

Causeway Coast and Glens Borough Council

Environmental Services Committee Tuesday 5th May 2015

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3.	<p>3.1 Environmental Services Committee Terms of Reference</p> <p>3.3.1 Animal Welfare Governance Arrangements</p> <p>3.3.2 Animal Welfare Enforcement Guidelines</p> <p>3.3.3 Officer Authorisation and Delegation of Powers</p> <p>3.4 Affordable Warmth Scheme</p> <p>3.5 Review of Vacant Non-Domestic Property – Partnership Working</p> <p>3.6 DOE – Emergency Planning Grant</p> <p>3.7 FSA – Grant Funding to District Councils</p> <p>3.8 Proposed Implementation of Bus Shelters Guidelines</p> <p>3.9 Transport NI Amenity Grass Cutting Fund</p> <p>3.10 Lansdowne Green Portrush – Vehicle Assess Control</p> <p>3.11 Building Control – Non Statutory Charges</p> <p>3.12 Entertainment Licences</p> <p>3.13 Rathlin Ferry Project – Potential Harbour Improvements</p> <p>3.14 Marine Fuel Sales</p> <p>3.15 Cruise Ship Visit Charges</p> <p>3.16 Additional Bin Policy</p> <p>3.25 Procurement of Consultancy Services</p>	<p><i>Approve as set out</i></p> <p><i>Approve as set out</i></p> <p><i>Adopt and implement</i></p> <p><i>Approve</i></p> <p><i>Approve</i></p> <p><i>Continue working arrangement and authorise as set out</i></p> <p><i>Note</i></p> <p><i>Note</i></p> <p><i>Progress bus shelter works in pipeline and defer Item</i></p> <p><i>Managed amalgamation of Option 2 and Option 3</i></p> <p><i>Execute enforcement along with PSNI and DVLI</i></p> <p><i>Adopt as detailed</i></p> <p><i>Grant</i></p> <p><i>Accept</i></p> <p><i>Apply mark up</i></p> <p><i>Approve as outlined</i></p> <p><i>Adopt, investigate possibility of supply of brown bins</i></p> <p><i>Bidders noted awarded 1st to 4th place within each discipline as set out</i></p>
5.	<p>5.1 DoE, Consultation on proposed changes to the Waste Batteries Regulations 2009, the Producer Responsibility Obligations (Packaging Waste) Regulations 2007, the Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007 and call for evidence on the impact of new plastic flow figures and links with household waste recycling targets</p> <p>5.2 NIEA Consultation on Amending the Financial Provision for Waste management Activities in NI</p>	<p><i>Note</i></p> <p><i>Note</i></p>
6.	Matters for reporting to Partnership Panel	<i>Transport NI Bus Shelters</i>

Environmental Services Committee

Minutes of the Meeting of Causeway Coast and Glens Borough Council Environmental Services Committee, held in Council Chamber, Civic Headquarters, Coleraine Office on Tuesday 5th May 2015 at 7.00 pm.

In the Chair:	Councillor M Fielding
Members present:	Alderman Cole, Alderman King Councillors Chivers, Douglas, Duddy, Fielding, Holmes, McCaul, McLean, Watton
In attendance:	D Jackson, Chief Executive A McPeake, Director of Environmental Services S Duggan, Programme Administrator
Also in Attendance:	Councillor R Loftus
Officers in Attendance:	P Caldwell G Doyle B Edgar J Richardson

1. Apologies

Apologies were recorded from Alderman Mullan, Councillors Baird, Campbell, Hunter and MA McKillop.

2. Declarations of Interest

There were no Declarations of Interest.

3. Director's Report

3.1 Terms of Reference

It was proposed by Councillor Duddy, seconded by Councillor McLean and **AGREED to recommend that Council adopt the Terms of Reference as set out in the report, attached as Appendix A.**

3.2 Environmental Services Presentation

The Director of Environmental Services delivered a PowerPoint presentation on the functions within Environmental Services and presented an overview of the year to come (circulated).

* **Councillor Holmes arrived at the meeting at 7.08pm.**

3.3 Animal Welfare

3.3.1 Governance Arrangements

The Director of Environmental Services reported as undernoted:

The Local Government Chief Executives Group have agreed Governance Arrangements for the enforcement of the Welfare of Animals Act (Northern Ireland) 2011 for non farmed animals. Fermanagh and Omagh District Council will act as the Regional Lead Council with service being delivered via a 4-centre sub-regional model. Details of delivery and governance arrangements as set out in the paper dated 13 March 2015 which may be found at Appendix 1 ¹to this report.

It was AGREED to recommend that Council approve the governance arrangements set out in the Animal Welfare Governance Arrangements paper dated 13 March 2015, attached as Appendix B.

3.3.2 Enforcement Guidelines

The Director of Environmental Services reported as undernoted:

The Local Government Animal Welfare Project Board has produced Enforcement Guidelines in respect of Animal Welfare to ensure consistency across all 11 Councils. The document may be found at Appendix 2 ²to this report. Members will be aware that as Council has already adopted an enforcement policy in respect of other legislative matters, Organisation Development Committee 150312 item 5.3 refers. The adoption of the above document will ensure consistency of service standards amongst Animal Welfare Officers, for this shared resource, and complements Councils already adopted policy

IT WAS AGREED to recommend that Council adopt and implement the Animal Welfare Enforcement Guidelines, attached as Appendix C.

3.3.3 Officer Authorisation and Delegation of Powers

B Edgar reported as undernoted:

Further to the recently adopted scheme of officer authorisation and delegation of powers (Shadow Council Meeting, Item 5.2 dated 26th March 2015 refers). It is necessary to add as follows:

***The Welfare of Animals Act (NI) 2011
Appointment of Inspectors***

In exercise of its powers under 47(A) of the Local Government Act 1972 as amended by Article 26 of the Local Government (Miscellaneous Provisions) (NI) Order 1985 Causeway Coast and Glens Borough Council hereby appoints the undernoted officers as inspectors under Section 45(1)(b) of the Welfare of Animals Act (Northern Ireland) 2011.

¹ Within the Agenda circulated.

² Within the Agenda circulated.

Mr Clement Kennedy	Animal Welfare Manager
Mrs Lynda Fitzsimmons	Animal Welfare Manager
Mrs Vivienne Donnelly	Animal Welfare Manager
Mrs Sinead Sergeant	Animal Welfare Manager
Mrs Sally Courtney	Animal Welfare Manager
Mr Samuel Jackson	Animal Welfare Officer
Mr Ian Peter McCreary	Animal Welfare Officer
Mrs Sandra Morton	Animal Welfare Officer
Mrs Karen Kerr-George	Animal Welfare Officer
Ms Alexandra Lightfoot	Animal Welfare Officer
Mr Matthew Kenrick	Animal Welfare Officer
Mr Conor McCready	Animal Welfare Officer
Miss Shanna Wilson	Animal Welfare Officer
Miss Danielle Courtney	Animal Welfare Officer

In exercise of its powers under 47(A) of the Local Government Act 1972 as amended by Article 26 of the Local Government (Miscellaneous Provisions) (NI) Order 1985 the Council hereby delegates to the undernoted officers the delegated powers or duties of council under sections 10, 17, 18, 22, 23, 24, 47 and 48 specifically in relation to The Welfare of Animals (Dog Breeding Establishments) and Miscellaneous Amendments Regulations (NI) 2013 (as specified in personal authorisation documentation).

Martin McHenry	Dave Sexton	Jeremy Callan	Ciaran Doran
	Nuala Houston		Thomas Keogh
	Timothy McHugh		Kevin Moore

IT WAS AGREED to recommend that Council approve the authorisations as detailed above.

3.4 Affordable Warmth Scheme

B Edgar reported as undernoted:

The Department of Social Development has issued a revised Service Level Agreement (SLA) Version 2.0 dated April 2015. This SLA takes account of the restructuring of Local Councils from 1 April 2015 and supersedes the version dated July 2014. The Affordable Warmth Scheme aims to target identified low income households and deliver energy efficiency improvement measures to those that qualify.

The purpose of the SLA is to provide clarity in terms of accountability, policy, operation and reporting procedures for each of the parties and in particular to:

Establish the scope and duration of the scheme;

Describe the roles and responsibilities of each party;

Set out the financial arrangements; and

Detail the arrangements for monitoring performance in relation to the scheme.

SLA circulated.

Clarifications have been sought regarding amendments within the SLA particularly in regard to the removal of responsibilities of the NIHE and the provision of energy advice information by Affordable Warmth Surveyors.

Overall accountability for the delivery of the scheme rests within the accounting officer of the Department of Social Development as the funding department. The SLA is to be reviewed annually.

IT WAS AGREED to recommend that Council approve the terms of the Service Level Agreement, attached as Appendix D and authorise the Director of Environmental Services to sign on its behalf.

The Chief Executive will investigate concerns highlighted by members surrounding the eligibility criteria and publicising of the Scheme within the community.

3.5 Review of Vacant Non Domestic Property for Rate Assessment and Collection Purposes- Partnership Working

The Director of Environmental Services reported as undernoted:

Following a series of meetings between Council Officers and Land and Property Services (LPS) of the Department of Finance and Personnel (DFP), Causeway Coast and Glens has been appointed to assist in the review of vacant non domestic property for rate assessment and collection purposes and to:-

- Undertake examination of vacant property in the District during 2015/16;***
- Establish which properties are occupied or vacant for rate assessment and collection purposes;***
- Provide full details of occupiers/owners and dates of occupation where property is found to be in rateable occupation; and***
- Send occupancy/ownership information to LPS.***

Causeway Coast and Glens Borough Council will undertake the assignment on behalf of LPS and all information captured will remain the property of LPS.

LPS has provided Council with a list of vacant non domestic properties in the Council area and this will form the basis of the inspection and data gathering programme to be undertaken by the Council.

In order to comply with Data Protection requirements LPS authorises Causeway Coast and Glens Borough Council to act as Agents to collect the data and pass to LPS. In this respect Council will authorise identified staff to

carry out the inspection of properties listed and collect data for the sole purpose of assessment and collection of rates by LPS where property is found to be in rateable occupation. The Council's Chief Executive will provide the authorisation to staff appointed for this exercise. LPS and the Council will comply with their obligations under the Data Protection Act 1998, the Freedom of Information Act 2000 and common law rules on confidentiality.

The above process was previously successfully piloted within the legacy Councils and recently more proactively commenced within Coleraine Borough Council. Good working relationships have been built up between Building Control and LPS through PSLG address management subgroup and a memorandum of understanding has been agreed with respect to working arrangements.

IT WAS AGREED to recommend to Council that the above working arrangement is continued into Causeway Coast and Glens Borough Council. IT WAS FURTHER AGREED to recommend that Council authorise the following officers within Building Control Section of each current district offices to participate in this exercise:-

William Campbell	Trevor Colvin
Colin Stewart	Martin McCook
Ryan Brace	Noel Bradley
Donald Kenny	David McConaghy
Clodagh Skeffington	Mark Hayes
Adrian Patterson	Justin Knox
Kye McLean	Nicky Matthews
Fiona Murray	Adrian Street
Liam McKinney	Ossie Dallas
Edward Birt	David Anderson

The Director of Environmental Services will bring a 6-month review of the working arrangement back to the committee.

3.6 Department of the Environment - Emergency Planning Grant

The Director of Environmental Services report as undernoted:

The Department of the Environment in correspondence dated 24 March 2015 have confirmed that the annual Emergency Planning Grant Aid to Councils to the value of £580k together with the additional £200k to support the creation of a broader response capability at sub-regional level has been discontinued. This will result in a reduction of grant aid for this service circa £35k in respect of direct funding received by Council and support costs in relation to the sub-regional Emergency Planning Co-ordinator.

IT WAS AGREED to recommend that Council note the discontinuation in funding for this service from the Department of the Environment.

The Chief Executive advised that members will be invited to a future Emergency Planning workshop after coordination with emergency services, entailing cross boundary and cross council co-ordination.

In response to member concerns, the Director of Environmental Services added that a review of Council's sandbag stock and points of contacts for distribution will also be undertaken.

3.7 Food Standards Agency Grant Funding to District Councils

B Edgar reported as undernoted.

The Food Standards Agency in correspondence dated 24 March 2015 have confirmed that they intend to maintain the total amount of grant funding to Councils in recent years at £1.2m. The level of funding provided to each Council is now based on prioritisation of activities linked to food establishments within Council areas as identified by the Local Authority Enforcement Monitoring System (LAEMS) returns for the year 2013/14. The LAEMS data used has been adjusted to reflect the movement of food establishments arising from LGR boundary changes.

