

**ENVIRONMENTAL SERVICES COMMITTEE MEETING
TUESDAY 8 JUNE 2021**

Table of Recommendations

No	Item	Summary of key Recommendations
1.	Apologies	<i>Nil</i>
2.	Declarations of Interest	<i>Nil</i>
3.	Minutes of Environmental Services Tuesday 11 May 2021	<i>Confirmed</i>
4.	Fuel Procurement in Depots	<i>To recommend that Council adopt the Policy on Fuel Procurement for Depots</i>
5.	Purchase of Additional Marine Fuel Supply Tanks to comply with HMRC Legalisation	<i>To recommend to Council that this item be removed from the agenda until it is resolved at Stormont</i>
6.	Approval of Premises as a Venue for Civil Marriage	<i>Information</i>
7.	Approval of Premises as a Venue for Civil Partnership	<i>Information</i>
8.	Entertainment Licence Renewals	<i>Information</i>
9.	Licences Issued Under Delegated	<i>Information</i>
10.	Petroleum Spirit Licence Renewals	<i>Information</i>
11.	Street Trading Licence Renewals	<i>Information</i>
12.	Cosmetic Piercing Business Prosecution	<i>Information</i>

No	Item	Summary of key Recommendations
13.	Houses in Multiple Occupation: Quarterly Statistics 1st January 2021-31st March 2021	Information
14.	Correspondence	Noted
15.	Consultation Documents	Nil
16.	Conferences	Nil
17.	Matters for Reporting to Partnership	Nil
	'In Committee'(Item 18 inclusive)	
18.	Motorhome/Campervan Parking at Beach Road Car Park – Portballintrae	To recommend that Council accepts Option 1, one payment of £8000.00
19.	Any Other Relevant Business (notified in accordance with Standing Order 12 (o))	
	19.1 Councillor Holmes Grass Strimming	Update provided by the Director of Environmental Services regarding the trial period of grass strimming in Kilrea town centre
	19.2 Councillor MA McKillop Update on Cottagewood in Cushendun	Update provided by the Director of Environmental services regarding the work being completed in the Glens including Cottagewood in Cushendun
	19.3 Alderman Boyle Extension of Sunday Opening Hours	Noted
	19.4 Councillor Holmes Hot Food Stand at West Strand Carpark Portrush	Update provided by the Director of Environmental Services regarding the hot food stand at the West Strand

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF
THE ENVIRONMENTAL SERVICES COMMITTEE
IN CIVIC HEADQUARTERS AND VIA VIDEO CONFERENCE, ON
TUESDAY 8 JUNE AT 7:00 PM**

- In the Chair:** Councillor Wilson (C)
- Members Present:** Alderman Boyle (C); Fielding (C), Robinson (C),
Councillors Beattie (R), Bateson (R), Chivers (R), Holmes
(C), Hunter (R), McAuley (C), McLaughlin (R),
MA McKillop (R), McLean (C), McQuillan (C), Wallace (C)
- Officers Present:** A McPeake, Director of Environmental Services (C)
J Richardson, Head of Capital Works, Energy and Infrastructure (C)
B Edgar, Head of Health and Built Environment (R)
T Vauls, Carpark Manager (R)
J Keen, Corporate Support Assistant (C)
- In Attendance:** A Lennox, ICT Mobile Operations Officer (C)
C Thompson, ICT Operations Officer (C)
- Press (2 no) (R)

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

The Chair read the remote meetings protocol at the beginning of the meeting:

Welcome to the Environmental Services Committee Meeting.

I extend a welcome to members of the press and public in attendance. You will be required to leave the meeting when Council goes into committee. You will be readmitted by Democratic Services Officers as soon as the meeting comes out of committee. I would also remind you that the taking of photographs of proceedings or the recording of proceedings for others to see or hear is prohibited.

If you are having technical difficulties try dialling in to the meeting on the telephone numbers stated and Conference ID on the chat.

If you continue to have difficulties please contact the number provided on the chat at the beginning of the meeting for Democratic Services staff and ICT staff depending on your query:

The meeting will pause to try to reconnect you.

Once you are connected

- Mute your microphone when not speaking.*

- *Use the chat facility to indicate to that you wish to speak. The chat should not be used to propose or second.*
- *Please also use the chat to indicate when you are leaving the meeting if you are leaving before the meeting ends.*
- *Unmute your microphone and turn your camera on when you are invited to speak.*
- *Only speak when invited to do so.*
- *Members are reminded that you must be heard and where possible be seen to all others in attendance to be considered present and voting or your vote cannot be counted.*

The Director of Environmental Services undertook a roll call of committee members present.

