

**ENVIRONMENTAL SERVICES COMMITTEE MEETING
TUESDAY 12 DECEMBER 2023**

Table of Recommendations

No	Item	Summary of key Recommendations
1.	Apologies	<i>Councillor Callaghan Councillor Wallace</i>
2.	Declarations of Interest	<i>None</i>
3.	Minutes of previous meeting held Tuesday 14 November 2023	<i>Confirmed as a correct record</i>
4.	Approval of a place as a venue for Civil Marriage and Civil Partnership	<i>To recommend to Council that the premises be granted Approval for Civil Marriage and Civil Partnership subject to compliance with any recommendations of the Councils licensing section and no objections being made by representatives, PSNI or NIFRS</i>
5.	Discussion document and Pre-Consultation on a review of energy efficiency requirements and related areas of Building Regulations	<i>To recommend that Council endorses this response and approves submission by the closing date pending Council approval</i>
6.	Procurement of Environmental Health Management Information System	<i>To recommend that Council authorise the commencement of the procurement process to purchase a new or upgraded Management Information System software package for</i>

No	Item	Summary of key Recommendations
		<i>the Environmental Health Department</i>
7.	Consultation on Sections 8 & 10 of the Private Tenancies (N.I.) Act 2022	<i>To recommend that Council approves the responses to the technical matters of the consultation</i>
8.	Dog fouling “We’re Watching You” Pilot Campaign	<i>To recommend to Council that the campaign package be purchased and to pilot the ‘We’re Watching You’ initiative in the areas detailed in 2.1 above</i>
9.	Climate Change Management Officer	<i>To recommend to Council that, to resource the measures identified, including the actions adopted within the Audit Committee (June 2023) to address climate change responsibilities with the organisation - it is recommended that Members grant officers permission to appoint a Climate Change Management Officer</i>
10.	Conference	<i>Noted</i>
11.	Entertainment Licence Renewals	<i>Noted</i>
12.	Licences Issued Under Delegated Authority	<i>Noted</i>
13.	Petroleum Spirit Licence Renewals	<i>Noted</i>
14.	North West Region Waste Management Group (NWRWMG) – Mixed Dry Recyclables Tender (Legal Fees)	<i>Noted</i>
15.	Update on the Energy Management Strategy 2015 - 2025	<i>Noted</i>
16.	ES Management Accounts and Financial Position Period 7	<i>Noted</i>

No	Item	Summary of key Recommendations
17.	Matters for Reporting to Partnership Panel	<i>None</i>
18.	Consultations	<i>None</i>
19.	Correspondence	<i>None</i>
	<i>'In Committee' (Items 20-23 inclusive)</i>	
20.	Licencing of Pavement Cafes (NI) Act 2014 - Application to Private Lands	<i>To recommend that Council apply the Licensing of Pavement Cafes (NI) Act 2014 to pavement cafes located on private lands which meet the definition of a "public area"</i>
21.	Height restriction barrier, Beach Road car park Portballintrae	<i>To recommend to Council that the height restriction barrier at Beach Road car park, Portballintrae be left open for the winter months of December to February on a trial basis, to be monitored and reviewed as required</i>
22.	Street Trading Licence Renewals	<i>Information</i>
23.	North West Region Waste Management Group (NWRWGM) – Joint Committee Minutes	<i>Noted</i>
24.	Any Other Relevant Business (notified in accordance with Standing Order 12 (0))	<i>None</i>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF
THE ENVIRONMENTAL SERVICES COMMITTEE HELD
IN THE COUNCIL CHAMBER, CIVIC HEADQUARTERS AND VIA VIDEO
CONFERENCE, ON TUESDAY 12 DECEMBER 2023 AT 7.00 PM**

In the Chair: Alderman Fielding (Chair)

Members Present: Alderman Hunter (R), Knight-McQuillan (C), S McKillop (C); Councillors C Archibald (C), Bateson (R), Chivers (R), Kane (C), Jonathan McAuley (C), MA McKillop (R), McQuillan (R), Mairs (C), Stirling (R), Wilson (R)

Officers Present: A McPeake, Director of Environmental Services (C)
S McAfee, Head of Health and Built Environment (R)
J Richardson, Head of Capital Works, Energy and Infrastructure (R)
M Campbell, Energy Officer (R)
U Harper, Committee & Member Services Officer (C)

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

Press (1 no.) (R), Public (1 no.) (R)

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

Substitutions: Alderman Knight-McQuillan substituted for Councillor Callaghan.

The Director of Environmental Services undertook a roll call.

The Chair advised Committee of its obligations and protocol whilst the meeting was being audio recorded, and reminded them of the remote meetings protocol.

* **Councillor Bateson joined the meeting remotely at 7.03pm**

1. APOLOGIES

Apologies were received from Councillor Callaghan and Councillor Wallace.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING HELD TUESDAY 14 NOVEMBER 2023

Summary, previously circulated.

AGREED - The Minutes of the Environmental Services Committee meeting held Tuesday 14 November 2023 were confirmed as a correct record.

4. APPROVAL OF A PLACE AS A VENUE FOR CIVIL MARRIAGE AND CIVIL PARTNERSHIP

Report, previously circulated, was presented by the Director of Environmental Services.

THE MARRIAGE (NI) ORDER 2003 AND THE CIVIL PARTNERSHIP REGULATIONS (NI) 2005

APPROVAL OF A PLACE AS A VENUE FOR CIVIL MARRIAGE AND CIVIL PARTNERSHIP

Reference Number:	MA 018 / CP 018
Premises:	Hedges Hotel, Ballinlea Road, Stranocum
Application:	Application has been received for the Grant of Approval as a place of Civil Marriage and Civil Partnership.
Representations:	Closing date 4 th December 2023
PSNI and NIFRS:	Closing date 11 th December 2023

Recommendation

It is recommended that the premises be granted Approval for Civil Marriage and Civil Partnership subject to compliance with any recommendations of the Councils licensing section and no objections being made by representatives, PSNI or NIFRS

Proposed by Councillor MA McKillop
Seconded by Alderman Hunter and

AGREED – to recommend to Council that the premises be granted Approval for Civil Marriage and Civil Partnership subject to compliance with any recommendations of the Councils licensing section and no objections being made by representatives, PSNI or NIFRS.