The distribution of the core £1.0m funding has been apportioned as follows:-

<i>Total number of food establishments in Council area:</i>	<i>50%</i>
<i>Number of manufacturing establishments (food standards):</i>	<i>20%</i>
<i>Number of manufacturing establishments (food hygiene):</i>	<i>15%</i>
<i>Number of establishments approved under EC Reg. No. 853/2004</i>	<i>10%</i>
<i>Number of Importers/Exporters</i>	<i>5%</i>

The core funding to be paid to Causeway Coast and Glens Borough Council for 2015-16 will be £80,960.51. The funding must be used to support the delivery of an effective service, which will be measured against agreed priorities together with the requirements of the framework agreement a local authority food law enforcement, the food law code of practice (Northern Ireland) and associated Practice Guidance. The amount of grant aid payable will be reviewed on an annual basis in light of establishment profiles determined through LAEMS returns.

Additional funding will be payable in 2015/2016 to support the introduction of the statutory Food Hygiene Rating System (FHRS). This has been apportioned based on the number of establishments in each Council area within the scope of the scheme. Causeway Coast and Glens Borough Council will receive £18,555.32 for this purpose.

IT WAS AGREED to recommend that Council note the level of funding provided by The Food Standards Agency in support of the delivery of an effective food service.

3.8 Proposed Implementation of Bus Shelter Guidelines

J Richardson reported as undernoted.

There is no statutory requirement for Council to provide bus shelters and no guidance is currently available to Council officers to deliver the provision of bus shelters within the Borough.

A proposed guideline document was circulated which sets criteria to initiate the installation of a new bus shelter within the Borough.

A synopsis is below

1. ***Proposer / applicant completes an application form (with an attached map to confirm location).***
2. ***The proposer / applicant provides written confirmation from Translink on numbers using the existing bus stop. A minimum of 8 passengers in the morning from 07:00 – 08:30 and 15 passengers during the course of the day thereafter – which will be required as a trigger values to justify Council investment and thus demonstrate community benefit.***
3. ***Application will only be considered for existing bus stops.***
4. ***An agreed annual budget shall be made available for both maintenance of existing stock and providing new provisions.***
5. ***Allocation of new shelters shall be on a first come first served basis and a queuing system will be operated.***

There are 2 recommendations:

1. ***IT IS RECOMMENDED Council reach a decision to continue to provide new bus shelters or not.***
2. ***If Council decide to continue new provisions, then it is recommended that Council approve the recommended guidelines.***

Members voiced concern with the proposed guideline document and expressed a wish for additional information and cognisance for rural and urban disparities.

Councillor Duddy suggested the subject of Transport NI Bus Shelters could be brought before the Partnership Panel as a matter for consideration.

The Chief Executive confirmed he would raise a member suggestion, that Developers ought to provide bus shelters within new housing developments and retail areas, with the Planning section.

It was proposed by Councillor Duddy, seconded by Councillor Homes and **AGREED to recommend that Council progress bus shelter works currently in the pipeline (3no). IT WAS FURTHER AGREED that the item - Proposed Implementation of Bus Shelter Guidelines - is deferred.**

- * **Councillor McCaul left the meeting at 7.49pm and re-joined the meeting at 7.55pm during consideration of the above matter.**

3.9 Transport NI Amenity Grass Cutting Fund

The Director of Environmental Services reported as undernoted.

Since 1988 the legacy Councils have had an annual contract with Transport NI (originally DRD Roads Service) to cut areas of urban grass up to 5 times per year. Council would normally increase the number of cuts in these areas to approximately 12 times per year. The funding for this across the 4 legacy councils amounted to £57,000 in 2014. This funding has now been withdrawn.

3 Options have been considered.

1. ***Continue to cut and maintain these areas to the same standard as before. This will enable the same aesthetic impact as previous years. Additional cost to Council - £57,000.***
2. ***Reduce the frequency of cutting to ensure no additional costs. This will mean longer grass for a longer period of time. Additional cost to Council – Nil.***
3. ***Reduce the number of amenity areas throughout the Borough to ensure no additional costs. This could mean creating biodiversity areas such as roundabouts and on large stretches of central reservations, and road side verges. The ‘Don’t Mow, Let it Grow’ biodiversity campaign could be utilised. Additional cost to Council – Nil.***

IT IS RECOMMENDED that Council consider the options presented.

The Director of Environmental Services responded to member queries surrounding the visual impact on key tourist areas, road safety, urban and rural differences and advised that he will investigate the matter of sponsorship of roundabouts and further explore the impact of the, ‘Don’t Mow, Let it Grow’, biodiversity campaign with a view to bringing a report back.

It was proposed by Councillor King, seconded by Councillor Douglas to recommend that Council progress Option 1 as set out above.

Councillor King added that he would like a report brought back mapping additional areas of biodiversity that might also be planned within the Borough.

An amendment was proposed by Councillor Cole, seconded by Councillor Duddy, to recommend that Council progress a managed amalgamation approach of Option 2 and Option 3 as set out above.

The Chair put the amendment to the committee to vote, 5 voted for, 5 voted against, the Chair applied a casting vote in favour of the amendment, the Chair declared the amendment carried.

The Chief Executive added that he would investigate the possibility of any hidden costs that may also be incurred, before the Council meeting in May.

* **G Doyle left the meeting at 8.36pm.**

3.10 Lansdowne Green Portrush – Vehicle Access Control

The Director of Environmental Services presented the report as undernoted:

Lansdowne Green has been prone to annual damage as a result of inappropriate car parking at peak times. Various popular events and peak season (with good weather) footfall, has resulted in a large numbers of cars utilising Lansdowne Green, causing significant ground damage, resulting in significant regular ground reinstatement costs.

At peak times, the multi-use amenity space is also reduced or is unavailable as result of the above parking problem. Council introduced “no parking” signage several years ago, however this has not deterred parking on the Green.

Additional cleansing has also been introduced on the Green as a result of the car parking problem.

Proposals

- (i) Create a grass bank around the perimeter, with 3 access points for vehicles, this shown on the attached drawing (appendix 5³) with the access points to be controlled by installation of telescopic bollards. Due to the angle of the grass bank the external face will need to be cut by strimming as the lawn cutting machinery will not cope with it. Installation cost estimate: £3500.00 + vat. Annual maintenance costs for cutting the grass bank by strimming, 6 times per year, are approximately £130.00 + vat.***
- (ii) Create a barrier by the installation of low level timber posts and a continuous concrete mowing strip. Provide 3 access points for vehicles, each controlled by the use of telescopic barriers. Installation cost estimate: £16,310.00 + vat. Annual maintenance costs for repainting the timber posts (on the assumption they are needing repainted every 2 years), are approximately £675.00 + vat.***
- (iii) Create a barrier by the installation of galvanised steel bollards and a continuous concrete mowing strip. Provide 3 access points for vehicles, each controlled by the use of telescopic barriers. Installation cost estimate: £38,810.00 + vat. There are no expected annual maintenance costs associated with this option.***

IT IS RECOMMENDED that Council approve option 1 to create a grass bank around the perimeter, incorporating access points allow controlled Council events to take place.

J Richardson responded to member queries.

An amendment was proposed by Councillor Watton seconded by Councillor Douglas to recommend that Council progress Option 1 as set out above, before the end of June 2015.

It was proposed by Councillor Duddy, seconded by Councillor Cole **to recommend that Council execute enforcement in a joint strategic operation with the PSNI and DVLI at Lansdowne Green in the first instance.**

The Chair put the amendment to the committee to vote, 4 voted for, 6 voted against, the Chair declared the amendment had fallen.

The Chair put the proposal to the committee to vote, 6 voted for, 2 voted against, the Chair declared the proposal carried.

3.11 Building Control Non-Statutory Charges

The Director of Environmental Services reported as undernoted:

Building Control Northern Ireland (BCNI) have recognised individual Councils have in the past applied various charging mechanisms in respect of non-statutory tasks and functions. A review was carried out

³ Within the Agenda circulated.

by BCNI and a recommendation proposed that Councils adopt a consistent charging structure as prepared as an outcome of the review.

It was proposed by Councillor Douglas, seconded by Councillor Chivers and **AGREED to recommend that Council adopt the charges detailed below and recommended by Building Control Northern Ireland:-**

Service	Proposed Charges
Copy of Approval Notice	£25
Copy of Completion Certificate	£25
Confirmation of Postal Address	£25
Copy of Plans (Each Plan)	£10/V
Property Search (Standard 10 yr)	£60
* Search of any 10 yr to full search	£60
* Full search back to 1973	£85
* Upgrade of 10 yr to full search	£25
Withdrawn Application	NC
Additional stamped or minor amendments	£25
Confirmation of Exemption	£25
Affirmation of completion - pre 94	£25
Viewing Plans	£25
Online Application	£50
Fire Risk Assessment Check	
Archive Property Search	£25
Admin charge for Refunds for Applications	£25
Comfort Letter	£25
Legal Enquires - Work Stages	£25
NC = No Charge	
NC* = No Charge under FOI	
V = Various i.e. £5 for A1 plans	
£/V = First initial charge then various charges	
" = £40 if over 10 years	
! = Free if over 10 years	
# = £40 if in storage	

3.12 Entertainment Licences

The Director of Environmental Services reported as undernoted:

3.12.1 Grant of Occasional Licence – Farm Shed, 70 Ballinteer Road, Coleraine

Premises:	Farm Shed
Applicant:	Mrs Hilary Cameron
Application:	Grant of occasional entertainment licence for a Farm Shed, 70 Ballinteer Road, Coleraine

	Days and times on which it is intended to provide entertainment: Saturday-Sunday 8 th /9 th August 7pm – 1.30am
Representations:	Closing 14 th May 2015
PSNI and NIFRS:	Awaiting response

Recommendation

Grant of an Occasional Entertainment Licence subject to compliance with any recommendations of the Councils licensing department inclusive of the following special conditions

- 1) ***No representations***
- 2) ***No objections from PSNI or NIFRS***
- 3) ***All requirements as contained within Nightsafe Coleraine Code of Best Practice 2012.***
- 4) ***All door supervisors employed must be licensed with a scheme recognised by Causeway Coast and Glens Borough Council.***

3.12.2 Grant of Occasional Licence – Macosquin Presbyterian Church, Coolvenny Road, Coleraine

Premises:	Macosquin Presbyterian Church
Applicant:	Mr Mervyn Downes
Application:	Grant of occasional entertainment licence for Macosquin Presbyterian Church, Coolvenny Road, Coleraine Days and times on which it is intended to provide entertainment: 14 unspecified days in one year
Representations:	No objections received
PSNI and NIFRS:	Awaiting response

Recommendation

Grant of an Occasional Entertainment Licence subject to compliance with any recommendations of the Councils licensing department inclusive of the following special conditions

- 1) ***No representations***
- 2) ***No objections from PSNI or NIFRS***
- 3) ***All requirements as contained within Nightsafe Code of Best Practice 2012.***

- 4) ***All door supervisors employed must be licensed with a scheme recognised by Causeway Coast and Glens Borough Council.***

3.12.3 Variation of Licence – The Atlantic Hotel, Bushmills Road, Portrush

Premises:	The Atlantic Hotel
Applicant:	Mr Peter Wilson
Application:	Variation of entertainment licence for The Atlantic Hotel, Bushmills Road, Portrush Days and times on which variation is applied for to provide entertainment in addition to the existing licence: Saturday-Sunday 6 th /7 th June 02:00 – 02:30 Saturday-Sunday 26 th /27 th September 02 – 02:30 Saturday-Sunday 31 st /1 st October/November 02:00 – 02:30 Saturday-Sunday 26 th /27 th December 02:00 – 02:30 Thursday-Friday 31 st /1 st December/January 02:00 – 02:30
Representations:	No objections received
PSNI and NIFRS:	Awaiting response

Recommendation

Variation of an Occasional Entertainment Licence subject to compliance with any recommendations of the Councils licensing department inclusive of the following special conditions

- 1) ***No representations***
- 2) ***No objections from PSNI or NIFRS***
- 3) ***All requirements as contained within Nightsafe Code of Best Practice 2012.***
- 4) ***All door supervisors employed must be licensed with a scheme recognised by Causeway Coast and Glens Borough Council.***

3.12.4 55 Degrees North, 1 Causeway Street, Portrush, BT56 8AB

Premises:	55 Degrees North 1 Causeway Street Portrush BT56 8AB
Applicant:	Mrs Gwynne Fletcher

Application:	<u>Grant of an entertainment licence</u> Days and time in which it is intended to provide entertainment: Mon – Sat – 11.30am –1.00am Sun – 12.30pm - Midnight
Representations:	Closing 21 st May 2015
PSNI:	Awaiting response

Recommendation

IT IS RECOMMENDED that the grant of licence is approved subject to the following conditions:

- 1) No representations**
- 2) No objections from PSNI**
- 3) Compliance with NI Fire and Rescue Service**
- 4) All other requirements requested by Council's Licensing Department and subject to special conditions:**
 - 4a) All requirements as contained within Nightsafe Code of Best Practice 2012**
 - 4b) All Door Supervisors employed must be licensed with a scheme recognised by Causeway Coast and Glens Borough Council**

IT WAS AGREED to recommend that Council grant licences at Items 3.12.1 to 3.12.4 inclusive as set out above, subject to the stated conditions.

