

**ENVIRONMENTAL SERVICES COMMITTEE MEETING  
TUESDAY 8 NOVEMBER 2022**

**Table of Recommendations**

<b>No</b>	<b>Item</b>	<b>Summary of key Recommendations</b>
1.	Apologies	<b><i>Councillor McGlinchey, C McQuillan</i></b>
2.	Declarations of Interest	<b><i>None</i></b>
3.	Minutes of Environmental Services Committee meeting held 11 October 2022	<b><i>Confirmed as a correct record</i></b>
4.	Entertainment Licensing Report	<b><i>Grant (i-v)</i></b>
5.	Review of Section 10B Bus Permit System	<b><i>That Council endorses and submits this response</i></b>
6.	Northern Ireland Agreement for Liaison - Investigation of Work-Related Deaths	<b><i>Agree to the Investigation of Work-Related Deaths Northern Ireland Agreement for Liaison</i></b>
7.	Drinking in Public Bye-laws and Powers	<b><i>Endorse and submit the response pending approval by Council due to submission time constraints; that Council write to PSNI to enquire whether inadequate signage is an issue</i></b>
	<b>For Information (Items 8-)</b>	
8.	Cinema Licence Renewals	<b><i>Information</i></b>
9.	Entertainment Licence Renewals	<b><i>Information</i></b>
10	Licences Issued Under Delegated Authority	<b><i>Information</i></b>
11.	Petroleum Spirit Licence Renewals	<b><i>Information</i></b>

No	Item	Summary of key Recommendations
12.	Outcome of Legal Proceedings	<b>Note</b>
13.	DFC Response to Request for Reinstatement of Affordable Warmth Scheme Funding	<b>Note</b>
14.	Response to Request for Better Regulation of Cosmetic Treatments	<b>Note</b>
15.	Environmental Business Plans 6 Month Update	<b>Information</b>
16.	Matters for reporting to Partnership Panel	<b>None</b>
17.	Consultations	<b>None</b>
18.	ES Business Plan 6 Month Update	<b>Information</b>
19.	Any Other Relevant Business Notified in accordance with Standing Order 12 (o)	
(i)	Riverside Park, Ballymoney (Alderman McLean)	<b><i>That Council repair the two bridges properly, approve them being taken away, the works to be completed by Spring 2023</i></b>
(ii)	Christmas Lights energy saving (Councillor Wallace)	<b><i><u>Information</u> Bring report back on consideration for 2023</i></b>
	<b><i>'In Committee' (items 19-28 inclusive)</i></b>	
20.	Purchase of Replacement Vehicles	<b><i>Approve the purchase of the five vehicles summarised above to ensure continued delivery of frontline services</i></b>
21.	Renewal of Indoor Entertainments Licence Report	<b><i>That the Entertainments Licence for this premises be renewed in accordance with the details contained in the application.</i></b>
22.	Causeway Coast and Glens Borough Council Business Continuity Plan	<b><i>Adopt; to be reviewed twice annually thereafter commencing May 2023</i></b>

No	Item	Summary of key Recommendations
23.	Council Strategic Waste Management Arrangements (Update)	<b><i>That Council defer the Item for one month with a view to consulting within Party Groups; that a workshop is held.</i></b>
24.	Tender for the Collection and Recycling of Cardboard from Specified Household Recycling Centres	<b><i>Award of contract for the collection and recycling of cardboard from household recycling centres to McKinstry Skip Hire Ltd for Lots 2, 3 and 4 in accordance with the council's specification and contract conditions.</i></b>
25.	Car Park Infrastructure – Essential H&S Capital Works (report attached) Car parks including: - <ul style="list-style-type: none"> <li>• Bridge Street, Garvagh</li> <li>• Glenhead Road, Ballykelly</li> <li>• Lansdowne Car Park, Portrush</li> </ul>	<b><i>Defer</i></b>
26.	Street Trading Licence Renewals	<b><i>Information</i></b>
27.	Update on Licensing Legal Proceedings	<b><i>that Council obtain clarification from Legal, in writing, to Environmental Services Committee explaining why Council cannot pursue the Director of the Company</i></b>
28.	Anaerobic Digester Facility - Second legal opinion on Withdrawal of Abatement Notices	<b><i>Note</i></b>
29.	Period 6 – ES Management Accounts and Financial Position 2022/23	<b><i>Note</i></b>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF  
THE ENVIRONMENTAL SERVICES COMMITTEE HELD  
IN THE COUNCIL CHAMBER, CIVIC HEADQUARTERS AND VIA VIDEO  
CONFERENCE, ON  
TUESDAY 8 NOVEMBER 2022 AT 7:02 PM**