5. DISCUSSION DOCUMENT AND PRE-CONSULTATION ON A REVIEW OF ENERGY EFFICIENCY REQUIREMENTS AND RELATED AREAS OF BUILDING REGULATIONS

Report, previously circulated, was presented by the Director of Environmental Services.

Purpose of Report

The purpose of this report is to provide a Causeway Coast and Glens Borough Council response to the discussion document and pre-consultation.

Background

15% of Northern Ireland's greenhouse gas emissions stem from buildings, with 13% from our homes and residential buildings. Building Regulations set minimum, baseline performance requirements when building work is being carried out and when some specific material change of use cases occur. Other

legislation and policies are used to incentivise, or require, retrofit of the existing housing stock, or to set additional requirements.

This Discussion Document and Pre-consultation considers the way forward for energy efficiency and related aspects of the Building Regulations in the coming years. The Executive's Energy Strategy - Path to Net Zero Energy (December 2021) and associated Action Plans included a commitment to an interim uplift through revised technical guidance, which took effect in June 2022. That strategy also seeks to ensure new buildings are designed and constructed to net zero ready standards from no later than 2026/27.

This discussion document represents the next step and seeks information and evidence on a range of technical issues to help inform subsequent uplifts. It covers a range of building regulations technical areas including:

- Part F- Conservation of fuel and power
- Part K- Ventilation
- a new Part on mitigation of overheating in dwellings; and
- a new Part on potential electric vehicle infrastructure requirements

The package of consultation documents which outline fully the proposed amendments can be found at the link below:

<https://www.finance-ni.gov.uk/consultations/review-energy-efficiency-building-regulations>

Attached as Appendix 1 is a suggested response to the consultation.

The closing date for submission of responses to the Department of Finance is 15th December 2023.

Recommendation

It is recommended that the Environmental Services Committee recommends Council endorses this response and approves submission by the closing date pending Council approval.

Proposed by Alderman S McKillop
Seconded by Councillor Mairs and

AGREED – to recommend that Council endorses this response and approves submission by the closing date pending Council approval.

6. PROCUREMENT OF ENVIRONMENTAL HEALTH MANAGEMENT INFORMATION SYSTEM

Report, previously circulated, was presented by the Director of Environmental Services.

Purpose of Report

The purpose of this report is to seek Council approval to procure a new upgraded Management Information System for the Environmental Health Department.

Background

Council's Environmental Health Department currently utilises 3 separate IDOX software packages to manage information relating to the Environmental Health service requests and inspections; dog control service requests and dog licences and a licensing package for the Department's licensing duties.

The contract with IDOX is a rolling contract however the current software package is no longer supported by IDOX and as such there is a risk to Council should the system fail. Council is also unable to avail of any enhancements to the package.

There is therefore a need to carry out a procurement exercise to purchase a new or upgraded Management Information System for the Environmental Health Department.

As the value of the contract is anticipated to exceed £30,001 Council approval is required to commence the procurement process.

Recommendation

It is recommended that Council authorise the commencement of the procurement process to purchase a new or upgraded Management Information System software package for the Environmental Health Department.

Proposed by Councillor Kane
Seconded by Councillor C Archibald and

AGREED – to recommend that Council authorise the commencement of the procurement process to purchase a new or upgraded Management Information System software package for the Environmental Health Department.

* **Alderman Knight-McQuillan joined the meeting in the Chamber at 7.09pm**

7. **CONSULTATION ON SECTIONS 8 & 10 OF THE PRIVATE TENANCIES (N.I.) ACT 2022**

Report, previously circulated, was presented by the Director of Environmental Services.

Purpose of Report

The purpose of this report is to provide a response to the Department for Communities (DfC) consultation on Section 8 (Smoke, Heat and Carbon Monoxide Alarms) & Section 10 (Electrical Safety Standards) of the Private Tenancies (N.I.) Act 2022.

Background

Council Environmental Health Officers are heavily engaged in the regulation of the private rented sector through Council's statutory duties under the Private Tenancies (NI) Order 2006 (as amended by the Private Tenancies Act and Housing Amendment Acts) as well as through statutory nuisance investigations. Council is also the enforcing authority for provisions to regulate landlord

registration, security of tenancy deposits and licensing scheme for Houses in Multiple Occupation (HMO).

The overarching objectives of the Private Tenancies Act were to make the private rented sector a safer and more secure housing option for a wider range of households, to ensure better regulation of the sector and offer greater protection to private renters.

Members were updated in March 2023 regarding the implementation of sections 1 – 6 of the Private Tenancies (N.I.) Act 2022 which came into effect on the 1st April 2023.

Not all requirements of the Act were implemented in April 2023. The creation of further regulations is required to bring the remainder of the Act into effect. This is the case for Sections 8 and 10 pertaining to smoke heat and carbon monoxide alarms and electrical safety.

The Department for Communities has launched two consultations on the out-workings of the Private Tenancies Act (NI) 2022 in shaping the technical regulations relating to:

Section 8 – Smoke, heat, and carbon monoxide alarms.

<https://consultations.nidirect.gov.uk/dfc/the-fire-smoke-and-carbon-monoxide-alarms-northern>

Section 10 – Electrical Safety Standards

<https://consultations.nidirect.gov.uk/dfc/electrical-safety-standards-northern-ireland-202x>

The purpose of the consultations is to assess whether the regulations deliver a sound legislative framework (in context of boundaries in the 2022 Act) to improve health and safety standards in private rented properties, and that the accompanying Guidance Notes are easy to follow and provide the necessary information for all stakeholder groups.