3.13 Rathlin Ferry Project – Potential Harbour Improvements

The Director of Environmental Services reported as undernoted:

A proposed new ferry for the Ballycastle – Rathlin Island ferry service is being procured by DRD. The new ferry is bigger than the existing vessel MV Canna, and while it can use the slipway in Rathlin Harbour it cannot access the inner harbour. The Department is therefore proposing to provide a new mooring facility in Rathlin Harbour which will transfer to Council on completion.

The Department has commissioned DFP Construction Service to design, procure and supervise the construction of this new mooring facility

Causeway Coast and Glens Borough Council has a key interest in the design of the new mooring facility and any potential liability which will transfer. DRD have been keeping Council informed of progress and various aspects of the design.

IT WAS AGREED to recommend that Council confirm acceptance of the proposals presented by DRD, attached as Appendix E.

3.14 MARINE FUEL SALES

The Director of Environmental Services reported as undernoted:

Two of the 4 legacy Councils currently provide a fuel sales facility for boat users (red diesel), located at Ballycastle Harbour, Portrush Harbour and Coleraine Marina.

It has been determined through the work of the Harbours & Marinas Working Group that there is a variation in the levels of mark-up charged to contribute to the costs associated with providing this service.

These costs can now be aligned to charge the same levy per litre of fuel sold across the new council area. This would provide a more aligned service for the consumer

A review of historical information available associated with fuel sales has demonstrated that through a variety of calculations applied across the legacy areas, a 10p mark-up charge is the average mark-up realised and is a reasonable amount to recover the costs associated with fuel provision.

IT WAS AGREED to recommend that Council apply a mark-up of 10p per litre of fuel sold at each of the Harbour and Marina facilities outlined above.

3.15 Cruise Ship Visits

The Director of Environmental Services reported as undernoted:

Two of the 4 legacy Councils currently accommodate cruise ship visits to facilities located at Ballycastle Harbour, Rathlin Harbour and Portrush Harbour. This may be via cruise ship at anchor with tender access to quay, or via direct quay side berthing.

Each cruise ship visit requires prior organisation and attendance by a Council Port Security Facility Officer and the provision of a restricted area for the visit.

It has been determined through the work of the Harbours & Marinas Working Group that there is a variation in charges applied to cruise ship berthing and visitors coming ashore at our facilities.

These charges can now be aligned to provide a more consistent charging basis for the consumer

A review of current charging information has confirmed the following;

Location	At Anchor Charge	Quay Side Berthing Charge
Portrush Harbour	£2 / visitor coming ashore	Berth Not Suitable
Ballycastle Harbour	No Charge	No Charge
Rathlin Harbour	No Charge	Berth Not Suitable
Proposal (all areas)	£2 / visitor coming ashore	£400 per Day

	(Min Charge £200)	
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It was proposed by Alderman Cole, seconded by Councillor Watton and **AGREED to recommend that Council approve the aligned charging proposal outlined above.**

3.16 Additional Bins

The Director of Environmental Services reported as undernoted:

Each of the 4 legacy Councils has provided a service whereby a household with 6 or more permanent residents can avail of an additional black residual bin for collection. In the legacy Ballymoney, Moyle and Limavady Councils this additional bin has been a standard household size 240 litre bin. Coleraine had adopted a policy of providing a 140 litre bin. This was specific to cases of 6 or more full time residents only. For other needs such as medical conditions a 240 Litre bin was still provided.

As Council continue the drive towards increased diversion from Landfill it is recommended that the following policy is considered:-

‘On application for a second bin the Council’s recycling officer would work with the householder to ensure that the maximum use was being made of the blue bin and immediately offer an additional 240 litre blue bin if required. If the recycling officer is satisfied that a single 240 litre black bin is not sufficient then an additional 140 litre black bin will be provided’.

A sample application form is included at Appendix 7⁴.

IT IS RECOMMENDED that Council adopt the ‘additional bin’ policy.

It was proposed by Alderman Cole, seconded by Councillor Duddy and **AGREED to recommend that Council adopt the ‘additional bin’ Policy and to investigate the possibility of the supply of brown bins to all residents equally across the new Borough.**

The Director of Environmental Services further advised that grant aid would also be explored in connection with any proposed capital investment in recycling bins, with a view to reducing the financial impact that might be placed upon Council.

ITEMS 3.17-3.24 FOR INFORMATION

3.17 Pollution Prevention Control Charges 2015/2016

The Department of the Environment have, by email dated 3 April 2015, confirmed the above fees for 2015/16. They have been increased by 1.4% in line with the 2015/16 GDP deflator forecast. The fees are detailed in the table below for information. The Department is encouraging Councils to keep accurate cost accounting as recommended in the PPC General Guidance manual so that it has good information

⁴ Within the Agenda circulated

on which to base charges in line with the polluter pays principle. The Department of the Environment plans to review the charging scheme in late 2016 on the basis of cost accounting in this financial year 2015/16.

2015/16 Fees and Charges	
Type of charge	
Permit Application Charges	
Standard Charge	£1647 per activity
Reduced Charge for certain activities	£158 per activity
PVR I and II combined	£279
Vehicle Refinishers	£283
Standard Subsistence Charges	
Low	£760 per activity
Medium	£1111 per activity
High	£1461 per activity
Reduced Subsistence Charge for certain activities	
	£158
PVR I and II combined	£245
Vehicle Refinishers	£283
Variation Charges	
Standard Charge	£1052
Reduced Charge for certain activities	£103
Transfer Charges	
-Transfer of whole permit	£163
Standard Charge	£17
Reduced Charge for certain activities	
-Transfer of part permit	£491
Standard Charge	£48

3.18

Reduced Charge for certain activities	
Additional fee for operating without a permit	
Standard Charge	£1291
Reduced Charge for certain activities	£77
Late Payment Fee	£53

Licensing (Northern Ireland) Order 1996**3.18.1 Occasional Licences**

The undernoted applications for occasional licences have been received, acknowledged and responded to without objection during the report period.

<u>Applicant</u>	<u>Purpose</u>	<u>Dates</u>
Pauline Gallagher Ma Kelly's Grill Bar 21 Church Street BALLYMONEY BT53 6HS	Occasional Licence at The Main Hall, Joey Dunlop Leisure Centre	25 th April 2015 from 7.00pm to 1.00pm on 26 th April 2015.
Shirley McKinley The Scenic Inn 38 Fivey Road Armoy BALLYMONEY BT53 8UT	Occasional Licence at The Scenic Inn.	Saturday 2 nd May 2015 from 7.00pm to 1.00am and Sunday 3 rd May from 7.00pm to 1.00am.
William Herbert Brooke Huey The Glynn's Bar 23 Church Street BALLYMONEY BT53 6HS	Occasional Licence at Tesco's Car Park, Castle Street, Ballymoney.	Friday 22 nd May 2015 from 4.00pm to 11.00pm Saturday 23 rd May 2015 from 1.00pm to 11.00pm Sunday 24 th May 2015 from 3.00pm to 10.30pm.
Daniel Stevenson and Stephanie Gray 22 Main Street Ballintoy Ballycastle BT54 6LX	Occasional Licence for a social function at Ballinlea Orange Hall, Ballycastle	Friday, 29 th May - Saturday 30 th May 2015 from 7pm – 1am
Gareth Witherow The Tides Portrush Ltd 21 Ballyreagh Road	Occasional Licence for a BBQ and sale of soft drinks and alcohol in aid of cancer fund for	Tuesday 12 th May - Saturday 16 th May from 11:30am-11pm

<u>Applicant</u>	<u>Purpose</u>	<u>Dates</u>
Portrush BT56 8LR	children charity no XR29768 in Car Park at Tides Ltd, Portrush	
Fiona & Cormac McKeegan 5 Riverview Crescent Cushendun Co. Antrim	Occasional Licence at Cushendun Parish Hall, Layde Road, Cushendun.	16 th April 2015 from 7.00pm to 1.00pm on 26 th April 2015.

3.19 Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985

The undernoted application for renewal of a Gaming Machine Certificate has been received and acknowledged during the report period.

<u>Applicant</u>	<u>Purpose</u>	<u>Dated</u>
Richard James Wylie Rafters Snooker Club 18 Seymour Street BALLYMONEY BT53 6JR	Renewal of a Gaming Machine Certificate	6 th March 2015.

3.20 Ulster In Bloom

Legacy Councils traditionally entered either 'Best Kept' or 'Ulster in Bloom' competitions. In the interests of consistency entries in 2015 have been restricted to 'Ulster in Bloom' throughout the Borough. Entries to this competition are free. Depending on size of town/village, entries to 'Best Kept' could have cost up to £1,140.

Entries to Ulster in Bloom are as follows:

Large Town	Small Town	Large Village	Small Village
Coleraine	Ballycastle	Castlerock	Armoy
Limavady	Ballykelly	Garvagh	Ballintoy
	Ballymoney	Kilrea	Bushmills
	Dungiven	Waterfoot	Cushendall
	Portrush		Cushendun
	Portstewart		Mosside

3.21 Future Events on Council Property

- 3.21.1** Ballymoney Gospel Hall request use of Riverside Park, Ballymoney on 5th and 8th June for open air service.
- 3.21.2** Cancer Research UK request the use of Riverside Park, Ballymoney on 29th May to raise funds by holding a fun run.
- 3.21.3** Kingdom of Dalriada Ulster-Scots Society (subject to CC&GBC grant) request use of Riverside Park, Ballymoney on 2nd July for Festival activities.
- 3.21.4** North Antrim Bands Forum request extended opening hours to public toilets to 10pm on 10th & 20th June, 22nd & 25th July and 15th August.
- 3.21.5** Cinemobile is doing a school project in conjunction with Northern Ireland Screen and DCAL and are hoping to bring the project to Ballycastle on Thursday 30th April and Saturday 1st May 2015 and Cushendall on Tuesday 5th May 2015, Bushmills “park and ride” carpark in the town on Wednesday 29th April 2015 and Strand Road Car Park, Coleraine on 1st May 2015.
- 3.21.6** NI Hospice request the use of Waterford Car Park Cushendall on 21 June 2015.
- 3.21.7** Glens of Antrim Comhaltas request the use of the Cottagewood Site, Cushendall on Sunday 24 May 2015.
- 3.21.8** Cushendall Development Group on behalf of the Heart of the Glens Festival request the use of the council property for the dates and times mentioned below:-

Sunday 2 August 2pm - 4pm Opening Parade & Fancy Dress at Waterford Car Park Coast Rd.

Wednesday 5 August 2pm - 4pm 'Lark in the Park' - Cottage Wood.

Sunday 9 August 2pm - 4pm Beach Fun Day - Seafront at beach.

All requests are subject to receiving insurance information and method statements for their events.

3.22 Naming of Housing Development

10 Dwellings at Sites 1 – 10 off Milltown Road, Ballymoney for Armoy Homes, 78 Ballykenver Road, Armoy, Ballymoney

The developers have written by letter dated 22/01/2015 requesting that Council name the above new housing development.

The names suggested by the developer, in order of preference, are

1. “Riversdale Close”
2. “Riverstown Park”
3. “Millquarter Mews”

The site comprises of 10 town houses.

The first preference name “Riversdale Close” is deemed to sound too similar to Riverdale [in Rasharkin], and its use here would only lead to confusion, and would not therefore comply with Council’s Street Naming and Property Numbering Policy.

