80 excluding VAT submitted by Northstone Ltd.

Note: this is within the estimated value of £110,831.27 (which was inclusive of professional fees at £12k) within the November 2021 report brought to Members requesting permission to proceed to stage 2.

See appendix 1 – Tender Report by Project Officer J Mailey (previously circulated)

The works would commence on site after the peak tourism season.

Recommendation(s)

It is recommended that the Environmental Services Committee recommends to Council that the Members grant permission to progress to stage 3 of the procurement gateway and appoint Northstone Ltd to carry out the works for the submitted Tendered sum of £79,193.80 excluding VAT.

Councillor McQuillan asked for the current status regarding potentially charging for parking at this area and the Director of Environmental Services advised that a meeting was expected with statutory agencies regarding park and ride options.

The Head of Head of Capital Works, Energy and Infrastructure clarified, at the request of members, that the ornate lighting columns included in the tender will be like for like as those already installed.

Proposed by Councillor McQuillan
Seconded by Councillor Hunter and

AGREED to recommend that Council grant permission to progress to stage 3 of the procurement gateway and appoint Northstone Ltd to carry out the works for the submitted Tendered sum of £79,193.80 excluding VAT;

Council meeting with statutory agencies be expediated with regard to parking options at this site.

23. AFFORDABLE WARMTH SCHEME UPDATE

Confidential, for information report, previously circulated.

Purpose of Report

The purpose of this report is to update members in respect of correspondence received from the Department for Communities (DfC) on the Affordable Warmth Scheme budget and referral targets for 2022-2023.

Background

The Department for Communities (DfC) is responsible for developing policy and implementing programmes to mitigate the effects of fuel poverty and improve the thermal comfort of low-income households across Northern Ireland. The Affordable Warmth Scheme is DfC's primary scheme for tackling fuel poverty. DfC works in partnership with all local councils and the Northern Ireland Housing Executive to deliver the scheme.

DfC issued correspondence to all Councils on 6th April 2022 (see Appendix 1 to this report) regarding the Affordable Warmth Scheme Budget for 2022-2023 and a reduction in referrals from 30 per month to 20 per month from June 2022 onwards.

The current payment per referral remains however the reduced referral target represents a reduction of £21,680 in funding over the course of the financial year. Staffing levels are therefore currently being reviewed to ensure that delivery of the Affordable Warmth Scheme continues at no cost to Council.

Recommendation

It is recommended that Council notes the correspondence.

Elected Members referred to the good work undertaken by the Affordable Warmth Team and said they were to be commended.

Proposed by Councillor Hunter
Seconded by Councillor McQuillan

- To recommend that Council write to Department for Communities asking for full monies to be re-instated to the Affordable Warmth Scheme.

Amendment

Proposed by Councillor Bateson
Seconded by Councillor McLaughlin

To recommend that:-Council write to Department for Communities expressing concern that money has been cut and ask for full monies to be re-instated to the Affordable Warmth Scheme;
That Council write to Stormont to urge all parties to get around the table at Stormont to properly access the monies as soon as possible.

The Chair put the Amendment to the Committee to Vote.
6 Members voted For; 7 Members voted Against; 0 Members Abstained.
The Chair declared the Amendment Lost.

The Chair put the Substantive Motion to the Committee to Vote.
13 Members voted For; 0 Members voted Against; 0 Members Abstained.
The Chair declared the Motion Carried unanimously.

- * **Councillor Holmes, joined the meeting in the Chamber at 7.50 pm (having previously joined remotely).**

24. FOOD STANDARDS AGENCY RESPONSE TO REQUEST FOR ADDITIONAL FINANCE SUPPORT

Confidential, for information report, previously circulated.

Purpose of Report

The purpose of this report is to update members on the response from the Food Standards Agency (FSA) following a request by Council for additional financial support to meet statutory obligations in relation to food control.

Background

Further to committee report ES211012 and CM211102 regarding a request for additional resources and realignment of functions Health & Built Environment Section it was agreed that Council would write to FSA requesting additional financial resource be provided by FSA to ensure that Council can deliver on the FSA's Recovery Plan and can meet increasing demands as a result of increasing service requests and the effect of the global pandemic. In addition, it was agreed that the matter be tabled at the Partnership Panel.