Proposals

Section 8 – Smoke, heat, and carbon monoxide alarms.

- The proposed Smoke, Heat and Carbon Monoxide Alarms Regulations (NI) set the standards for the number and type of smoke, heat and carbon monoxide alarms to be installed in private rented properties and aim to reduce the risk of fire related incidents.
- It is anticipated these Regulations will come into operation early next year and will apply to all private tenancies. There will be a lead in time of 2 months for landlords to comply.
- It will be an offence for a private landlord to fail to comply with the duty to keep in repair and proper working order sufficient appliances for detecting smoke, heat and carbon monoxide.

Section 10 – Electrical Safety Standards

- The proposed Electrical Safety Standards Regulations (NI) aim to reduce the risks of death and injury due to electrical faults in private rental properties.
- The regulations introduce the requirement for electrical safety standards to be met during the period the property is let and electrical inspections will be required to be completed by a qualified electrician at least every 5 years. The landlord must provide proof the testing has been carried out and if a repair/further investigation is required it must be completed within a specific timescale. It will be an offence for the landlord not to comply with their duties.
- There is no indication of an implementation date yet. Once commenced, it is anticipated there will be a lead in time of 12 months for all tenancies to comply.
- The Act creates new offences for which the Council will have powers to issue fixed penalty notices. The fixed penalty payable in respect of an offence is an amount determined by the Council, being an amount not exceeding one-fifth of the maximum fine payable on summary conviction of that offence, which is a maximum of £500 for smoke, heat and carbon monoxide alarm offence and £1000 for electrical safety offence.

The introduction of the Private Tenancies Act provides Councils with new enforcement powers to deal with tenancy issues in the private rented sector. This will increase the duties and demands on the Councils enforcement resource which has already experienced an increase in demand on housing and statutory nuisance services over recent years.

DfC is aware of concerns in terms of resources, however there is no financial support available currently to assist Councils with these additional powers. The Council in its response to the consultation has requested the ability to charge for enforcement action with regards to electrical safety like that contained in Part II of the Private Tenancies (NI) Order.

The fixed penalty regime introduced for the new offences may provide some income but it will not cover any additional staffing and administrative resources required. Setting the fixed penalty to the maximum amounts is a key consideration in the absence of any financial support to implement this important legislation.

Members will be provided with a further update prior to implementation of the new legislative powers to agree fixed penalty levels.

Attached as Appendices 1 & 2 are suggested responses to the technical matters of the consultations.

The closing date for submission of responses to DfC is 15th January 2023. The original deadline was 5th December 2023 however an extension was requested to accommodate Council's meeting timetable.

Recommendation

It is recommended that the Environmental Services Committee recommends Council approves the responses to the technical matters of the consultation.

Proposed by Councillor C Archibald
Seconded by Alderman Knight-McQuillan and

AGREED – to recommend that Council approves the responses to the technical matters of the consultation.

8. DOG FOULING “WE’RE WATCHING YOU” PILOT CAMPAIGN

Report, previously circulated, was presented by the Director of Environmental Services.

Purpose of Report

The purpose of this report is to seek Council approval to pilot the “We’re Watching You” dog fouling campaign.

Background

On an annual basis as the darker mornings and nights draw in the Enforcement Team see an influx of dog fouling complaints particularly on Castlerock Promenade, Rugby Avenue Playing Fields, Roe Valley Playing Fields, Market Street/Knock Road Ballymoney and Ballycastle Seafront.

Following a discussion with Ian Humphries, Chief Executive Officer of Keep Northern Ireland Beautiful he highly advocated utilising the “We’re Watching You” initiative by Keep Britain Tidy.

Keep Britain Tidy state “We know people are less likely to pick up after their dogs when they feel they aren’t being watched and dog-fouling increases as the nights draw in. That’s why we created our award-winning We’re Watching You campaign. Our innovative, eye-catching, glow in the dark signs help to remind thoughtless dog owners that “we’re watching you” and have reduced dog fouling by up to 46%.”

Pilots in England have also shown that the campaign did not displace the issue to other areas.

The standard campaign package includes Glow in the Dark A3 signs in a choice of designs, plus digital assets (in one design) for social media purposes which include an email footer and web banner.

Further information on the campaign can be found at <https://www.keepbritaintidy.org/local-authorities/reduce-litter/dog-fouling/solutions/were-watching-you>

Attached as appendix 1 are the signage options. Council’s logo can be added to the signs and they can be customised to reflect the current litter fixed penalty amount, recently increased by Council to £200 with reduced early payment rate of £150.

Recommendation

It is recommended that the campaign package be purchased and to pilot the ‘We’re Watching You’ initiative in the areas detailed in 2.1 above.

In response to questions from Members, the Director of Environmental Services advised that the posters will have the Council logo added and the new rates of fines detailed on them. He advised that the scheme will be targeted to hot spots and will be monitored by tracking the number of dog fouling complaints. The Director of Environmental Services advised that the cost for the campaign is within the current budget for initiatives to address dog fouling, but he will issue details of the exact cost to Members.

It was suggested by Members that the publicity for the initiative could involve highlighting that enforcement is being carried out, and the publicity could also remind residents of the Borough that the 'Reportable' app is available for reporting dog fouling.

Proposed by Councillor MA McKillop
Seconded by Councillor Bateson and

AGREED – to recommend to Council that the campaign package be purchased and to pilot the 'We're Watching You' initiative in the areas detailed in 2.1 above.

9. CLIMATE CHANGE MANAGEMENT OFFICER

Report, previously circulated, was presented by the Director of Environmental Services.

Purpose of Report

The purpose of this report is to seek members approval to create a new permanent employee position to co-ordinate and manage Councils climate change responsibilities both statutory and non-statutory initiatives across all of its functions. The new post would be titled "**Climate Change Management Officer**".