The second preference name “Riverstown” is, however, in accordance with the general policy that street names should have some connection with the local area in which they are located. The site lies on the edge of the Ballymoney River and within the town boundary. The suggested suffix “Park” is however less in keeping with the proposed form of development; “Close” is deemed to be more appropriate in this instance, and the name “Riverstown Close” would therefore fully comply with Council’s Street Naming and Property Numbering Policy.

The third preference name “Millquarter Mews” would not comply with Council’s Street Naming and Property Numbering Policy, as the development is wholly outside the boundary of Millquarter townland.

Under Council’s Delegation of Powers Scheme in respect of Article 11 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995 I would therefore confirm that the name “**Riverstown Close**” has been approved for the development.

3.23 Portrush Harbour Staffing

The existing Harbour Master in Portrush has given notice of his intention to terminate his employment which is effective from 1st May 2015.

This vacancy will be covered until September by seasonal staff and supplemented by our existing Harbour Masters to provide experience and direction on a regular basis.

3.24 Update on Off Street Car Parks

On the 1 April 2015, DRD transferred to Causeway Coast and Glens Borough Council thirty seven off-street car parks, via the Scheme for the Transfer of Designated Off Street Car Park Assets and Liabilities.

This means Council are now responsible for all aspects relating to management, operation and maintenance of these car parks.

The management of the twelve charged car parks is being executed through an Agency Agreement between DRD and Council for Parking Enforcement by using the existing service provider NSL.

Transfer Update

Front line staff have been briefed on how to handle or re-direct any queries which they may receive from the public concerning car parks.

Reconciliation of ticket income has commenced on a weekly basis to allow bank transfers, with no issues to report

Works are progressing to add Council branding to signage and ticket machines within each car park

Works are ongoing in conjunction with DRD to resolve outstanding issues pertaining to land ownership, registration, leases and car park boundaries

A working group has been established with representatives from all 11 eleven Councils to discuss the options relating to the procurement of a new Service Provider post October 2016. Council decision required September 2015 to allow sufficient procurement time.

3.25 Procurement of Consultancy Services

It was proposed by Councillor King, seconded by Councillor Duddy and AGREED to recommend that committee move 'in-committee'.

* **Press left the meeting.**

* **B Edgar left the meeting.**

The Director of Environmental Services reported as undernoted:

Council require consultancy services to assist with the preparation of documentation, specification and project management to deliver projects of various types and complexity.

A Professional Construction Related Consultancy Services Tender 2015 was advertised to the market in accordance with the "Open" procedure as prescribed in The Public Contracts Regulations 2006. Such a tender process was necessary as spend across all disciplines included within the tender was estimated to be in the region of £250,000 per annum. The tender was drawn up with the option to extend for an additional 2 years giving the contract a total value of £750,000 over its potential 3 year lifetime. This figure exceeds the circa £170,000 threshold for services at which the EU procurement process must be followed.

Tenders were advertised publicly in late January 2015 and the closing date was fixed at noon on Monday 16 March 2015.

The categories advertised included;

***Architectural services
Civil & structural engineering
Conservation architecture
Landscape architecture
M&E low carbon consultants
Marine and coast engineering
Building surveying
Quantity surveying
CDM Co-ordination
Integrated design***

Proposals

Each discipline within the tender was split into various spend categories to enable Council to award business to the most competitive bid within any price band. Moreover, where appropriate, disciplines were also split into lead and non-lead consultant roles providing Council with the flexibility to appoint the desired team of professionals as required on a project by project basis. This approach provides Council with greater control over the composition of the consultancy team.

3.25.1 Architecture

COMBINED SCORING WITH LEAD CONSULTANCY ROLE				
	1st	2nd	3rd	4th
0-50,000 +hourly rate	Whittaker & Watt Architects	R Robinson & Sons	Studio Rogers Architects Ltd	Bryson Architects Ltd
50,001 - 100,000 + hourly rate	Whittaker & Watt Architects	R Robinson & Sons	Studio Rogers Architects Ltd	Bryson Architects Ltd
100,001 - 250,000 + hourly rate	Bryson Architects Ltd	Whittaker & Watt Architects	R Robinson & Sons	Gregory Architects
250,001 - 500,000 + hourly rate	Gregory Architects	Bryson Architects Ltd	R E Quinn Architects Ltd	Michael Whitley Architects
500,001 - £3m + hourly rate	Gregory Architects	R E Quinn Architects Ltd	Bryson Architects Ltd	R Robinson & Sons
£3,000,001 - EU + hourly rate	Gregory Architects	R E Quinn Architects Ltd	Whittaker & Watt Architects	Michael Whitley Architects

COMBINED SCORING WITHOUT LEAD CONSULTANCY ROLE					
	1st	2nd	3rd	4th	
0-50,000 +hourly rate	Whittaker & Watt Architects	Studio Rogers Architects Ltd	R Robinson & Sons	Bryson Architects Ltd	
50,001 - 100,000 + hourly rate	Whittaker & Watt Architects	R Robinson & Sons	Bryson Architects Ltd	Studio Rogers Architects Ltd	
100,001 - 250,000 + hourly rate	Bryson Architects Ltd	Whittaker & Watt Architects	Gregory Architects	R Robinson & Sons	
250,001 - 500,000 + hourly rate	Bryson Architects Ltd	Gregory Architects	Consarc Design Group Ltd	Michael Whitley Architects	Joint 3rd place

500,001 - £3m + hourly rate	Gregory Architects	Bryson Architects Ltd	R Robinson & Sons	Michael Whitley Architects
£3,000,001 - EU + hourly rate	Gregory Architects	GM Design Associates Ltd	ASI Architects Ltd	Whittaker & Watt Architects

The following bidders were unsuccessful in their bids submitted for this discipline as their rates were more expensive than those submitted by the fourth placed bidder.

- Hall Black Douglas Ltd
- HMD Architects Ltd
- Ostick & Williams Ltd
- Todd Architects
- Montgomery Irwin Ltd
- Keppie Design

3.25.2 Civil & Structural Engineering

COMBINED SCORING WITH LEAD CONSULTANCY ROLE				
	1st	2nd	3rd	4th
0-50,000 +hourly rate	McMahon Associates	Nicholas O'Dwyer	Mott MacDonald	R Robinson & Sons
50,001 - 100,000 + hourly rate	McMahon Associates	Nicholas O'Dwyer	Mott MacDonald	R Robinson & Sons
100,001 - 250,000 + hourly rate	McMahon Associates	Mott MacDonald	Nicholas O'Dwyer	Ivan Scotts
250,001 - 500,000 + hourly rate	Mott MacDonald	McMahon Associates	Gilligan & Partners	Ivan Scotts
500,001 - £3m + hourly rate	Gilligan & Partners	Mott MacDonald	McMahon Associates	Ivan Scotts
£3,000,001 - EU + hourly rate	Gilligan & Partners	Ivan Scotts	McMahon Associates	Mott MacDonald

COMBINED SCORING WITHOUT LEAD CONSULTANCY ROLE				
	1st	2nd	3rd	4th
0-50,000 +hourly rate	Nicholas O'Dwyer	McMahon Associates	R Robinson & Sons	Mott MacDonald
50,001 - 100,000 + hourly rate	Nicholas O'Dwyer	McMahon Associates	Gilligan & Partners	R Robinson & Sons
100,001 - 250,000 + hourly rate	Nicholas O'Dwyer	McMahon Associates	Mott MacDonald	Teague & Sally
250,001 - 500,000 + hourly rate	Gilligan & Partners	Mott MacDonald	Teague & Sally	Ivan Scotts
500,001 - £3m + hourly rate	Gilligan & Partners	Mott MacDonald	Teague & Sally	Ivan Scotts
£3,000,001 - EU + hourly rate	Gilligan & Partners	Ivan Scotts	Mott MacDonald	Teague & Sally

The following bidders were unsuccessful in their bids submitted for this discipline as their rates were more expensive than those submitted by the fourth placed bidder.

- RPS Consulting Engineers
- Doran Consulting
- WYG
- Taylor & Boyd

3.25.3 Conservation Architecture

COMBINED SCORING WITH LEAD CONSULTANCY ROLE				
	1st	2nd	3rd	4th
0-50,000 +hourly rate	Whittaker & Watt	Alastair Coey Architects	Consarc Design Group Ltd	No 4th place bidder
50,001 - 100,000 + hourly rate	Whittaker & Watt	Alastair Coey Architects	Consarc Design Group Ltd	

100,001 - 250,000 + hourly rate	Whittaker Watt &	Alastair Coey Architects	Consarc Design Group Ltd	
250,001 - 500,000 + hourly rate	Whittaker Watt &	Alastair Coey Architects	Consarc Design Group Ltd	
500,001 - £3m + hourly rate	Whittaker Watt &	Alastair Coey Architects	Consarc Design Group Ltd	
£3,000,001 - EU + hourly rate	Whittaker Watt &	Alastair Coey Architects	Consarc Design Group Ltd	

COMBINED SCORING WITHOUT LEAD CONSULTANCY ROLE

	1st	2nd	3rd	4th
0-50,000 +hourly rate	Whittaker Watt &	Alastair Coey Architects	Consarc Design Group Ltd	No 4th place bidder
50,001 - 100,000 + hourly rate	Whittaker Watt &	Alastair Coey Architects	Consarc Design Group Ltd	
100,001 - 250,000 + hourly rate	Whittaker Watt &	Alastair Coey Architects	Consarc Design Group Ltd	
250,001 - 500,000 + hourly rate	Whittaker Watt &	Alastair Coey Architects	Consarc Design Group Ltd	
500,001 - £3m + hourly rate	Whittaker Watt &	Alastair Coey Architects	Consarc Design Group Ltd	
£3,000,001 - EU + hourly rate	Whittaker Watt &	Alastair Coey Architects	Consarc Design Group Ltd	

3.25.4 Landscape Architecture

COMBINED SCORING WITH LEAD CONSULTANCY ROLE				
	1st	2nd	3rd	4th
0-50,000 +hourly rate	GM Design Associates	RPS Planning and Environment	MWA Partnership Ltd	No 4th place bidder
50,001 - 100,000 + hourly rate	RPS Planning and Environment	GM Design Associates	MWA Partnership Ltd	
100,001 - 250,000 + hourly rate	MWA Partnership Ltd	RPS Planning and Environment	GM Design Associates	
250,001 - 500,000 + hourly rate	MWA Partnership Ltd	RPS Planning and Environment	GM Design Associates	
500,001 - £3m + hourly rate	MWA Partnership Ltd	RPS Planning and Environment	GM Design Associates	
£3,000,001 - EU + hourly rate	MWA Partnership Ltd	RPS Planning and Environment	GM Design Associates	

COMBINED SCORING WITHOUT LEAD CONSULTANCY ROLE				
	1st	2nd	3rd	4th
0-50,000 +hourly rate	GM Design Associates	RPS Planning and Environment	MWA Partnership Ltd	No 4th place bidder
50,001 - 100,000 + hourly rate	GM Design Associates	RPS Planning and Environment	MWA Partnership Ltd	
100,001 - 250,000 + hourly rate	GM Design Associates	MWA Partnership Ltd	RPS Planning and Environment	

250,001 - 500,000 + hourly rate	MWA Partnership Ltd	RPS Planning and Environment	GM Design Associates	
500,001 - £3m + hourly rate	MWA Partnership Ltd	RPS Planning and Environment	GM Design Associates	
£3,000,001 - EU + hourly rate	MWA Partnership Ltd	GM Design Associates	RPS Planning and Environment	

3.25.5 Mechanical, Electrical & low Carbon Engineering

COMBINED SCORING WITH LEAD CONSULTANCY ROLE				
	1st	2nd	3rd	4th
0-50,000 +hourly rate	Gillespie & Cummings	Mott MacDonald	Patrick McCaul Environmental Consulting	JCP Consulting Ltd
50,001 - 100,000 + hourly rate	Gillespie & Cummings	Mott MacDonald	Cogan & Shackleton	A H Design
100,001 - 250,000 + hourly rate	Gillespie & Cummings	Mott MacDonald	Cogan & Shackleton	A H Design
250,001 - 500,000 + hourly rate	Mott MacDonald	Gillespie & Cummings	A H Design	Cogan & Shackleton
500,001 - £3m + hourly rate	Gillespie & Cummings	Mott MacDonald	Troup Bywaters & Anders	Patrick McCaul Environmental Consulting
£3,000,001 - EU + hourly rate	Mott MacDonald	Gillespie & Cummings	JCP Consulting Ltd	A H Design

COMBINED SCORING WITHOUT LEAD CONSULTANCY ROLE				
	1st	2nd	3rd	4th
0-50,000 +hourly rate	Gillespie & Cummings	Semple McKillop	Cogan & Shackleton	JCP Consulting Ltd

50,001 - 100,000 + hourly rate	Gillespie & Cummings	Semple McKillop	Cogan & Shackleton	WYG
100,001 - 250,000 + hourly rate	Gillespie & Cummings	Mott MacDonald	Cogan & Shackleton	Semple McKillop
250,001 - 500,000 + hourly rate	Gillespie & Cummings	Mott MacDonald	WYG	Cogan & Shackleton
500,001 - £3m + hourly rate	Gillespie & Cummings	JCP Consulting Ltd	Mott MacDonald	WYG
£3,000,001 - EU + hourly rate	Mott MacDonald	Gillespie & Cummings	JCP Consulting Ltd	A H Design

The following bidders were unsuccessful in their bids submitted for this discipline as their rates were more expensive than those submitted by the fourth placed bidder.