1. APOLOGIES

There were no apologies recorded.

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 11 MAY 2021

Summary, previously circulated.

The Minutes of the Environmental Services Committee meeting held Tuesday 11 May 2021 were confirmed as a correct record.

4. FUEL PROCUREMENT IN DEPOTS

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

Purpose of Report

An internal audit on fuel ordering, receipt and usage confirmed a satisfactory system of governance, risk management and control. While there was some residual risk identified this should not significantly impact on the achievement of system objectives. This report brings forward a policy which addresses these residual risks.

Background

In response to the internal audit findings, a policy on fuel procurement has been developed to formalise current procedures and address weaknesses in the

ordering, receipt and usage of fuel throughout the Council depots. (Policy appended) The policy clearly sets out roles and responsibilities which will reduce the risk that ordering and access to fuel is not subject to fraud, misappropriation or misuse. It also highlights how fuel monitoring will lead to fuel efficiency and value for money.

The audit does not suggest that there any significant issues but the introduction of a formal documented policy/procedure will further safeguard Council's interests.

It is recommended that the Environmental Services Committee recommends to Council the adoption of the Policy on Fuel Procurement for Depots

The Director of Environmental Services advised that the fobs used by the drivers are linked to the vehicles, if a different driver is using a vehicle the fob is signed for so that it can be traced.

Proposed by Alderman Boyle
Seconded by Councillor McQuillan and

AGREED - to recommend that Council adopt of the Policy on Fuel Procurement for Depots

5. PURCHASE OF ADDITIONAL MARINE FUEL SUPPLY TANKS TO COMPLY WITH HMRC LEGALISATION

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

Purpose of Report

The purpose of this report is to seek Council approval to purchase additional fuel storage and supply equipment for its two Harbour and Marina refuelling locations at Portrush Harbour and Ballycastle Harbour.

Background

Council currently operates refuelling facilities at Ballycastle Harbour, Portrush Harbour and Coleraine Marina. Under current regulations, supplying red diesel is permitted for both commercial and leisure craft. Council purchase fuel and charge a levy per litre when resold and profits generated from the 3 facilities combined, total between £5-7K per annum. The facilities provide essential supplies to a variety of marine craft navigating around the North Coast. They are equally important to attracting visiting craft to the area and encouraging them to stay overnight after refuelling.

Below is a table showing historic fuel sales at the 3 sites.

	2020-2021			2019-2020		
	Total ltrs	Commercial	Leisure	Total ltrs	Commercial	Leisure
BC	33398	29134	5038	51391	36703	14688
PR	12664	9165	3499	22347	15938	6409
CM	806	0	806	1961	0	1961

Change to legislation.

It was announced in March 2021, as part of the UK budget plans, that NI leisure vessels would no longer be able to use red diesel for propulsion. There was a judgement in 2018, that the current scheme the UK operated in relation to fuel duty and the sale of red diesel for pleasure craft was illegal and breached the EU legislation. Since then, the UK system continued and it was expected that post Brexit, it would be exempt from EU legislation. In March 2021, HMRC announced that the mainland UK would continue with the sale of red for leisure vessels however, NI protocol means that NI has to follow the Rep. of Ireland and must now sell white diesel to leisure craft. Commercial craft are still permitted to purchase red diesel.

The UK government has recently announced to delay the implementation of the prohibition on red diesel used for propulsion of Private Pleasure Craft in NI until 1 October 2021.

To comply with the change in legislation, Council will have to choose one of the 3 options below.

Proposal Options

Option 1. Continue to only sell Red Diesel – Only legal for sale to commercial vessels. - No fuel would be available for leisure craft.

Option 2. Change our current fuel berths to White Diesel only – remove/sell existing contents, cleanse tanks and fill and sell white. - No red diesel available to service commercial craft.

Option 3. Install additional fuel berths at both Portrush and Ballycastle sites and change the current equipment at Coleraine Marina to White diesel only. Equipment costs for Ballycastle and Portrush Harbours, including installation, are approximately £20,000 per site (Total £40,000). This would provide both white and red diesel options at Ballycastle and Portrush. Coleraine Marina has limited commercial craft and thus transferring the supply to white diesel would be appropriate.

It is recommended that the Members approve option 3 to purchase additional equipment and maintain essential marine fuel supply services in the Causeway Coastal area.

Note

Option 1 and option 2 are not considered to be viable as either will significantly impact commercial or leisure customer base.