Background

Council has new additional Statutory responsibilities under the NI Climate Change Act (CCA)2022. A copy of the Act is attached – appendix 1.

Section 42 of the Act imposes climate change reporting duties on specified public bodies. The Act secured its Royal Assent in June 2022 with the associated regulation coming into effect 18 months from the Assent. DAERA is the body who has the compliance responsibility for this Act.

Under section 42, subsection 3 - The climate change reporting duties that may be imposed on a body under subsection include duties to prepare reports containing any of the following (quoted from the Act)—.

- an assessment of the current and predicted impact of climate change in relation to the body's functions
- a statement of the body's proposals and policies for adapting to, or mitigating the effects of, climate change in the exercise of its functions
- a statement of the time-scales for implementing those proposals and policies
- an assessment of the progress made by the body towards implementing the proposals and policies set out in any previous reports prepared under the regulations.

The Act shall impose significant responsibilities across Council's functions, increasing the existing climate change initiatives which also require significant.

At previous ES Committee meetings, the below **two** notices of motions were agreed at full Council.

Motion 1 (Sept 2019)

Proposed by Councillor Dallat O'Driscoll and seconded by Councillor Beattie

"This Council acknowledges the scale of the climate crisis and the impact it will have on people and communities in Northern Ireland, resolves to establish an all-party working group on climate change resilience exploring how we can mitigate this crisis and protect our citizens from the existing and future effects of climate breakdown and; investigate measures the council can take to limit its impact on climate change."

Motion 2 (June 2020)

Proposed by Councillor Peacock and seconded by Councillor Bateson

Council notes:

that the impacts of climate breakdown are already causing serious damage around the world.

that the 'Special Report on Global Warming of 1.5° C', published by the Intergovernmental Panel on Climate Change in October 2018, (a) describes the enormous harm that a 2° C average rise in global temperatures is likely to cause compared with a 1.5° C rise, and (b) confirms that limiting Global Warming to 1.5° C may still be possible with ambitious action from national and sub-national authorities, civil society and the private sector.

that all governments (national, regional and local) have a duty to act, and local governments that recognise this should not wait for their national governments to change their policies;

that strong policies to cut emissions also have associated health, wellbeing and economic benefits;

and that, recognising this, a growing number of local authorities have already passed 'Climate Emergency' motions.

In recognition that a more ambitious and urgent target for net zero carbon emissions than 2050 is required, Council therefore commits to:

Declare a 'Climate Emergency' that requires urgent action.

Using renewable energy sources across the council's full range of functions by 2030.

Ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to net zero carbon

Support and work with all other relevant agencies towards making the entire area zero carbon within the same timescale;

Ensure that political and chief officer leadership teams embed this work in all areas and take responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the Council's activities, ensuring that any recommendations are fully costed and that the Executive and Scrutiny functions review council activities taking account of production and consumption emissions and produce an action plan within 12 months, together with budget actions and a measured baseline;

Request that Council Scrutiny Panels consider the impact of climate change and the environment when reviewing Council policies and strategies;

Work with, influence and inspire partners across the district and region to help deliver this goal through all relevant strategies, plans and shared resources by developing a series of meetings, events and partner workshops;

Request that the Council and partners take steps to proactively include young people in the process, ensuring that they have a voice in shaping the future;

Consider other actions that could be implemented, including (but not restricted to); renewable energy generation and storage, providing electric vehicle infrastructure and encouraging alternatives to private car use, increasing the efficiency of buildings, in particular to address fuel poverty; proactively using local planning powers to accelerate the delivery of net carbon new developments and communities, coordinating a series of information and training events to raise awareness and share good practice.

In alignment with the UK government's position and the declared climate emergencies outlined above, the ES Committee agreed to establish a working group to manage the climate emergency (including de-carbonisation) by signposting necessary Council actions with milestones. The Climate Emergency Forum (CEF) was proposed and subsequently adopted. It was further agreed that the chair of the ES committee would chair the forum and that all ES committee members would become forum members / participants. (previous TOR of the CEF attached (appendix 2)). The CEF was created with ultimate ambition to support the development of a Climate Emergency Strategy (CES).

Council have an Energy Management Strategy 2015-2025 (EMS) which now needs updating as a result of the new legislation (CCA NI 2022), and to align with Northern Ireland's Energy Strategy (Net Zero by 2050) where necessary (subject to Members decision). It was anticipated that the wider CES would amalgamate and supersede the EMS.

An audit on Energy Management & Climate Change was completed in May 2023, and was subsequently presented and adopted by the Audit Committee in June 2023. It noted that in addition to the largely mitigation actions identified in the EMS Council must consider and quantify what adaptation is required to help withstand and minimize the effects of climate change that are already affecting the Council district.

Some of the following observations / findings were made within the adopted audit.

Issue 1 Implication excerpt - that although Council declared a Climate Emergency in 2020, and there are a number of climate emergency initiatives

taking place, this is not happening in a joined-up manner. Climate emergency matters have not been assigned to any individual officer or group of officers.

Issue 1 Recommendation – The recommendation is that Council should identify a climate champion (or champions) amongst its Councillors, and SLT should identify, or engage, a climate change officer. This is necessary to ensure that there is leadership and clear understanding of who is responsible to:

- coordinate identification of Council's climate goals (re mitigation and adaptation)
- ensure climate goals are interlinked with other Council priorities.
- ensure Council is considering climate change responsibilities attributed to local Councils in legislation and through regional and national initiatives such as NICCAP etc., and
- ensure Council has appropriate mechanisms in place to meet statutory (and possibly voluntary) reporting obligations.

Council should consider developing a cross Council working group to support the climate change officer and to ensure a coordinated approach across Council in responding to the declaration of a Climate Emergency.