- Wallace Whittle

3.25.6 Marine & Coastal Engineering

COMBINED SCORING WITH LEAD CONSULTANCY ROLE				
	1st	2nd	3rd	4th
0-50,000 +hourly rate	Ivan Scotts	WYG	Mott MacDonald	RPS Consulting Engineers
50,001 - 100,000 + hourly rate	Ivan Scotts	WYG	RPS Consulting Engineers	Mott MacDonald
100,001 - 250,000 + hourly rate	Ivan Scotts	WYG	Mott MacDonald	RPS Consulting Engineers
250,001 - 500,000 + hourly rate	Ivan Scotts	WYG	Mott MacDonald	RPS Consulting Engineers
500,001 - £3m + hourly rate	Ivan Scotts	Mott MacDonald	WYG	RPS Consulting Engineers
£3,000,001 - EU + hourly rate	Ivan Scotts	Mott MacDonald	WYG	RPS Consulting Engineers

COMBINED SCORING WITHOUT LEAD CONSULTANCY ROLE				
	1st	2nd	3rd	4th
0-50,000 +hourly rate	Ivan Scotts	WYG	Mott MacDonald	RPS Consulting Engineers
50,001 - 100,000 + hourly rate	Ivan Scotts	Mott MacDonald	WYG	RPS Consulting Engineers
100,001 - 250,000 + hourly rate	Ivan Scotts	WYG	Mott MacDonald	Doran Consulting
250,001 - 500,000 + hourly rate	Ivan Scotts	WYG	Mott MacDonald	Doran Consulting
500,001 - £3m + hourly rate	Ivan Scotts	Mott MacDonald	WYG	RPS Consulting Engineers
£3,000,001 - EU + hourly rate	Ivan Scotts	Mott MacDonald	WYG	RPS Consulting Engineers

3.25.7 Building Surveying

COMBINED SCORING WITHOUT LEAD CONSULTANCY ROLE				
	1st	2nd	3rd	4th
0-50,000 +hourly rate	Wright & Partners	R Robinson & Sons	Ivan Scotts	Patrick F Corr Ltd
50,001 - 100,000 + hourly rate	Wright & Partners	Ivan Scotts	R Robinson & Sons	Patrick F Corr Ltd
100,001 - 250,000 + hourly rate	Ivan Scotts	Wright & Partners	Patrick F Corr Ltd	R Robinson & Sons
250,001 - 500,000 + hourly rate	Ivan Scotts	Wright & Partners	Patrick F Corr Ltd	FCM Partnership
500,001 - £3m + hourly rate	FCM Partnership	Patrick F Corr Ltd	Ivan Scotts	Wright & Partners
£3,000,001 - EU + hourly rate	WYG	FCM Partnership	JCP Consulting	Patrick F Corr Ltd

The following bidders were unsuccessful in their bids submitted for this discipline as their rates were more expensive than those submitted by the fourth placed bidder.

- WH Stephens

3.25.8 Quantity Surveying

	1st	2nd	3rd	4th
COMBINED SCORING WITHOUT LEAD CONSULTANCY ROLE				
	1st	2nd	3rd	4th
0-50,000 + hourly rate	Earl Lewis	WYG	WH Stephens	JCP Consulting
50,001 - 100,000 + hourly rate	WYG	Brain Canavan Associates	Earl Lewis	WH Stephens
100,001 - 250,000 + hourly rate	WYG	Wheelan & Co.	Brain Canavan Associates	Earl Lewis
250,001 - 500,000 + hourly rate	WYG	Wheelan & Co.	Brain Canavan Associates	Sweet (UK) Ltd
500,001 - £3m + hourly rate	WYG	Wheelan & Co.	Sweet (UK) Ltd	JCP Consulting
£3,000,001 - EU + hourly rate	WYG	Wheelan & Co.	Sweet (UK) Ltd	JCP Consulting

The following bidders were unsuccessful in their bids submitted for this discipline as their rates were more expensive than those submitted by the fourth placed bidder.

- Sammon Chartered Surveyors
- Consarc Quantity Surveying
- Patrick F Corr Ltd
- FCM Partnership

3.25.9 CDM Co-ordination

COMBINED SCORING WITHOUT LEAD CONSULTANCY ROLE				
	1st	2nd	3rd	4th
0-50,000 +hourly rate	Nicholas O'Dwyer	WYG	Mott MacDonald Ltd	WH Stephens
50,001 - 100,000 + hourly rate	WH Stephens	Nicholas O'Dwyer	WYG	Mott MacDonald Ltd
100,001 - 250,000 + hourly rate	WH Stephens	Mott MacDonald Ltd	WYG	Nicholas O'Dwyer
250,001 - 500,000 + hourly rate	WH Stephens	Mott MacDonald Ltd	WYG	McAuley Safety Management
500,001 - £3m + hourly rate	WH Stephens	Mott MacDonald Ltd	Nicholas O'Dwyer	RPS Consulting Engineers
£3,000,001 - EU + hourly rate	Mott MacDonald Ltd	WH Stephens	RPS Consulting Engineers	McAuley Safety Management

The following bidders were unsuccessful in their bids submitted for this discipline as their rates were more expensive than those submitted by the fourth placed bidder.

- GM Design

3.25.10 Multi-Disciplinary Teams

COMBINED SCORING MULTI DISCIPLINARY TEAMS				
	1st	2nd	3rd	4th
0-50,000 +hourly rate	Whittaker & watt	GM Design	Kennedy Fitzgerald Architects	Hall Black Douglas

50,001 - 100,000 + hourly rate	Whittaker & watt	Kennedy Fitzgerald Architects	GM Design	Hall Black Douglas
100,001 - 250,000 + hourly rate	Whittaker & watt	Kennedy Fitzgerald Architects	GM Design	Hall Black Douglas
250,001 - 500,000 + hourly rate	Whittaker & watt	Kennedy Fitzgerald Architects	Hall Black Douglas	GM Design
500,001 - £3m + hourly rate	Whittaker & watt	Kennedy Fitzgerald Architects	Hall Black Douglas	GM Design
£3,000,001 - EU + hourly rate	Whittaker & watt	Kennedy Fitzgerald Architects	Hall Black Douglas	GM Design

Other Information

The following bidders failed to pass all the selection criteria and were therefore excluded:

- HMD Architects. Conservation Architect bid.
- HMD Architects. CDM bid.
- Beattie Flanigan. M+E bid.
- Wright & Partners. QS bid.
- Allan Curran Architects. Architectural bid.
- McLean + Forte Partnership. Architectural bid.

It was proposed by Alderman King, seconded by Councillor Cole and **AGREED to recommend to Council that the bidders noted within each of the tables are awarded 1st to 4th place within each of the disciplines as set out.**

For reference, the highest project value category which includes “EU” as the upper limit refers to a project with a value up to the EU spend threshold for works which is currently circa £4,322,000.

It should also be noted that the tender documents stated that only the 4 highest scoring bidders would be successful within any discipline and any bid that was more expensive than the 4th placed bid would be unsuccessful.

It was proposed by Councillor Douglas, seconded by Councillor McCaul and AGREED that committee resolve itself out of ‘*in-committee*’.

4. Correspondence

There were no items of correspondence.

5. Consultations

Committee noted the following consultation documents:

5.1 DoE, Consultation on proposed changes to the Waste Batteries Regulations 2009, the Producer Responsibility Obligations (Packaging Waste) Regulations 2007, the Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007 and call for evidence on the impact of new plastic flow figures and links with household waste recycling targets

5.2 NIEA, Consultation on Amending the Financial Provision for Waste Management Activities in Northern Ireland

6. Matter for Reporting to Partnership Panel

Transport NI Bus Shelters.

* **J Richardson and P Caldwell left the meeting at 9.35pm**

7. Any Other Relevant Business

Councillor Douglas reminded members that throwing grass cuttings over a hedge is a form of littering.

This being all the business the meeting closed at 9.39pm.

Appendix A: [Environmental Services Committee Terms of Reference](#)

Appendix B: [Animal Welfare Governance Arrangements](#)

Appendix C: [Animal Welfare Enforcement Guidelines](#)

Appendix D: [Affordable Warmth Scheme Service Level Agreement](#)

Appendix E: [Rathlin Ferry Project – Potential Harbour Improvements](#)

Causeway Coast and Glens Borough Council

To: Environmental Services Committee

Date: 5 May 2015

Environmental Services Committee Terms of Reference

For Decision

Linkage to Corporate Plan	
Strategic Priority	Transition and Transformation
Objective	Successful implementation of the convergence plan
Lead Officer	Aidan McPeake
Cost: (If applicable)	Associated staff work to arrange and service the committee meetings.

1.1 Background

Causeway Coast and Glens Borough Council decided to utilize the traditional committee system as its preferred form of governance and, as a result, it has created a number of Committees to progress the work of the new Council from 1st of April 2015. This report proposes Terms of Reference for one of these Committees; the Environmental Services Committee.

1.2 Scope

The Environmental Services Committee (“the Committee”) will be responsible for recommending to Council the key decisions and actions required to be taken specifically in relation to the work of the Environmental Services Directorate.

This will include:

- The future development of the organisational structure for the Environmental Services Directorate;
- Overseeing the delivery of any relevant service strategies for the Environmental Services Directorate and making appropriate recommendations to Council;
- Recommending to Council relevant policies and procedures for the Environmental Services Directorate;
- Monitoring and reviewing business and service delivery plans for the Environmental Services Directorate;
- Recommending to Council the establishment of external partnerships where considered relevant to the role of the Environmental Services Directorate;

- Making recommendations to Council regarding capital projects by the Environmental Services Directorate and monitoring the implementation of any capital projects by the Environmental Services Directorate;
- Making recommendations to Council and monitoring funding sources and mechanisms to assist with various initiatives, projects and actions within the remit of the Environmental Services Directorate;
- Recommending to Council the resolution of any associated issues;
- Considering the resource implications of any recommendations.

1.3 Membership

The Committee is comprised of the sixteen Elected Members and they were appointed to the Committee at the Annual General Meeting of Council on 26th March 2015.

Members may be required to represent the Committee and Council at pertinent consultation and capacity building events. The membership list for the Committee is provided at **Annex A**.

1.4 Chair

The Committee will be chaired in the first instance for 2015/16 by Councillor Mark Fielding (DUP).

In the absence of the Chairperson, the Committee will be chaired by the Deputy Chairperson, Councillor Brenda Chivers (SF).

In the absence of the Deputy Chairperson, a chair for the meeting will be agreed by the Members present.

1.5 Meetings

The first meeting of the Committee will be held on Tuesday 5th May 2015, when the Terms of Reference will be agreed.

The Environmental Services Committee will normally meet on the first Tuesday of each month at 7.00 pm except when this falls within a recess period agreed by Council. A schedule of meetings for the Committee for the 2015/16 year are attached as **Annex B**.

All meetings of the Committee will be governed by the Council's Standing Orders and the Local Government Code of Conduct for Councillors.

1.6 Sub-Committees and Working Groups

The Committee has the facility, if it so wishes, to establish and appoint any number of Sub-Committees and Working Groups it deems necessary to consider in more detail the work of the Committee concerning specific issues related to the Environmental Services Directorate.

1.7 Communication and Reporting

The Minutes of the Committee will be reported at each meeting of Causeway Coast and Glens Borough Council by the Chair of the Committee.

Recommendation

It is recommended that the Environmental Services Committee approve the Terms of Reference as set out in this report.