- In the Chair:** Councillor McAuley (C)
- Members Present:** Alderman Boyle (R), Fielding (C), McLean (C), McQuillan (C); Councillors Beattie (R), Callaghan (C), Holmes (C), Hunter (R), McGurk (R), MA McKillop (R), Nicholl (R), Wallace (R), Wilson (C)
- Officers Present:** A McPeake, Director of Environmental Services (C)  
G Doyle, Head of Estates (R)  
S McAfee, Temporary Head of Health and Built Environment (R)  
J Richardson, Head of Capital Works, Energy and Infrastructure (R)  
S Duggan, Civic Support & Committee & Member Services Officer (C)
- In Attendance:** A Lennox, ICT Mobile Operations Officer (C)  
C Ballentine, ICT Officer (C)
- Press (2 no.) (R)

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

The Director of Environmental Services undertook a roll call.

The Chair opened the meeting and extended a welcome to members of the press and public in attendance and provided guidance in relation to Council's Remote Meetings Protocol and audio recordings.

The Director of Environmental Services presented each of the reports.

Councillor Nicholl passed condolences to the family of Martin McNicholl who had passed away, the Chair stated Martin had been highly thought of, amongst colleagues.

**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 11 OCTOBER 2022

Summary, previously circulated.

**AGREED** – to recommend that the Minutes of the Environmental Services Committee meeting held 11 October 2022 were confirmed as a correct record.

### 4. ENTERTAINMENT LICENSING REPORT

Report, previously circulated.

#### ENTERTAINMENTS LICENCE

#### (i) GRANT OF INDOOR ENTERTAINMENTS LICENCE

**Licence No:** EL001

**Premises:** 55 Degrees North, 1 Causeway Street, Portrush

**Application:** Grant of an Annual Indoor Entertainments Licence

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

Monday to Sunday 17:00hrs to 01:00hrs

**Representations:** Closing date 17<sup>th</sup> November 2022

**PSNI:** No objections

**NIFRS:** Closing date 10<sup>th</sup> November 2022

#### **Recommendation**

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

#### (ii) GRANT OF INDOOR ENTERTAINMENTS LICENCE

**Licence No:** EL220

**Premises:** Ballybogey Community Hall, 8A Wheatfield Park, Ballybogey

**Application:** Grant of Occupational Indoor Entertainments Licence

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

Monday to Sunday 10:00 hrs to 00:00hrs

**Representations:** No objections

**PSNI:** No objections

**NIFRS:** Closing date 7<sup>th</sup> November 2022

### **Recommendation**

It is recommended to grant an Occasional Entertainments Licence subject to compliance with any recommendations of the Council's Licensing Department, and no objection from NIFRS.

#### **(iii) GRANT OF INDOOR ENTERTAINMENTS LICENCE**

**Licence No:** EL116

**Premises:** Errigal Hall, 79 Ballerin Road, Garvagh

**Application:** Grant of an Occasional Entertainments Licence

Days and times on which it is applied to provide entertainment:  
Monday to Sunday 08:00hrs – 00:00hrs