Issue 2 Implication excerpt - the absence of a Climate Emergency Strategy including details of how Council will manage climate change mitigation and adaptation, leads to uncoordinated climate change activities across Council. This increases the risk of unclear climate change commitments, possible delays in addressing climate change mitigation and adaptation, and being ill-prepared for statutory (and voluntary) climate change reporting obligations.

Issue 2 Recommendation - Council should put in place a plan to develop a CES. The CES should lay out a cohesive strategy on climate change initiatives for the coming years, what Council plans to do in terms of climate change mitigation and adaptation. The CES should be supported by more detailed and costed action plans.

Issue 3 Implication excerpt - the absence of an adaptation plan increases the risk of possible damage to Council's reputation.

Issue 3 Recommendation - Council should consider preparing an adaptation plan in line with the NICCAP target of having adaptation plans in every Council by 2024. A Toolkit is available (free) from NI Adapts to all Northern Ireland public sector organisations which would be a good basis for developing an adaptation plan.

Issue 4 Implication excerpt - The costs to tackle climate emergency are likely to be substantial and may increase over time. In the absence of estimated costs to address the climate emergency or even to develop a CES there is a risk that Council will have insufficient financial resources available when it is required.

Issue 4 Recommendation - Council needs to identify and secure funding from existing resources and future national and regional programmes and mechanisms which support carbon reduction, energy efficiency, waste reduction, air quality, biodiversity, climate action partnerships, etc.

A copy of the Audit report is attached for ease of reference – (appendix 3)

Proposal

Climate change reporting together with the associated necessary mitigations / adaptations plans and strategies are across all Councils functions and is multi directorate. An internal Climate Project Team (CPT) has already been established to facilitate and lead the multi directorate functions across the organisation.

The CPT shall also be members of the CEF (when required) to inform and collaborate climate change impacts and mitigation measures with Members to ensure all the functions within the organisation are discussed and addressed within the climate emergency strategy (CES).

The CPT shall establish the following five information across the function of Council– including

- Identify climate change impacts and risks
- Collect baseline data and arrange workshop with officers.
- Identify objectives and targets with performance measures (KPI's)
- Develop monitoring and report system (internal and external DAERA CCANI reporting)
- Review

Currently no officer or resource is in place across departments to manage climate change adaptations / mitigations on all Councils functions and to complete and deliver a CES to do so. Given the scale and scope of Councils functions and to resource and focus all the functions, it is proposed to employ an additional member of staff. The suggested post would be for a position of ***Climate Change Management Officer***.

Duties for the officer would include:

- To support the leadership, co-ordination, management and development of the Council's response to the challenges of climate change mitigation and adaptation to achieve net zero targets, including research, development, and performance management across all Council's functions.
- Lead the multi-stake holder collaborative working groups.
- Implement, co-ordinate & manage an integrated Climate Emergency Strategy (CES) encompassing Councils statutory responsibilities and objectives across all its functions.
- To monitor the implementation of the Climate Emergency Strategy and/or Action Plan against agreed KPI's, and ensure appropriate measures are implemented to deliver efficient and effective performance management.
- Lead on Statutory Reporting – relating to Climate Change across the organisation.
- Co-ordinate & deliver Climate Management and Mitigation workshops / forums with Elected Representatives and stake holders.

- To ensure Council meets its statutory and strategic objectives in relation to climate change across the organisation & its functions.
- To manage the financial and physical resources assigned to the climate change and resilience activity, including the preparation of an annual estimate, and the management of approved budgets.
- Develop effective collaborative relationships between Council and relevant external stakeholders, including government departments, researching, developing implementing and monitoring actions and initiatives.
- Co-Ordinate and lead economically advantageous Borough wide projects in the pursuit of carbon emission reductions where economies of scale assists Council and multi stakeholders.
- Ensure that Council complies with all statutory and legislative requirements by adhering to these requirements and working in accordance with good governance and health and safety requirements.
- To work in collaboration with appropriate Council officers to identify possible funding opportunities for Council climate and resilience activities and support the preparation of funding bids to the appropriate bodies in relation to climate mitigations initiatives.

Recommendation

It is recommended that, to resource the measures identified, including the actions adopted within the Audit Committee (June 2023) to address climate change responsibilities with the organisation - it is recommended that Members grant officers permission to appoint a Climate Change Management Officer.

The Director of Environmental Services advised that the climate project team has already been established, and this team will feed into the Climate Emergency Forum when it restarts in 2024.

Proposed by Councillor Bateson
 Seconded by Councillor Kane and

AGREED – to recommend to Council that, to resource the measures identified, including the actions adopted within the Audit Committee (June 2023) to address climate change responsibilities with the organisation - it is recommended that Members grant officers permission to appoint a Climate Change Management Officer.

10. CONFERENCE

Purpose of report

The purpose of the report is to inform Elected Members of conferences and courses they may wish to attend.

The following is listed:

National Association of Councillors Conference - Environment / Positive Action Conference

Date: 12th-14th January 2024
Venue: The Little Haven Hotel, South Shields
Delegate Fee: £350 plus VAT
Accommodation: £85 plus VAT per night

Brian Nelson, National Secretary, National Association of Councillors

As the government has promised to reduce carbon emissions throughout the United Kingdom, we as elected Councillors all strive to reduce damage to the Environment in various ways. Local Authorities are driving ahead with innovative projects both to protect the environment and give good value for money schemes to the public.

We now also face a Climate Emergency and we will be looking at positive projects carried out by local authorities in the north east of England and in particular Tyneside. We will be learning about schemes that have just been carried out such as The Viking Energy Network Jarrow and The Holborn Renewable Energy Network. We will also be looking at the Implementation of waste reforms.

This weekend we have a range of speakers who are heavily involved in driving environmental schemes forward. We will be discussing how these schemes are working and what the practicalities are including the political ramifications. We will also have question and answer sessions.