Annex A

Members	Members
Chair: Councillor Mark Fielding (DUP)	Vice Chair: Councillor Brenda Chivers (SF)
DUP: Councillor McLean	SF: Councillor McCaul
DUP: Alderman Campbell	SDLP: Councillor MA McKillop
DUP: Councillor Duddy	SDLP: Alderman Mullan
UU: Councillor Baird	TUV: Councillor Douglas
UU: Councillor Holmes	DUP: Alderman Cole
UU: Councillor King	SF: Councillor Mulholland
UU: Councillor Hunter	PUP: Councillor Watton

Annex B

Meeting	Date and Time
Environmental Services Committee	Tuesday 5 th May 2015 at 7.00pm
	Tuesday 2 nd June 2015 at 7.00pm
	Tuesday 4 th August 2015 at 7.00pm
	Tuesday 1 st September 2015 at 7.00pm
	Tuesday 6 th October 2015 at 7.00pm
	Tuesday 3 rd November 2015 at 7.00pm
	Tuesday 1 st December 2015 at 7.00pm
	Tuesday 2 nd February 2016 at 7.00pm
	Tuesday 1 st March 2016 at 7.00pm
	Tuesday 5 th April 2016 at 7.00pm
	Tuesday 3 rd May 2016 7.00pm

Local Government Chief Executives Group

Welfare of Animals Act (NI) 2011

Governance Arrangements

13th March 2015

1.0 Purpose

To provide Councils with an overview of governance arrangements from 1 April 2015 to enable local government to comply with the enforcement requirements of the Welfare of Animals Act (Northern Ireland) 2011 for non-farmed animals.

2.0 Background

2.1 **Model of Service Delivery (Four-centre sub-regional model)**

Further to a recent Local Government Chief Executives Group meeting (LGCEG), it was agreed that Fermanagh and Omagh District Council will act as the Northern Ireland lead Council for the purposes of the Welfare of Animals Act (NI) 2011. As Regional lead Council, Fermanagh and Omagh District Council will have a co-ordinating role with all Councils and will be the agreed single point of contact with DARD and PSNI.

The model for service delivery will include a four-centre sub-regional model linking to the Regional lead Council and DARD as shown in Appendix 1. The Council areas within each sub-region will operate as set out below and staff will be employed by the sub-regional lead Councils to operate across all regions. The interim report of the recent Review of the implementation of the Welfare of animals Act 2011 recommends that “Chief Executives of the eleven new Councils should consider the information provided to them by the Review when making decisions about the operating model for the delivery of the animal welfare service from 1st April 2015”.

REGION	COUNCIL AREAS
Western * Staff 1.0 FTE Manager /2 FTE Admin/2 AWOs	Fermanagh & Omagh , Derry & Strabane, Mid Ulster
Northern Staff 0.7 FTE Manager /1FTE Admin/2 AWOs	Mid & East Antrim , Causeway Coast & Glens, Antrim & Newtownabbey
Southern Staff 0.7 FTE Manager /1 FTE Admin /2 AWOS	Armagh City, Banbridge & Craigavon , Newry Mourne & Down
Belfast & Eastern Staff 0.7 FTE Manager /2 FTE Admin/3 AWOs	Belfast, Lisburn &Castlereagh, North Down & Ards (lead TBC)
Total : 3.2 FTE Managers** 9 AWOs, 6 Admin Staff	Total : 4 Regions

* Fermanagh & Omagh DC as Regional lead Council includes additional 0.3 FTE Management & 1.0 FTE Admin; **Additional 0.1 Manager for Chair Project Board.

2.2 Governance arrangements

With general agreement on the initial model of service delivery the following arrangements are in place to ensure that the 11 new Councils are prepared for the statutory enforcement responsibilities which they assume on 1st April 2015:

- 2.2.1 Regional Lead Council** – Fermanagh and Omagh District Council will have a co-ordinating role with all Councils and will be the agreed single point of contact with DARD and PSNI.
- 2.2.2 Regional Project Board** – to ensure the effectiveness of the Animal Welfare Service and a collaborative regional approach, a reconstituted Project Board with representation from the lead Councils (see Appendix 2) will be established as soon as possible with the Chair to be appointed at the annual AGM. The 11 Councils will contribute to the Agenda and may attend Project Board to present on an Agenda item if required.
- 2.2.3 Sub-regional Animal Welfare Forum (AWF)** – a sub-regional forum will be established and will have a representative from each of the new sub-regional Councils. (See Appendix 2).
- 2.2.4 Memorandums of Understanding (MOU)/SLA** – There will be two Memorandums of Understanding (MOU) with DARD. One between the Regional Lead Council & DARD and the other between each Sub-regional Lead Council and DARD. A SLA will be signed between sub-regional lead council and the respective sub-regional Councils. A MOU will be signed by the Regional lead Council and PSNI in relation to Animal Welfare enforcement.
- 2.2.5 Budget** – Confirmation of the amount of grant funding for Animal Welfare will be provided by DARD in advance of the start of each financial year. A draft budget summary will then be submitted to DARD and the budget allocated over the 4 regions based on previous expenditure. The overall collective budget will be managed via Memorandum of Understanding by the Regional lead Council in conjunction with DARD. Predicted expenditure profiles will be collated at the start of the year and actual expenditure collated each month with claims submitted to DARD and Regional lead Council every quarter. Any under-spend in one sub-region will be available to contribute towards overspends in another.
- 2.2.6 Enforcement** – Enforcement by Councils will be taken as per Councils enforcement policy and files will be prepared by Sub-regional Lead Council with recommendations.
- 2.2.7 Authorisation** – Animal Welfare Officers and Line Managers will be authorised in all new Councils to enforce the provisions of the Welfare of Animals Act (NI) 2011.
- 2.2.8 Media** – Media enquiries will be dealt with as per Project Board Media Policy i.e. local issues dealt by local Council Media officer with information provided by Animal Welfare Manager (lead Council) and regional issues dealt with by Chair of Project Board.
- 2.2.9 Communications** – A communications plan will be developed which will set out the plan which the Regional Animal Welfare Project Board have for communicating the work undertaken in relation to implementation of the Welfare of Animals Act (Northern Ireland) 2011.
- 2.2.10 Care & Collection Service** – A Regional tender (Large animals tender and small Animals tender) will be issued by Fermanagh and Omagh District Council to appoint Service Provider

(s) for provision of care and transportation of animals This will be managed by the regional lead Council in relation to the contractual issues but each sub-regional lead Council will have responsibility for checking on their own animals and the payment of costs incurred for animals in care.

2.2.11 Legal Services – A Service Level agreement will be signed between Belfast City Council and the Regional Lead Council regarding legal services support to the Animal Welfare Service up to 31st March 2016 and then reviewed.

2.2.12 Veterinary support - Each sub-regional Lead Council procures its own veterinary support for Animal Welfare cases within their own Sub-regional Councils.

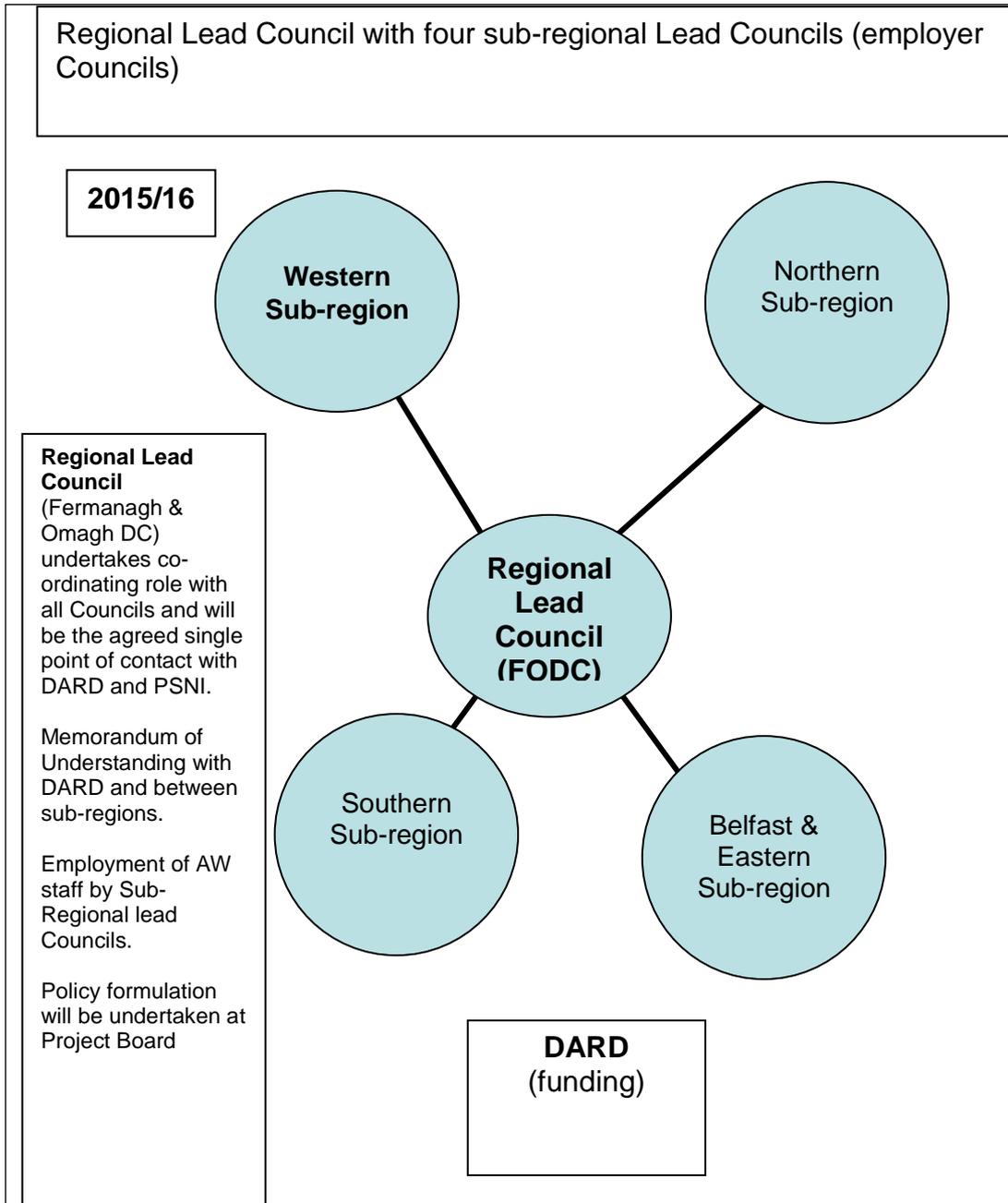
3.0 Conclusion

There is a considerable amount of work to complete in the next few weeks, it is imperative that all the various partners' work in collaboration to ensure that statutory requirements are met by 1st April 2015.

4.0 Recommendation

That each Council agrees to the governance arrangements identified in this Animal Welfare Governance paper in preparation for the implementation of the Animal Welfare Act (NI) 2011 from 1st April 2015.

Appendix 1 – Four centre Sub-Regional model



ANIMAL WELFARE PROJECT BOARD

TERMS OF REFERENCE AND OPERATING ARRANGEMENTS

1.0 REMIT AND MEMBERSHIP

The Local Government Animal Welfare Project Board is established to provide liaison between central and local government in Northern Ireland on matters of Animal Welfare and to support the delivery of Animal Welfare responsibilities and activities by district councils.

2.0 KEY OBJECTIVES

- 1) To promote good practice in Animal Welfare management within Councils.
- 2) To develop Animal Welfare guidance for Councils.
- 3) To co-ordinate Animal Welfare effort across Councils.
- 4) To lead and co-ordinate the Animal Welfare Regions discussions with central and strategic bodies on behalf of Councils.
- 5) To co-ordinate the passage of information to and from Councils and acting as a conduit for information flow to and from central government.

3.0 STRUCTURE AND MEMBERSHIP

Within the generic title of Animal Welfare are two related structures:

3.1 Animal Welfare Project Board

The **Animal Welfare Project Board** comprising one Officer representative from the Sub-regional Lead Councils , 4 Sub-regional lead Council Animal Welfare Officer Line Managers and two representatives from Department of Agriculture (DARD). Project Board will invite PSNI, NI Courts & Tribunal Service (NICTS), DARD enforcement section and other organisations as and when deemed necessary. The secretariat will be managed by the Animal Welfare Line Manager (PEHO) for Fermanagh and Omagh DC. Invites for Agenda items, Minutes and information will be cascaded from the Project Board to the 11 Councils via the membership. An annual report will be provided to the Local Government Chief Executives Group (LGCEG).