The issue was subsequently referred to the Partnership Panel in January 2022 and the Head of Health and Built Environment wrote to FSA on behalf of Council on 4th March 2022. Copy of letter is attached as appendix 1, previously circulated.

A letter from FSA was sent to the Chief Executive on 10th March 2022 confirming that the allocation of core grant funding from FSA to Causeway Coast and Glens Borough Council for 2022/23 was to be £106,101.88 which represented an increase of £27,205.61 from the previous year. Copy of letter attached as appendix 2, previously circulated.

A further letter from FSA was received by the Head of Health and Built Environment on 30th March 2022 in response to the previous correspondence. Copy of letter attached as appendix 3, previously circulated.

Recommendation

It is recommended that the Environmental Services Committee note the above.

- * **Alderman Boyle left the meeting at 8.10 pm**

25. ANAEROBIC DIGESTOR FACILITY – INVESTMENT AND PROSECUTION UPDATE

Confidential, for information report, previously circulated.

The purpose of this report is to provide members with an update on an ongoing investigation and outcome of recent legal proceedings in relation to an Anaerobic Digester Facility.

The Director of Environmental Services gave a comprehensive verbal update to Elected Members.

Recommendation

It is recommended that the report be noted.

Councillor Beattie referred to ongoing issues affecting residents and paid tribute to the Environmental Services Officers involved.

Councillor Bateson and McGlinchey said they had been contacted by concerned residents and felt that although Officers had delegated authority, it may have been prudent to have brought a report to Committee. Councillor McGlinchey felt that a further legal opinion should be sought.

The Director of Environmental Services advised the decision taken was based on legal advice and confirmed that Officers have given a commitment to monitor and deal with any further breaches.

Proposed by Councillor McGlinchey
Seconded by Councillor Beattie and

AGREED to recommend that the Director of Environmental Services seek a second opinion in relation to the legal advice.

Councillor McQuillan felt there was no value in seeking further opinion if it did not impact on decisions and the Director of Environmental Services stated the decision could not be altered at this stage.

The Director of Environmental Services agreed to bring a report regarding the outcome of the second Legal Opinion requested to the next Committee meeting.

In advance of proceeding '*In Public*', the Director of Environmental Services provided further clarity to members relating to the UNITE strike action in terms of staff numbers involved.

* **Alderman Boyle re-joined the meeting at 8.30 pm**

MOTION TO PROCEED '*IN PUBLIC*'

Proposed by Councillor Wallace
Seconded by Alderman Boyle and

AGREED – that Committee move '*In Committee*'

26. ANY OTHER RELEVANT BUSINESS (NOTIFIED IN ACCORDANCE WITH STANDING ORDER 12 (O))

26.1 Grass Cutting Bay - Crosstagherty (Councillor Wallace)

Can you give me an update on the grass cutting bay at Crosstagherty?

Councillor Wallace referred to a site meeting at Crosstagherty which he attended with Councillor McAuley, Alderman Finlay and Council Officers. Councillor Wallace said complaints had been received about the time taken to off load grass.

The Director of Environmental Services said that infrastructure work was currently being designed and costed and would be brought to Committee for consideration.

Councillor Wallace asked for a timescale and the Director of Environmental Services said he would advise at the next Committee meeting of the timescale.

26.2 Electric Vehicle Charge Points (Councillor McQuillan)

Considering the rise in fuel costs for vehicles and the fact Government are now pushing motorists towards Electric vehicles, has council any plans to increase the number of EV charging points within its car parks to meet the demand?

Considering the insignificant number of EV charging points across the Borough and in particular Council owned car parks, has council given any consideration to limiting the time permitted at each EV point to 2/3 hours until adequate numbers of points are installed?

Councillor McQuillan felt there may be a shortage of EV charging points in the Borough. The Director of Environmental Services referred to the recent Climate Energy Forum meetings which had been tabled with only a couple of Elected Members in attendance and agreed to bring future Climate Change reports including EV charging points, direct to Environmental Services Committee.

Councillor McAuley referred to issues around the location of the EV charging point in Bushmills and the Director of Environmental Services agreed to follow up with the relevant Officer.

The Chair advised this was his last meeting as Chair of the Environmental Services Committee.

Alderman Boyle, Councillor Bateson and Councillor McLaughlin wished to thank Councillor Wilson for the way in which he Chaired the meetings.

There being no further business the Chair thanked everyone for their attendance and the meeting concluded at 8.40 pm.

Chair