The Director of Environmental Services advised that Members wishing to attend this conference should contact him or Democratic Services.

Recommendation

It is recommended that Environmental Services Committee consider the Conference listed.

Committee NOTED the report.

11. ENTERTAINMENT LICENCE RENEWALS

For information report, previously circulated, was presented by the Director of Environmental Services.

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>
EL015	Brown Trout Golf and Country Club
EL098	Rathmore Golf Club
EL105	St Patrick's Church Hall
EL021	The Newbridge Restaurant
EL057	Kilrea Golf Club
EL102	Ulster University Students Union
EL177	Lurig Bar
EL207	Garryduff Presbyterian Church Hall
EL288	Dunluce Parish Centre
EL315	Rising Sun Bar
EL304	Fullerton Arms
EL183	Giants Causeway Visitor Centre
EL417	Neptune & Prawn
EL033	Cromore Halt Inn Ltd

Alderman Knight-McQuillan queried whether previous issues raised regarding Kilrea Golf Club had been taken into account in the decision to renew licence number EL057, and whether the PSNI had been consulted prior to the renewal of the licence.

The Director of Environmental Services advised that the PSNI is a consultee on each renewal.

The Head of Health and Built Environment advised that if there had been an objection, the licence would not have been automatically renewed. She reminded Members that Council can revoke a licence if needed.

Councillor Bateson stated that he didn't believe that there is an ongoing issue relating to the Kilrea Golf Club licence.

Having checked her records, the Head of Health and Built Environment advised that she was not aware of any ongoing noise complaints or objections raised in relation to licence number EL057, but she confirmed that she would look into the matter further and provide a summary report to Members.

Committee NOTED the report.

12. LICENCES ISSUED UNDER DELEGATED AUTHORITY

For information report, previously circulated, was presented by the Director of Environmental Services.

The below licences were issued under Delegated Authority during the last report period:

The Local Government (Miscellaneous Provisions) (NI) Order 1985

Reference No	Premises:	Licence
EL028	Fairley's, Railway Road, Coleraine	Grant of an Annual Indoor Entertainment Licence: Days and times on which it is applied to provide entertainment: Monday to Saturday 11:30hrs to 01:00hrs Sunday 12:30hrs to 01:00hrs
EL025	Coleraine Leisure Centre	Grant of a Variation to an Occasional Entertainments Licence Days and times on which it is applied to provide entertainment: Monday to Friday 06:00hrs to 24:00hrs Saturday 08:00hrs to 24:00hrs Sunday 10:00hrs to 24:00hrs

Delegated authority was used to issue licences for the above applicants due to time constraints and to enable the premises to provide entertainment.

Decisions to grant or vary entertainment licences will continue to be brought before Council with delegated authority used only in exceptional circumstances.

The Road Traffic Regulation (Northern Ireland) Order 1997

<u>Reference Number</u>	<u>Special Event on Road</u>	<u>Prohibition/restriction of use of public roads</u>
EH828163	Kilrea Christmas Lights Switch-On	Application to hold a Special Event on 2 nd December 2023

Street Trading (NI) Act 2001

Unique Reference No	Street Trading License	Location
TST 009/2023	Temporary Street Trading	Church Street, Ballymoney
TST 010/2023	Temporary Street Trading	The Diamond, Ballycastle
TST 011/2023	Temporary Street Trading	Main Street, Limavady
TST 012/2023	Temporary Street Trading	New Row, Coleraine

TST 013/2023	Temporary Trading	Street	Park Street, Coleraine
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Committee NOTED the report.

13. PETROLEUM SPIRIT LICENCE RENEWALS

For information report, previously circulated, was presented by the Director of Environmental Services.

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>
PL013	Costcutter and Go Filling Station, Coleraine

Committee NOTED the report.

14. NORTH WEST REGION WASTE MANAGEMENT GROUP (NWRWMG) – MIXED DRY RECYCLABLES TENDER (LEGAL FEES)

For information report, previously circulated, was presented by the Director of Environmental Services.

Purpose of Report

The purpose of this report is to advise members of legal fees incurred in respect of the ongoing North West Region Waste Management Group (NWRWMG) procurement of a **contract for the collection and processing of Local Authority collected kerbside recyclables.**

Background

The NWRWMG is leading on the procurement of a contract for the collection and processing of Local Authority collected kerbside recyclables.

This is a joint procurement exercise between Causeway Coast and Glens Borough Council, Derry and Strabane District Council, Fermanagh and Omagh District Council & Mid Ulster District Council.

The procurement exercise is now at the evaluation stage with the NWRWMG having received submissions from interested bidders.

Legal Services

In light of recent procurement exercises to award waste contracts, it was agreed by participating councils that expert legal services should be engaged to assist with the drafting of tender documentation, advise on clarifications submitted by interested bidders and provide guidance as and when required throughout the process to the award stage.

The law firm Eversheds Sutherland was engaged to provide legal services.

Legal Fees

Council is now liable for legal fees in the sum of £10,400.25 for advice provided by Eversheds Sutherland.

The overall legal fees are split equally amongst the four participating councils.

Recommendation

It is recommended that the Environmental Services Committee note the legal fees accrued to date with the appointed law firm in respect of the procurement of a contract for the collection and processing of Local Authority collected kerbside recyclables.

Committee NOTED the report.

15. UPDATE ON THE ENERGY MANAGEMENT STRATEGY 2015 - 2025

For information report, previously circulated, was presented by the Director of Environmental Services.

Purpose of Report

To update Members on the progress of the 2015 -2025 Energy Management Strategy (EMS).