This Project Board is primarily concerned to ensure:

- identification of capacity and development needs for Animal Welfare functions across local government;
- liaison with central government and other agencies;
- development of policy and procedures to support local government Animal Welfare functions;
- effective communication with, and between, all stakeholders;
- provision of practical support and assistance in the development and delivery of Animal Welfare functions within the local government sector;

- maintenance of strategic liaison with all relevant departments, agencies and bodies;
- consideration of topical issues for Animal Welfare delivery in local government via submissions and presentations from members or from external organisations. Derive policy, action and implement decisions;
- provision of lead and support to sub-regional forums in addressing matters of concern focusing on a policy perspective;
- take active steps to promote the work of Animal Welfare Project Board as necessary to maximise influence and benefit communities;
- provision of policy and procedural advice and comment to local government in respect of all matters relevant to Animal Welfare planning;
- development and promotion of best practice in the planning, delivery and monitoring of Animal Welfare management in local government;
- the quality, consistency and effectiveness of Animal Welfare Project Board and its sub regional Forum under continual review and take such action as necessary to promote best value;
- promotion of the highest level of competence in service delivery by local government staff in matters pertaining to Animal Welfare;
- The establishment and facilitation of effective working across all appropriate sub-regional forums and with partner organisations;

3.2 Sub-regional Animal Welfare Forum (AWF)

The sub-regional **Animal Welfare Forum (AWF)** will comprise of one officer representative from each of the sub-regional Councils and the 4 Sub-regional lead Council Animal Welfare Officer Line Managers and will call on Animal Welfare Officers, PSNI, DARD enforcement other organisations as and when deemed necessary. The secretariat will be managed by the Sub-regional Lead Council Animal Welfare Line Manager. A Chair will be appointed at the first meeting of the sub-regional Animal Welfare Forum. Councils represented at the Animal Welfare Forum shall each possess a single vote in elections and in forum decisions.

The Sub-regional Animal Welfare Forums (AWF) shall:

- have a primary focus to ensure consistency and efficient working practice across the sub-regional councils;
- implement agreed policy from Animal Welfare Project Board;
- provide the means to translate central government and Animal Welfare Project Board recommendations into policy appropriate for local government;
- develop work-plan targets that meet Animal Welfare Project Board Strategy objectives;
- provide sub-regional liaison between Animal Welfare Project Board and sub-regional councils.
- maintain an overview of Animal Welfare tasks and duties;
- deal with routine issues arising from Animal Welfare Project Board and subgroups;

4.0 ADMINISTRATION

4.1 Meeting frequency

The Animal Welfare Project Board will meet **quarterly** or more frequently should circumstances so demand. Administrative support for the Animal Welfare Project Board will be provided by the sub-regional Lead Council .

The Animal Welfare Forum (AWF) will meet **three times a year**, or more frequently as necessary. Administrative support for the Animal Welfare Forum will be provided by the Lead Council.

4.2 The Chair of the Animal Welfare Project Board shall:

- be drawn from the four Lead Councils and be elected at the annual AGM of the Project Board ;
- with agreement of members, represent local government interests in other forums and meetings as may be required from time to time;
- ensure the efficient despatch of business within meetings of Animal Welfare Project Board in accordance with usual operating practices within local government and the civil service;
- in emergencies, when consent of members is not practicable due to time pressures, the Chair may take decisions on behalf of local government. These will be reported back to Animal Welfare Project Board for ratification.

4.3 The Secretary of Animal Welfare Project Board shall:

- be the Animal Welfare Officers Line Manager from the Regional lead Council ;
- with agreement of members, represent local government interests in other forums and meetings as may be required from time to time;
- ensure the efficient despatch of business within meetings of Animal Welfare Project Board in accordance with usual operating practices within local government and the civil service;
- in emergencies, when consent of members is not practicable due to time pressures, the Secretary may on consultation with Chair, take decisions on behalf of local government. These will be reported back to Animal Welfare Project Board for ratification.
- monitor progress, and provide regular reports to Animal Welfare Project Board on progress against agreed plans and actions;
- confer with members to prepare agendas and papers for Animal Welfare Project Board meetings. These will be circulated not less than 5 working days in advance of meetings;
- prepare minutes from these meetings, to be distributed in draft to all members within two weeks of any meeting, then tabled for agreement at the following meeting;
- maintain current contact lists including address, email and telephone contacts of Animal Welfare Project Board;
- ensure reports are provided to Animal Welfare Project Board on the work and deliberations of all relevant groups to which Animal Welfare Project Board members provide representatives.

Causeway Coast and Glens Borough Council

Welfare of Animals (Northern Ireland) Act 2011

Enforcement Guidelines for Officers

1.0 ENFORCEMENT OPTIONS

- 1.1 The Council is responsible for the enforcement of certain provisions of the Welfare of Animals (NI) Act 2011 which provides a legal framework to secure the health and wellbeing of certain animals. The Council is responsible for provisions relating to domestic pets and non-farmed animals including equines.

The legislation is designed to protect such animals by providing standards of welfare and making it an offence to cause such animals' unnecessary suffering.

The Council will have regard to the Guidance on the Welfare of Animals Act for Council Enforcement Officers which is published by the Department of Agriculture and Rural Development and reference should be made to the Councils General Enforcement Policy. Officers will also take due consideration of the Public Interest Considerations laid out in Appendix 1(extract from Code for crown Prosecutors NI 2008).

These guidelines will be reviewed and updated following any significant relevant developments within this function such as any changes to the legislation, relevant case law, changes to guidance or any other significant impact.

- 1.2 The main offences are in relation to the following:

(a) Offence of causing an animal unnecessary suffering

Section 4 – a person commits an offence if an act of that person, or a failure of that person to act, causes an animal to suffer.

(b) Offence of carrying out a prohibited procedure

Section 5 – a person commits an offence if that person carries out a prohibited procedure on a protected animal.

(c) Offence of docking a dog's tail

Section 6 – a person commits an offence if that person removes the whole or any part of a dog's tail or causes the whole or any part of a dog's tail to be removed by another person.

(d) Offence of poisoning an animal

Section 7 – a person commits an offence if, without lawful authority, that person administers any poisonous or injurious drug or substance to a protected animal.

(e) Offence of failing to ensure the welfare of animals

Section 9 – a person commits an offence if that person fails to ensure the needs of an animal, for which he is responsible for, are not met. The needs of an animal include a suitable environment and diet and the need to be protected from pain, suffering, injury and disease.

(f) Offence of failing to comply with an Improvement Notice

Section 10 – a person commits an offence if he without reasonable excuse fails in a material regard to comply with the notice.

(g) Offence of abandoning an animal

Section 14 – a person commits an offence if, without reasonable excuse, that person abandons an animal for which that person is responsible for. This includes leaving an animal unattended without any provision for its welfare such as food, water and shelter.

(h) Offence of obstructing an Authorised Officer

Section 17 (12) – a person commits an offence if that person intentionally obstructs a person in the exercise of their powers conferred under the Act.

Enforcement options available, having considered all relevant information and advice are:

2.0 Informal Action

To take informal action, including giving advice and copies of relevant Codes of Practice to an animal owner/person responsible for animal.

3.0 Improvement Notice

An Improvement Notice should be used where an Animal Welfare Officer is of the opinion that a more formal enforcement approach is appropriate. An Improvement Notice is served whenever an officer wishes to see specific improvements in an animal's welfare or environment over a specified period of time.

Section 10 empowers inspectors to issue Improvement Notices to those responsible for animals if the inspector is of the opinion that a person is committing an offence under Section 9 (1) by not taking reasonable steps to ensure the needs of an animal as set out in Section 9 (2) are met.

The inspector must state in the notice what the person is failing to do to comply with Section 9, the steps that should be taken in order to comply and the time in which the steps must be taken. Failure to comply with an Improvement Notice is an offence.

Material non-compliance with the Improvement Notice is an offence under Section 9 (6)

Formal action should be considered for the offences under Section 9 and for the offence of non-compliance with an Improvement Notice

Further Formal action may include issuing a Formal caution or the instigation of legal proceedings under Section 29.

4.0 Powers for Dealing with animals in distress

Under **Section 17** If an inspector believes an animal is suffering he may take immediate action to alleviate that animal's suffering.

If a veterinary surgeon certifies that an animal should in its own interest be destroyed an inspector can make such arrangements.

If a veterinary surgeon certifies that an animal is suffering and is likely to continue suffering an inspector may make arrangements to take such animals into Council's possession. However an officer can also make the determination in the absence of a veterinary surgeon when it is evident that an animal is suffering or likely to continue suffering.

Council will only use such powers in appropriate circumstances.

5.0 Power of entry under warrant to deal with an animal that is suffering

Section 18 of the Act provides inspectors with powers of entry into premises where they believe a protected animal is kept that is suffering.

An Inspector may make a complaint on oath to a Lay Magistrate who may issue a warrant to enter premises, using reasonable force if necessary, if the Magistrate is satisfied under oath that the premises contain an animal that is suffering. An Inspector may however enter a premise with force if necessary without a warrant if action was required sooner than obtaining a warrant would allow. An inspector who enters any premises by virtue of a warrant must comply with any current guidance which has been published by the Department of Agriculture and Rural Development under sub-paragraph (4) of Schedule 3 of the 2011 Act.

6.0 Power of entry under warrant to search for evidence

An inspector may make a complaint under oath to a Lay Magistrate who may issue a warrant to enter premises and carry out a search for evidence relating to the commission of a relevant offence. An inspector who enters any premises by virtue of a warrant must comply with any current guidance which has been published by the Department of Agriculture and Rural Development under sub-paragraph (4) of Schedule 3 of the 2011 Act.

7.0 Prosecution/Caution

Section 29 of the Act allows for Councils to prosecute for relevant offences. Summary proceedings for an offence under or by virtue of this Act other than such an offence which is also triable on indictment under section 31(2) may be commenced at any time—

- (a) within the period of three years from the commission of the offence; or
- (b) within the period of 12 months from the date on which evidence which the prosecutor thinks is sufficient to justify a prosecution comes to the knowledge of the prosecutor.

7.1 The Council may issue a **Caution** in accordance with relevant guidance as an alternative to prosecution.

- To deal quickly and simply and with less serious offences

- To divert less serious offences away from the courts
- To reduce the chances of repeat offences

Council and those associated with the case will endeavor to bring summary proceedings in a timely way.

7.2 Where a person declines the offer of a Caution, the Council will normally initiate a prosecution.

Public Interest Considerations

For Prosecution

1. The seriousness of the offence i.e. where a conviction is likely to result in a significant penalty including any confiscation order or disqualification;
2. Where the defendant was in a position of authority or trust and the offence is an abuse of that position;
3. Where the defendant was a ringleader or an organiser of the offence;
4. Where the offence was premeditated;
5. Where the offence was carried out by a group;
6. Where the offence was carried out pursuant to a plan in pursuit of organised crime;
7. Where the offence involved the possession or use of a firearm, imitation firearm or other weapon such as a knife;
8. Where the offence was motivated by hostility against a person because of their race, ethnicity, sexual orientation, disability, religion, political beliefs, age or the like;
9. Where the offence is prevalent;
10. Where the offence has resulted in serious financial loss to an individual, corporate person or society;
11. Where the offence was committed against a person serving the public, for example a Doctor, Nurse, member of the Ambulance Service, member of the Fire Service or a member of Police Service;
12. Where the victim of the offence, or their family, has been put in fear, or suffered personal attack, damage or disturbance. The more vulnerable the victim the greater the aggravation;
13. Where there is a marked difference between the actual or mental ages of the defendant and the victim and the defendant took advantage of this;
14. Where there is any element of corruption;
15. Where the defendant has previous convictions or cautions which are relevant;
16. Where the defendant is alleged to have committed the offence whilst on bail, on probation, or subject to a suspended sentence or an order binding the defendant to keep the peace, or released on licence from a prison or a place of detention or otherwise subject to a court order;
17. Where there are grounds for believing that the offence is likely to be continued or repeated, for example, where there is a history of recurring conduct.

The following section lists some Public Interest Considerations against prosecution which may be relevant and required to be considered by a prosecutor when determining where the public interest lies in any particular case.

The following list is illustrative only.