Councillor Holmes highlighted that this issue has been deferred by the Stormont Finance Committee twice and could happen again.

Proposed by Councillor Holmes
Seconded by Councillor MA McKillop and

AGREED – to recommend that Council this item is removed from the agenda until it is resolved at Stormont.

6. APPROVAL OF PREMISES AS A VENUE FOR CIVIL MARRIAGE

Report, previously circulated, presented as read.

MARRIAGE REGULATIONS (NI) 2003

THE MARRIAGE (NI) ORDER 2003

Approval of premises as a venue for Civil Marriage.

The undernoted applications for renewal as an approved place for Civil Marriage were received, acknowledged and processed during the report period.

<u>Unique Reference Number</u>	<u>Premises Name</u>	<u>Approval Type</u>
MA011	Brown Trout Golf & Country Club	Civil Marriage
TMA/001/2021	The Scenic Inn	Temporary Civil Marriage Place Approval

7. APPROVAL OF PREMISES AS A VENUE FOR CIVIL PARTNERSHIP

Report, previously circulated, presented as read.

THE CIVIL PARTNERSHIP REGULATION (NI) 2005

THE CIVIL PARTNERSHIP ACT 2004

Approval of premises as a venue for Civil Partnership.

The undernoted application for renewal as an approved place for Civil Partnership was received, acknowledged and processed during the report period.

<u>Unique Reference Number</u>	<u>Premises Name</u>	<u>Approval Type</u>
CP011	Brown Trout Golf & Country Club	Civil Partnership

8. ENTERTAINMENT LICENCE RENEWALS

Report, previously circulated, presented as read.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985

ENTERTAINMENT LICENCES

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

<u>Unique Reference Number</u>	<u>Name of Premises</u>
EL370	RVCP Ltd
EL145	The Crannagh Coffee Shop & Bistro

9. LICENCES ISSUED UNDER DELEGATED AUTHORITY

Report, previously circulated, presented as read.

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

STREET TRADING (NI) ACT 2001

<u>Unique Reference No</u>	<u>Applicant</u>	<u>Street Trading License</u>	<u>Location</u>
MST 019	M Reilly	Mobile Street Trading	Causeway Coast and Glens Borough Council area.
SST 019	K Middleton	Stationary Street Trading	Loughanhill Industrial Estate, Coleraine

10. PETROLEUM SPIRIT LICENCE RENEWALS

Report, previously circulated, presented as read.

PETROLEUM (REGULATION) ACTS 1929 AND 1937

PETROLEUM SPIRIT LICENCES

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

<u>Licence No:</u>	<u>Name of Premises</u>
PL055	Tesco, Limavady
PL058	PSNI, Limavady
PL057	Roebank Service Station
PL047	Nicholl Fuel Oils SS, Ballyquin Road
PL001	Ballyness Service Station
PL016	Asda Stores Ltd
PL014	Fullan's
PL019	Supervalu Portstewart
PL027	PSNI Coleraine
PL011	Somerset Service Station
PL023	Portrush Filling Station
PL012	Spar Millburn
PL028	Eurospar Hillcrest

11. STREET TRADING LICENCE RENEWALS

Report, previously circulated, presented as read.

STREET TRADING (NI) ACT 2001

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

<u>Unique Reference Number</u>	<u>Applicant</u>	<u>Type of Licence</u>	<u>Commodity</u>	<u>Location</u>
SST 006	M Sweeney	Stationary	Hot Food and Drinks	Dunhill Road, Macosquin
MST008	F Carton	Mobile	Ice Cream	Borough of Causeway Coast & Glens

12. COSMETIC PIERCING BUSINESS PROSECUTION

Report, previously circulated, presented as read.

Purpose of Report

The purpose of this report is to advise members of the outcome of recent legal proceedings.

Background

The owner of a cosmetic piercing business, previously located at Railway Road, Coleraine, was prosecuted for multiple offences at Ballymena Courthouse on Friday 7th May 2021 in a case brought by Council's Health and Safety Team.

Christopher Ferguson, the owner of the business, was contacted and visited by Council Environmental Health Officers numerous times from September 2016 and was repeatedly advised of the requirement to register himself and the premises with Council for cosmetic piercing and the requirements of Council's Cosmetic Piercing Byelaws.

In the course of an investigation Council issued a Prohibition Notice prohibiting the practice of skin piercing taking place without adequate sterilisation however this was not complied with. Despite visits from Environmental Health Officers and complaints from members of the public the business continued to operate illegally. An unannounced visit was made to the premises by Environmental Health Officers and equipment connected with the business was removed thereby effecting immediate cessation of piercing activities at the premises.