Background

Council has an Energy Management Strategy in place since 2018 and progress against the EMS has been reported as part of updates on individual actions at various junctures to various Environmental Services Committee meetings. The EMS contains 37 actions. The latest spreadsheet (May 2023) recording progress against each of the 37 actions:

- 17 actions are noted as complete.
- 5 actions are in the latter phases of a planned number of phases e.g., Action 19 - phases 1-3 out of 4 complete.
- Significant challenges and/or lack of dedicated funding have been noted in the spreadsheet against 13 actions.
- 2 actions are not yet addressed.
- There are no target dates in the Spreadsheet.

It is noted that some of the actions planned in the EMS have been impacted by new legislation and/or technological development meaning they are less relevant, no longer relevant or require adjustment. A copy of this spreadsheet is included in the appendix 1. A copy of the 2015-2025 Energy Management Strategy is included in Appendix 2.

Recommendation

It is recommended that Members note the evaluation / update of the EMS, which has been carried out and is attached (appendix 1).

It is further recommended that Members note the following;

- An audit on Energy Management & Climate Change was completed in May 2023, and was subsequently presented and adopted by the Audit Committee

in June 2023. It noted that in addition to the largely mitigation actions identified in the EMS Council must consider and quantify what adaptation is required to help withstand and minimise the effects of climate change that are already affecting the Council district.

- Issue 2 Recommendation within the above adopted audit report – *states that* “Council should put in place a plan to develop a Climate Emergency Strategy (CES). The CES should lay out a cohesive strategy on climate change initiatives for the coming years, what Council plans to do in terms of climate change mitigation and adaptation. The CES should be supported by more detailed and costed action plans”.
- Members agreed to reinstate the CEF (May 2023) to bring updates and proposals for discussion and collaborate working with Members on matters relating to climate change and possible actions required by Council in the delivery of its functions.
- The previous terms of reference (TOR) for the CEF is attached for ease of reference (appendix 3). In line with the above recommendation, the EMS shall now be amalgamated within the wider CES.
- It is anticipated to have the next CEF meeting in February 2024

Committee NOTED the report.

16. PERIOD 7 ES MANAGEMENT ACCOUNTS AND FINANCIAL POSITIONS 2023/24

Purpose of Report

The purpose of this report to provide Members with information on the current financial position of Environmental Services Directorate at the end of Period 7.

Background

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 2023/24 is **£ 28,731,095.78**. This is based on expenditure budget of **£34,228,754.98** and income budget of **£5,497,659.20**

The Environmental Services position at Period 7 shows a **£464,973.78 positive variance**. This includes predicted increases in employee costs based on the proposed National Pay Award which is greater than the predicted budget increase.

The Chief Finance Officer has stated that Council is currently adverse against budget in terms of staffing, and this is expected to be the case as the current pay award offered to employees exceeds the budgetary provision included by Council in the rates estimates. An accrual has been included in these accounts for the pay award based on the current employer's side offer, it is vital to estimate what the eventual effect will be and include in the accounts to avoid significant false positive variances at this stage which would become significant negative variances once the pay award is implemented.

The main costs and income attributing to the ES P7 position are summarised as follows as variances against budget.

Head of Service Description	2024 Spend YTD	2024 Budget YTD	2024 Budget Variance	Sum of Annual Budget 2024
Estates	2,872,331.41	3,555,059.34	682,727.93	6,160,075.00
Health and Built Environment	1,291,232.32	1,436,832.05	145,599.73	2,422,277.12
Infrastructure	(543,399.41)	(58,107.00)	485,292.41	112,563.66
Operations	11,523,477.41	10,708,927.98	(814,549.43)	19,254,231.00
ES Business Support	411,739.99	372,601.00	(39,138.99)	639,662.00
ES Centrally Managed	73,551.83	78,593.96	5,042.13	142,287.00
	15,628,933.55	16,093,907.33	464,973.78	28,731,095.78

Estates.

P7 Actual Expenditure	P7 Budget Expenditure	P7 Actual Income	P7 Budget Income	Net Expenditure Variance
3,089,270.42	3,678,837.36	(216,939.01)	(123,778.02)	682,727.93

£683k favourable mainly due to Employee costs which are £408k favourable. This is a result of difficulty in recruiting the number of seasonal grounds maintenance staff. A number of vacant posts within the Estates section remain unfilled. Income is positive by £93k.

Health and Built Environment.

P7 Actual Expenditure	P7 Budget Expenditure	P7 Actual Income	P7 Budget Income	Net Expenditure Variance
2,276,788.42	2,233,278.99	(985,556.10)	(796,446.94)	145,599.73

£146k positive. Employee costs are £48k favourable. Fee Income is favourable by £189k including £98k from Building Control and £55k grant from Consumer Protection at P7.

Infrastructure.

P7 Actual Expenditure	P7 Budget Expenditure	P7 Actual Income	P7 Budget Income	Net Expenditure Variance
947,916.24	1,280,718.20	(1,491,315.65)	(1,338,825.20)	485,292.41

£485k favourable mainly due to income favourable by £152k. Car Park income is favourable by £107k and Harbour and Marina income is favourable by £49k. Employee costs are £72k favourable mainly due to the Asset Realisation Officer post not having been filled and Harbour and Marina structure not permanently filled.

Operations.

P7 Actual Expenditure	P7 Budget Expenditure	P7 Actual Income	P7 Budget Income	Net Expenditure Variance
13,041,008.74	11,804,029.51	(1,517,531.33)	(1,095,101.53)	(814,549.43)

£815k adverse variance in Period 7. Employee costs are adverse by £546k as per Section 2.0 above in bold. However, this includes an accrued pay award which was underprovided for in the budget estimates agreed by Members as per Section 2.0 above in bold. Seasonal profiling has not been completed. A breakdown of the variances are as follows

Function	Variance	Comments
Waste Collection & Street Cleansing	£47.5k Adverse	Employee cost pay award increase and profiling not complete.
Landfill & Compost Site	£447k Adverse	Increased 3 rd party waste and Council waste being landfilled so increased HMRC costs. 3 rd party income for Letterloan did not materialise. (£100k)
HRC's	£275k Adverse	Employee cost pay award increase and profiling not complete.
Waste Disposal Contracts	£325k Favourable <ul style="list-style-type: none"> ○ Black Bin Contract - £16k (fav) ○ Blue Bin Contract - £8k (adv) ○ Brown Bin Contract £180k (fav) ○ Other Waste Contracts - £136k (fav) 	On target Variations on predicted tonnages and price increases due to energy costs.
Transfer Stations	£18k Adverse	On target
Depots	£19k Adverse	On target
Public Conveniences	£49k Adverse	Employee cost pay award increase and profiling not complete.
Ops Management	£155k Adverse	Employee cost pay award increase.