**PSNI:** No objections  
**NIFRS:** Closing date 31<sup>st</sup> October 2022

### **Recommendation**

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

#### **(iv) GRANT OF INDOOR ENTERTAINMENTS LICENCE**

**Licence No:** EL156

**Premises:** Ballycastle High School, 33 Rathlin Rd, Ballycastle

**Application:** Grant of an Occasional Indoor Entertainments Licence

Days and times on which it is applied to provide entertainment:  
Monday - Saturday 18:00hrs to 00:00hrs

**PSNI & NIFRS:** Closing date 22<sup>nd</sup> November 2022

### **Recommendation**

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

#### **(v) VARIATION OF ANNUAL INDOOR ENTERTAINMENTS LICENCE**

**Licence No:** EL184

**Premises:** The Glenshesk Bar, 76 Castle St, Ballycastle

**Application:** Variation of Annual Indoor Entertainments Licence to include:

An extension of hours Monday to Sunday 11:30hrs to 01:30hrs

An extension of hours on the following dates:

Every Saturday night from 17<sup>th</sup> December 2022 until 31<sup>st</sup> July 2023  
11:30am to 02:00hrs

Saturday 24<sup>th</sup> December 2022 11:30hrs to 02:00hrs  
Monday 26<sup>th</sup> December 2022 11:30hrs to 02:00hrs  
Saturday 31<sup>st</sup> December 2022 11:30hrs to 02:00hrs  
Sunday 1<sup>st</sup> January 2023 11:30hrs to 02:00hrs  
Thursday 16<sup>th</sup> March 2022 11:30hrs to 02:00hrs  
Friday 17<sup>th</sup> March 2022 11:30hrs to 02:00hrs  
Monday 10<sup>th</sup> April 2022 11:30hrs to 02:00hrs  
Tuesday 11<sup>th</sup> April 2022 11:30hrs to 02:00hrs  
No more than 15 Charity/private party events

**Representations:** Closing date 17<sup>th</sup> November 2022

**PSNI& NIFRS:** Closing date 22<sup>nd</sup> November 2022

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

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

### **Recommendation**

It is recommended that Council consider the grant of the variation to the entertainments licence for the premise subject to compliance with any recommendations of the Council's Licensing Department and no objections from representations, PSNI or NIFRS.

Proposed by Councillor MA McKillop  
Seconded by Councillor Callaghan and

**AGREED** – to recommend that Council grant applications (i-v) inclusive as set out above.

- \* **Councillor Wilson arrived at the meeting at 7.08pm.**
- \* **Alderman McQuillan left The Chamber at 7.08pm.**

## **5. REVIEW OF SECTION 10B BUS PERMIT SYSTEM**

Report, previously circulated.

## **Purpose of Report**

The purpose of this report is to seek Council's views and comments on:

- how Council is operating the Section 10B bus permits system
- to confirm whether Council wishes to continue to be a designated body for this purpose

This follows correspondence from the Department for Infrastructure (DfI). A copy of the letter from DfI is provided at Appendix 1 (circulated) to this report.

## **Background**

The Department for Infrastructure is responsible for oversight and administration of the issue of permits to community groups and other community-based organisations who operate small buses as a service to the local community, rather than with a view to making profit.

The permits allow the vehicles to be used for passenger transport without the need to obtain a passenger vehicles operator's licence, which for-profit bus operators are required to have.

These permits are known as Section 10B permits, after that part of the 1967 Transport Act which makes provision for them.

In 1994 the Department for the Environment for Northern Ireland delegated the function of issuing these permits to a list of designated bodies which included District Councils.

DfI are carrying out a review of the 10B permits system to ensure it remains fit for purpose and establish how it may be developed and improved. As part of this review Council has been asked to answer the questions in a proforma.

The proforma and suggested Council response is attached at Appendix 2 (circulated).

## **Recommendation**

It is recommended that Council endorse and submit this response.

Proposed by Alderman McLean  
Seconded by Alderman Fielding and

**AGREED** - to recommend that Council endorses and submits this response.

## **6. NORTHERN IRELAND AGREEMENT FOR LIAISON - INVESTIGATION OF WORK-RELATED DEATHS**

Report, previously circulated.