Outcome

Mr Ferguson earlier pleaded guilty to the offences below and was sentenced as follows:

Offence	Sentence
Contrary to Article 5(2) of the Health and Safety at Work (N.I.) Order 1978 by carrying out the practice of cosmetic piercing without adequate sterilisation thereby committing an offence under Article 31(1)(a) of said Order.	4 months in custody suspended for 3 years
Breached a Prohibition Notice by carrying out the practice of skin piercing without adequate sterilisation contrary to Article 5(2) of Health and Safety at Work (N.I.) Order thereby committing an offence under Article 31(1)(g) of said Order.	4 months in custody suspended for 3 years
Failed to comply with Article 14(1) of The Local Government (Miscellaneous Provisions) (N.I.) Order 1985 by carrying out cosmetic piercing without being registered by the Council thereby committing an offence under 15(1) (b) of said Order.	£750 Fine
Failed to comply with Article 14(2) of The Local Government (Miscellaneous Provisions) (N.I.) Order 1985 by carrying out cosmetic piercing in premises which was not registered with	£750 Fine

Offence	Sentence
Council for that purpose thereby committing an offence under 15(1) (b) of said Order.	
Failed to comply with Council byelaws made under Article 14(7) of The Local Government (Miscellaneous Provisions) (N.I.) Order 1985 thereby committing an offence under 15 (2) (b) of said Order.	£750 Fine

Mr Ferguson was also ordered to pay £150 in legal costs; £84 in court costs and a £15 offender levy.

It is recommended that the report be noted.

13. HOUSES IN MULTIPLE OCCUPATION: QUARTERLY STATISTICS 1ST JANUARY 2021-31ST MARCH 2021

Report, previously circulated, presented as read.

Purpose of Report

The purpose of this report is to provide members with statistical information on the performance of the NIHMO unit over the last reporting quarter.

Background

Member will recall that since 1st April 2019, the licensing of Houses in Multiple Occupation, became the responsibility of local Councils, a function transferred from the Northern Ireland housing executive. This service is undertaken by the Northern Ireland Houses in Multiple Occupation Unit (NIHMO), based in Belfast City Council on behalf of all NI Councils.

A House in Multiple Occupation (HMO) is a property which is:

- living accommodation
- the main residence of three or more people who are from more than two households
- rented by at least one of the people living in the accommodation.

All HMO owners must comply with the Houses in Multiple Occupation Act (Northern Ireland) 2016 and must have a licence from their local council to continue running it as an HMO.

All HMO landlords must make sure that the accommodation they provide is safe, of good quality, and has suitable facilities for the number of occupants by making sure that:

- all safety and maintenance certificates are valid and kept up to date
- electrics and electrical appliances are safe, maintained and in proper working order at all times

- stairways and escape routes are maintained free from obstructions
- carbon monoxide alarm is installed
- chimneys and flues cleaned annually
- inspection records and tests are maintained
- furniture is kept in a safe condition and proper working order
- security arrangements are in place
- heating is provided throughout living accommodation
- the property has an Energy Performance Certificate with a minimum E rating for energy efficiency.

Additional information may be found on the Belfast City Council website
<https://www.belfastcity.gov.uk/community/housing/ni-hmo#305-0>

Quarterly returns are now provided to the Department for Communities with respect to key performance indicators. The data for 1st January-31st March 2021 is provided at Appendix 1 to this report for information.

It is recommended that the report be noted.

In response to questions the Head of Health and Built Environment advised that owners of Houses of Multiple Occupancy are advised that their registration is due to expire by the HMO Unit based in Belfast. It is thought that the applications received through the Planning Committee for Houses of Multiple Occupancy are new applications. The Head of Health and Built Environment advised he will check with the HMO Unit and report back to the Committee.

14. CORRESPONDENCE

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

Purpose of Report

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

The following correspondence has been received:

Justice for Reggie (dated 5th May 2021)

Summary

Correspondence dated 4th May 2021 has been received from Justice for Reggie, a campaigning organisation which was established in December 2020 in order to improve the animal rights/welfare of dogs in the United Kingdom and Ireland and generally raise public awareness of related matters.

Their first specific project is to campaign for tougher law and regulations on

dog breeding and dog theft, two issues which have undoubtedly come to the fore during the Covid-19 pandemic.