ES Business Support.

£30k adverse due to increased employee costs.

ES Centrally Managed.

£5k positive variance.

In-year Savings

Officers have and will continue to manage and scrutinise the budget to identify opportunities for reducing expenditure and increasing income. This includes

- not filling vacant posts,

- reducing season staff durations,
- not filling staff on sick leave in all non-essential service areas.
- completing only essential maintenance on ES properties.

Therefore, at Period 7 ES financial position has a positive variance of **£464,973.78**.

Recommendation

Members are requested to note the paper.

Committee NOTED the report.

17. MATTERS FOR REPORTING TO PARTNERSHIP PANEL

There were no matters for reporting to the Partnership Panel.

18. CONSULTATIONS

There were no consultations.

19. CORRESPONDENCE

There was no correspondence.

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Councillor Jonathan McAuley
 Seconded by Alderman S McKillop and

AGREED – to recommend that Committee move ‘*In Committee*’.

* **The Press left the meeting remotely at 7.43pm**

* **The Public left the meeting remotely at 7.43pm**

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

20. LICENSING OF PAVEMENT CAFES (NI) ACT 2014 - APPLICATION TO PRIVATE LANDS

By virtue of paragraph 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Confidential report, previously circulated, was presented by the Director of Environmental Services.

Purpose of Report

The purpose of this report is to further consider Council’s position on the application of the Licensing of Pavement Cafes (NI) Act 2014 to privately owned lands.

Recommendation

It is recommended that Committee Members consider the previously circulated information.

Following a discussion among Members, it was agreed that the best course of action would be to adhere to the legal advice on this matter.

In response to a query from Councillor Kane, the Director of Environmental Services advised that enforcement would begin from the point at which the recommendation is ratified, and that previous payments/refunds would not be revisited.

The Head of Health and Built Environment advised that should a change in policy be agreed, Council would write to all those affected to advise of the decision, and then proceed with the normal application process.

Proposed by Councillor Bateson
Seconded by Alderman Hunter and

AGREED – to recommend that Council apply the Licensing of Pavement Cafes (NI) Act 2014 to pavement cafes located on private lands which meet the definition of a “public area”.

21. HEIGHT RESTRICTION BARRIER, BEACH ROAD CAR PARK PORTBALLINTRAE

By virtue of paragraph 1 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Confidential report, previously circulated, was presented by the Director of Environmental Services.

Purpose of Report

The purpose of this report is to consider concerns raised by a shop tenant, with regard to the height restriction barrier in place at Beach Road car park, Portballintrae.

Recommendation

It is recommended that the members consider the proposals laid out in appendix 2 and inform officers if they wish to accept any of these proposals or advise how they wish to proceed.

It was acknowledged by Members and Council officers that motorhome parking is an issue in this particular car park and in the Borough overall.

Alderman S McKillop stated that the Council should develop a strategy for motorhome provision in the Borough.

The Director of Environmental Services advised that this matter was outside the remit of the Environmental Services directorate, but that he would pass the request on to the Leisure and Development directorate.

Following discussion among Members, Alderman S McKillop proposed that the height restriction barrier at Beach Road car park be left open for the winter months of December to February on a trial basis, to be monitored and reviewed as required.

Proposed by Alderman S McKillop
 Seconded by Alderman Knight-McQuillan and

AGREED – to recommend to Council that the height restriction barrier at Beach Road car park, Portballintrae be left open for the winter months of December to February on a trial basis, to be monitored and reviewed as required.

22. STREET TRADING LICENCE RENEWALS

By virtue of paragraph 2 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Confidential report, previously circulated, was presented by the Director of Environmental Services.

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>Type of Licence</u>	<u>Commodity</u>	<u>Location</u>
009/2023	Temporary	Light up toys	Borough of Causeway Coast and Glens
010/2023	Temporary	Light up toys	Borough of Causeway Coast and Glens
011/2023	Temporary	Light up toys	Borough of Causeway Coast and Glens
012/2023	Temporary	Light up toys	Borough of Causeway Coast and Glens
013/2023	Temporary	Light up toys	Borough of Causeway Coast and Glens

Committee NOTED the report.

23. NORTH WEST REGION WASTE MANAGEMENT GROUP (NWRWGM) – JOINT COMMITTEE MINUTES

By virtue of paragraph 2 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Confidential, for information report, previously circulated, was presented by the Director of Environmental Services.

Purpose of Report

The purpose of this report is to provide members with minutes from the North West Region Waste Management Group (NWRWMG) Joint Committee meetings held on 20th and 26th September 2023.

Recommendation

It is recommended that the Environmental Services Committee note the NWRWMG Joint Committee meeting minutes of 20th and 26th September 2023.

Committee NOTED the report.

MOTION TO PROCEED ‘IN PUBLIC’

Proposed by Alderman Knight-McQuillan
Seconded by Councillor Kane and

AGREED – to recommend that Council move ‘*In Public*’.

24. ANY OTHER RELEVANT BUSINESS (NOTIFIED IN ACCORDANCE WITH STANDING ORDER 12 (0))

There being no further business the Chair thanked everyone for their attendance.

The meeting concluded at 8.13pm

Chair