Against prosecution

1. Where the court is likely to impose a very small or nominal penalty;
2. Where the loss or harm can be described as minor and was the result of a single incident, particularly if it was caused by an error of judgement or a genuine mistake;
3. Where the offence is not of a serious nature and is unlikely to be repeated;
4. Where there has been long passage of time between an offence taking place and the likely date of trial unless:
 - the offence is serious;
 - delay has been caused in part by the defendant;
 - the offence has only recently come to light; or
 - the complexity of the offence has resulted in a lengthy investigation.
5. Where a prosecution is likely to have a detrimental effect on the physical or mental health of a victim or witness, particularly where they have been put in fear;
6. Where the defendant is elderly or where the defendant is a child or a young person;
7. Where the defendant was at the time of the offence or trial suffering from significant mental or physical ill-health

Affordable Warmth Scheme

SERVICE LEVEL AGREEMENT

between

DEPARTMENT FOR SOCIAL DEVELOPMENT

and

LOCAL COUNCILS

Date: April 2015

1. Overview

The Department for Social Development (DSD), Housing Division, is responsible for improving domestic energy efficiency in the private sector across Northern Ireland. DSD will work in partnership with all local councils and the Northern Ireland Housing Executive to deliver the Affordable Warmth Scheme. Proposals for the new Affordable Warmth Scheme were subject to public consultation between 17 February 2014 and 9 May 2014.

The Affordable Warmth Scheme builds on the success of the Affordable Warmth pilot exercises undertaken by local councils and the Housing Executive in 2012 and 2013. The pilots were funded by DSD.

This Service Level Agreement takes account of the restructuring of local councils from 1 April 2015 and supersedes the version dated July 2014.

The Affordable Warmth Scheme aims to target identified low income households and deliver energy efficiency improvement measures to qualifying households.

All parties will use opportunities during the life of this agreement to display a commitment to work together in support of government aims to improve household energy efficiency.

2. Purpose of this Document

The purpose of this Service Level Agreement (SLA) is to provide clarity in terms of accountability, policy, operation and reporting procedures for each of the parties and in particular to:

- Establish the scope and duration of the scheme;
- Describe the roles and responsibilities of each party;
- Set out the financial arrangements; and
- Detail the arrangements for monitoring performance in relation to the Scheme.

The measures available under this Scheme are listed at Appendix 1.

3. Scope and Duration

The Affordable Warmth Scheme aims to improve domestic energy efficiency of targeted households living in severe or extreme fuel poverty. It is expected to reduce energy consumption in eligible private housing by targeting low income households most at risk of fuel poverty.

Proposals for the Affordable Warmth Scheme were subject to public consultation which ended on 9 May 2014. The Affordable Warmth Scheme was introduced on 18 September 2014 and is expected to run until 31 March

2017 (further extensions to the Scheme will be subject to sufficient funding being available).

The Housing Executive will maintain a central record of all completed surveys referred to it and their progress. When Council officials have completed the initial survey and referred the survey to the Housing Executive, any query regarding that application should be directed to the Housing Executive to resolve.

DSD will provide agreed funding to each council to administer the Affordable Warmth Scheme in advance of the start date. The Housing Executive will transfer agreed funds (in 2015/16 £153K /4=£38,250) to each council on a quarterly basis, starting on 1 April 2015. (The next payments will be made on 1 July 2015, 1 October 2015 and 1 January 2016 and quarterly thereafter.)

4. Roles and Responsibilities

The Department for Social Development

(a) The Department for Social Development (DSD) will:

- obtain the relevant approvals for the Scheme;
- produce a scheme document;
- make the legislation for the Scheme;
- develop the policy to support the operation of the Scheme;
- provide advice to the Housing Executive regarding the policy of the Scheme as required. Responses to queries will be provided within 10 working days of receipt;
- provide each council with data detailing the households to be targeted;
- set an agreed minimum target for completion of surveys which councils will deliver to the Housing Executive annually **(a monthly referral volume is to be agreed between the councils, and the Housing Executive)**;
- continually monitor and evaluate the Scheme through reporting arrangements with the Housing Executive and the councils;
- DSD will seek feedback from the SSA re Benefit Entitlement Checks;

- on completion of the Scheme complete a full evaluation.

The Council's Role

(b) Each Council will be provided with details of households considered to be on a low income and in severe or extreme fuel poverty. Each Council will:

- with the consent of the householder, conduct an initial survey to gather information to be forwarded to the Housing Executive for assessment on eligibility criteria for the scheme;
- have discretion regarding accepting non targeted referrals. Councils **must** bear in mind, Affordable Warmth is primarily a targeted scheme;
- aim to refer a minimum of 1,000 completed surveys to the Housing Executive annually. This will include non targeted referrals;
- agree a consistent volume of affordable warmth referrals over the year to the Housing Executive. This is **crucial** to avoid accumulations within the scheme and **must** be agreed between Councils and the relevant Housing Executive Grants office. It would be prudent for this to be agreed annually in early April;
- report to DSD that the areas they are targeting are in line with the area poverty rating information provided by DSD;
- ensure that when an application is received by Building Control that officials arrange for measures to be inspected. Building Control officials will confirm to the Housing Executive whether the installation is in compliance with the building regulations;
- provide householders participating in the scheme with information regarding energy advice;
- manage and respond to complaints concerning council staff regarding the Affordable Warmth Scheme;
- meet with the Housing Executive and DSD at least quarterly to discuss the progress of the scheme and discuss any areas of concern;
- where the householder agrees, refer their details (name, address, contact number) to the Social Security Agency for

the purposes of conducting a Benefit Entitlement Check with them.

The Northern Ireland Housing Executive's Role

- (c) The Northern Ireland Housing Executive is a non departmental public body. Therefore it will not be a signatory to this Service Level Agreement as the DSD and the Northern Ireland Housing Executive has a "Dossier of Control". These documents set out the controls to be exercised over the different areas of the Housing Executive's activities by the DSD directly or by the Housing Executive itself. The prime purpose of the documents is to assist the Permanent Secretary of DSD in discharging his responsibilities in relation to Housing Executive systems and as such it represents a formal statement by DSD of the standards it requires the Housing Executive to achieve in relation to the probity of activities.

5. Financial Arrangements

Councils will be responsible and accountable for the Affordable Warmth budget allocated to them. DSD will review the scheme during 2015/16 to ensure the scheme is reaching the target households, delivering the measures available and providing value for money.

6. Monitoring & Reporting

Each council will provide the DSD with monthly progress reports regarding the number

- of surveys completed,
- of households that refuse to take part in the scheme, and
- the number of self referral surveys completed.

Each council must ensure the Affordable Warmth budget is ring fenced for Affordable Warmth activities.

Councils will share any Audit recommendations concerning Affordable Warmth and consider those to improve the management of the Scheme. This will be done in consultation with DSD.

7. Accountability

Overall accountability for the delivery of the Scheme rests with the Accounting Officer of DSD as the funding department. However, each receiving organisation is accountable for its own finances and ensuring that appropriate controls are in place in order to provide them with the necessary assurances regarding expenditure.

8. Review of the Service Level Agreement

This Service Level Agreement will be reviewed no later than 12 months from the date it comes into effect and at regular intervals there from, as agreed by the Affordable Warmth Project Group. Changes will be made by agreement between DSD and all parties to this Service Level Agreement.

9. Limited Liability

The Council shall have no liability to the Department for any loss or damage sustained by the Department as a result of the Department relying on any information supplied to it by the Council under this agreement.

10. Termination of SLA

Once entered into, the SLA can be terminated with three months written notice from any Party. Any party may also terminate the Agreement without notice, for any of the following reasons:-

- a) any breach by the other of its obligations under this Agreement; and
- b) in the case of a breach capable of rectification, where such breach has not been rectified by the other party within 14 days of it being given notice of same.

11. Confidentiality and Data

All Parties are to take cognisance of the Data Protection and Freedom of Information legislation. Should the information provided under this Agreement include personal data, the Parties shall enter into an appropriate Data Sharing Agreement, to ensure that all data is handled in accordance with the parties' Legal responsibilities.

**Department for Social Development Housing Division
April 2015**

Appendix 1**Affordable Warmth Measures**

Prioritised list of measures available under the Affordable Warmth Scheme:

Priority rating	Conditions in existing property	Improvement measures available
Priority 1 - Insulation	No cavity wall insulation	Install cavity wall insulation
	Ineffective cavity wall insulation	Remove and replace cavity wall insulation
	No loft insulation or below minimum	Installation or top up of roof space insulation to 270mm
	No hot water jacket	Install hot water jacket
	Ineffective or no draught proofing	Draught proof windows/doors
Priority 2 - Heating	No heating system exists	Installation of natural gas or oil heating
	Conversion of existing LPG or solid fuel system	Installation of natural gas or oil heating
	Conversion of Economy 7	Conversion to natural gas (or oil where natural gas isn't available) or conversion to high efficiency storage system
	Householder 65 or over, or with child under 16, or receiving a disability benefit and with a boiler over 15 years old	Boiler replacement and new radiators where required
	Heating system exists without controls	Add heating controls
	Heating system exists but radiators defective	Replace radiators as needed
Priority 3 - Windows	Windows in disrepair	Repair/replace windows with double glazing if draught proofing is not possible
Priority 4 - Solid wall	Solid wall with no insulation	Internal/external insulation

FORMAL COMMITMENT TO MEMORANDUM

Signed
On behalf of DSD

Dated

Signed
Antrim & Newtownabbey Borough Council

Dated

Signed
Ards & North Down Borough Council

Dated

Signed
Armagh City, Banbridge and Craigavon Borough Council

Dated

Signed
Belfast City Council

Dated

Signed
Causeway Coast & Glens District Council

Dated

Signed
Derry City & Strabane District Council

Dated

Signed
Fermanagh & Omagh District Council

Dated

Signed
Lisburn & Castlereagh City Council

Dated

Signed
Mid & East Antrim Borough Council

Dated

Signed
Mid Ulster District Council

Dated

Signed
Newry, Mourne & Down District Council

Dated



Aidan McPeake
Director of Environmental Services
Causeway Coast and Glens Borough Council
Sheskburn House
7 Mary Street
Ballycastle
BT54 6QH

Transport Projects Division

Room 3-19A
Clarence Court
10-18 Adelaide Street
Belfast
BT2 8GB

Tel: 028 90 540500

Facsimile: 028 90 540662

Email: peter.rice@drdni.gov.uk

Your Ref:

22nd April 2015

Dear Mr McPeake

RATHLIN FERRY PROJECT – POTENTIAL HARBOUR IMPROVEMENTS

I refer to my letter from September 2014 to the then Moyle District Council in which I detailed the outcome from the stakeholder events for the proposed new Rathlin Ferry. At that time we highlighted that the new ferry would require a new berthing facility at the Rathlin Island harbour.

Subsequently, we have considered a number of options for this harbour improvement with a range of stakeholders, including yourself and the harbour master. The proposed harbour improvements are outlined on the attached drawings [Ref 504293NI / LP1, 504293NI / GA1 and 504293NI / GA2] and include a new harbour wall and slip-way close to the Northern breakwater. The estimated cost of the improvement is £1m which will be funded jointly by the Department for Regional Development and the Department of Agriculture and Rural Development. It will not require any capital funding from the Council. The design and construction of the work will be supervised by us, although we will work closely with yourselves throughout the project. The completed harbour improvements will require on-going maintenance work estimated at £800 per year plus costs for leasing land from Crown Estates. A breakdown of this expenditure is provided in Annex A and this would need to be covered by the Causeway Coast and Glens Borough Council.

At the same time we have almost completed the procurement process for a ship builder and we would hope to announce the outcome of this process in the coming weeks with the new ferry due to be delivered by the end of August 2016. We are continuing to refine the proposals for the harbour improvements and plan to hold an information event on Rathlin Island on the 30th April. However, in order to ensure that the harbour improvements are completed prior to August 2016 it is important that we get the Council's agreement on the proposals at the earliest opportunity. This will enable us to submit a planning application.

I would therefore be grateful if the Borough Council could consider the proposed harbour improvements at the earliest opportunity and confirm they are acceptable.

Yours faithfully,

Peter Rice
Transport Projects Division

Maintenance Costs for Rathlin Harbour Improvements**Annex A**

There are a number of on-going costs associated with the new harbour

1. Maintenance dredging in addition to current maintenance dredging would be approx £2,000 every 5 years. Estimate is £400 per year.
2. Inspections of sheet pile wall for corrosion £2,000 every 5 years. Estimate is £400 per year.
3. There will also be fees associated with leasing land from Crown Estates which we are awaiting information on.