They would like to discuss these issues generally with you and your relevant colleagues and possibly work with you on them if both parties felt this would be a positive move.

Copy correspondence is available on request.

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

15. CONSULTATION DOCUMENTS

There were no consultations to present.

16. CONFERENCES

There were no conferences to inform members of.

17. MATTERS FOR REPORTING TO PARTNERSHIP PANEL

Purchase of Additional Marine Fuel Supply Tanks to Comply with HMRC
Legalisation

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Councillor MA McKillop
Seconded by Councillor Chivers and

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

* **Press and public were disconnected from the meeting at 7:23pm**

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

18. MOTORHOME / CAMPERVAN PARKING AT BEACH ROAD CAR PARK – PORTBALLINTRAIE

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

Purpose of Report

To provide Members with options in relation to Beach Road car park Portballintrae to resolve the ongoing problems associated with motorhome / camper vans staying overnight.

It is recommended that the members of the Environmental Services Committee choose either option 1 or option 2 and officers will proceed immediately to implement the decision.

Note

Option 1 – one payment of £8000.00
Option 2 – continuous payment of £7549.13

In response to questions the Director of Environmental Services advised that the barrier currently in place at the East Strand is working well.

The Head of Capital Works, Energy and Infrastructure provided an update on other car parks in the Borough. There are designated areas for motorhomes to avail of for overnight stays.

Proposed by Councillor McLean
Seconded by Councillor Holmes and

AGREED - To recommend that Council accepts Option 1, one payment of £8000.00

MOTION TO PROCEED 'IN PUBLIC'

Proposed by Councillor McLean
Seconded by Councillor Beattie and

AGREED – to recommend that Council move 'In Public'.

The meeting moved to 'In Public' at 7.40pm

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

19.1 Trial for Strimming Smaller patches of Land in Towns (Councillor Holmes)

Could the Director please update the committee on plans to trial strimming smaller patches of land in towns?

The Director of Environmental Services advised that the trial period would begin in Kilrea in August. The town warden will be trained to complete the duties required.

19.2 Update on Cottagewood in Cushendun (Councillor MA McKillop)

Can I get a update on when work will be starting in Cottagewood in Cushendall?

Can we look at all the bins across the Glens and replace the ones that is not fit for purpose?

Have we enough staff to cover all the grass cutting across the Glens area?

The Director of Environmental Services advised that the work to replace the fencing and handrail has been tendered and the work should be completed by the end of the month. The grass cutting team have been working in the Glens and additional staff have be employed to assist with catching up on the work which needs to be completed. A Council Officer has assessed the number of replacement bins required for the Glens area with a view to having them replaced as soon as possible.

It was highlighted by an Elected Member that the extra staffing is not evident. The Director of Environmental Services has noted this comment and will address the concern with grass cutting team.

19.3 Extension of Sunday Opening Hours (Alderman Boyle)

Alderman Boyle presented an item of Any Other Business she had submitted as follows:

Following a request which arose at the Coleraine Town Team meeting, can we extend Sunday opening hours for shops restricted to opening between 1pm and 6pm in Coleraine to between 12noon and 7pm during July and August? This is to assist in businesses coming out of the pressures of lockdown and to maximise advantages from increased staycation visitors over the summer.

Alderman Boyle spoke to present the case of extending trading hours on a Sunday. During debate concerns regarding the extended opening hours were also highlighted by Members who were not in support of extending opening hours.

The Head of Health and Built Environment advised on the legislation regarding opening on a Sunday including the extended hours allowable for those towns designated as Holiday Resorts within the Borough.

Alderman Boyle proposed that Sunday trading hours be extended to 12noon to 7pm during July and August. She failed to secure a seconder for her proposal.

19.4 Hot Food Stand at West Strand Car Park Portrush (Councillor Holmes)

Members of the public have raised a query regarding a large hot food van that has recently started trading near the entrance to the West Strand Car Park Portrush.

Could the Director confirm whether or not this site is a designated trading pitch for hot food and does the vendor currently have a valid trading licence from Council for that site?

If the trading is occurring on private land does the vendor require a street trading licence?

Does the vendor require planning permission to have a hot food van on the site?

Has DFI Roads approved this site as an appropriate site for street trading given that it is at a busy corner (Metropole Corner) and at the entrance to West Strand Car Park?

The Committee was advised that the enforcement process has begun against the trader who has been issued with a verbal and written warning. The investigation is ongoing.

There being no further business the Chair thanked everyone for their attendance and the meeting concluded at 7:58pm.

Chair