## **Purpose of Report**

The purpose of this report is to seek Council agreement to the Investigation of Work-Related Deaths Northern Ireland Agreement for Liaison.

## **Background**

District councils and the Health and Safety Executive Northern Ireland (HSENI) are responsible, under Article 20 of the Health and Safety at Work (Northern Ireland) Order 1978, for making adequate arrangements for the enforcement of health and safety legislation with a view to securing the health, safety and welfare of workers and protecting others, principally the public.

The division of enforcement responsibilities between Council and HSENI is determined by the premises sector.

This agreement for liaison is between Northern Ireland district councils, HSENI, the Police Service of Northern Ireland (PSNI) and the Police Ombudsman for Northern Ireland (PONI).

The agreement is designed to emphasise the importance of the appropriate investigative agencies working together to ensure that a thorough investigation is carried out of work-related deaths in Northern Ireland.

It sets out the principles for effective liaison between the parties. In particular, it deals with incidents where, following a death, there is a suspicion that criminal offences such as manslaughter and breaches of health and safety legislation, may have been committed.

The agreement is not intended to cover the operational practices of the signatory organisations.

A copy of the Investigation of Work-Related Deaths Northern Ireland Agreement for Liaison is attached as Appendix 1 (circulated).

## **Recommendation**

It is recommended that Council agrees to the Investigation of Work-Related Deaths Northern Ireland Agreement for Liaison.

Proposed by Alderman McLean  
Seconded by Alderman Boyle and

**AGREED** – to recommend that Council agrees to the Investigation of Work-Related Deaths Northern Ireland Agreement for Liaison.

## **7. DRINKING IN PUBLIC BYE-LAWS AND POWERS**

Report, previously circulated.

## **Purpose of Report**

The purpose of this report is to seek Councils views and comments on Drinking in Public Byelaws and powers following a request from the Department for Communities (DfC).

## **Background**

DfC has policy responsibility for Drinking in Public bye-laws which are made under Section 90 of the Local Government Act (Northern Ireland) 1972 (the Act).

DfC is a member of the Anti-Social Behaviour (ASB) Legislation Review Delivery Group.

As part of the ongoing ASB Legislation Review, the Department of Justice and DfC are planning a joint public consultation on ASB and Councils views are sought on the following:

- the effectiveness of the operation of the current bye-laws prohibiting the consumption of alcohol in public places;
- potential additional powers which the Council considers may assist Council officers and PSNI address the problems caused by drinking in public places. Councils may wish to consider having access to enforcement powers e.g. fixed penalty notices;
- the proposals contained in Articles 68-72 of the Criminal Justice (NI) Order 2008, which were to replace the current bye-laws, whether these proposal would address on-street drinking problems; or
- whether Articles 68-72 should be amended to include powers of seizure or disposal of open and/or closed containers of alcohol and to have joint enforcement powers as opposed to police-only as it currently stands

A copy of the letter from DfC is provided at Appendix 1 (circulated). The date for return of responses has been extended to 10<sup>th</sup> November 2022.

A suggested Council response is attached at Appendix 2 (circulated).

## **Recommendations**

**It is recommended** that the Environmental Services Committee endorses and submits the response pending approval by Council due to submission time constraints.

In response to questions, the temporary Head of Health and Built Environment clarified PSNI provide Council with statements of evidence, Committee was provided statistics from 2015 where there were 3no referrals, 2016 had 2 no. prosecutions and 2021 had one referral which was subsequently withdrawn. The temporary Head of Health and Built Environment advised that generally, Council do have Bye-Law signage in place, however, this can be reviewed and confirmed that this may undermine a case.

Proposed by Councillor Wilson  
Seconded by Alderman McLean and

**AGREED** – to recommend that Council endorse and submit the response pending approval by Council due to submission time constraints; that Council write to PSNI to enquire whether inadequate signage is an issue.

\* **Alderman McQuillan returned to the meeting at 7.18pm.**

The Chair advised the following Items were for information.

## 8. CINEMA LICENCE RENEWALS

Report, previously circulated.

### LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985

#### CINEMAS (NORTHERN IRELAND) ORDER 1991

The undernoted application for a cinema licence has been received, acknowledged and processed during the report period.

<b>Unique Reference Number:</b>	<b>Name of Premises</b>
CL004	Riverside Theatre

## 9. ENTERTAINMENT LICENCE RENEWALS

Report, previously circulated.

### LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985

#### ENTERTAINMENT LICENCES

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

<b>Unique Reference Number</b>	<b>Name of Premises</b>
EL192	Armoy Orange Hall
EL064	Mary Craig's Bar
EL083	Portstewart Royal British Legion Club
EL088	Coleraine Royal British Legion Club
EL025	Coleraine Leisure Centre
EL406	Murphy's Bar
EL087	Railway Arms
EL059	The Lodge Hotel
EL297	Hilltop Holiday Park – The Hub
EL015	The Brown Trout Inn
EL315	The Rising Sun Bar
EL096	Riverside Theatre
EL200	Toberdoney Presbyterian Church Hall
EL253	St Olcan's Parish Centre

## 10. LICENCES ISSUED UNDER DELEGATED AUTHORITY

Report, previously circulated.

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

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

<b>Reference No</b>	<b>Premises:</b>	<b>License</b>
EL281	Cross and Passion College, 10 Moyle Road, Ballycastle	Grant of Occasional entertainments licence  Days and times on which it was applied to provide entertainment:  Monday to Sunday: 09:00 to 23:00

Consultations with PSNI and NIFRS regarding the above applications resulted in no objections being received.

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

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

## 11. PETROLEUM SPIRIT LICENCE RENEWALS

Report, previously circulated.

### **PETROLEUM (REGULATION) ACTS 1929 AND 1937**

#### **PETROLEUM SPIRIT LICENCES**

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

<b><u>Licence No:</u></b>	<b><u>Name of Premises</u></b>
PL044	Spar Stranocum
PL040	CB Fuels Ltd.

## 12. OUTCOME OF LEGAL PROCEEDINGS

Report, previously circulated.

### **Purpose of Report**

The purpose of this report to update members on the outcome of recent legal proceedings.

## Background

Council is the enforcing authority for a wide range of legislation. This enforcement role has been delegated to the staff of the Environmental Services Directorate.

## Outcome of Legal Proceedings

The following cases were referred for legal proceedings and recently heard at Coleraine Magistrates Court. The results of prosecution are as follows:

### Unlicensed/Stray Dog

Ref. No.	Offence(s)	Result of Proceedings
LC113327 & LC1114119 (same offender)	Keeping of an Unlicensed dog contrary to Article 17 (1) of the Dogs (NI) Order 1983  Allowing a dog to stray contrary Article 22(1) of the Dogs (NI) Order 1983 and breach of a control condition contrary to 30(F) of the Dogs (NI) Order 1983	Conviction  Defendant was fined £450 in total for all 3 offences and order to pay £75 legal costs, £58 court costs together with £15 offender levy.

### Dog Attacks a person and another dog

Ref. No.	Offence(s)	Result of Proceedings
LC1112491	A dog attack on a dog contrary to Article 28 (1) (b) of the Dogs (NI) Order 1983 and a dog attack on a person contrary to Article 29 (1) of the Dogs (NI) Order  A Staffordshire Bull Terrier ran out from the owners front garden and attacked a cocker spaniel and inflicted a bite to the lip of the pregnant lady walking the dog. The owner initially pled not guilty but entered a plea of guilty on the day of the contest.	Conviction Fine: £500 for the offence of a dog attack on a person and £250 for the offence of a dog attack on another dog. Legal costs and court costs were also granted along with an offender levy

## Recommendation

It is recommended that the above information is noted.

**AGREED** – to recommend that Council note the report.

## 13. DFC RESPONSE TO REQUEST FOR REINSTATEMENT OF AFFORDABLE WARMTH SCHEME FUNDING

Report, previously circulated.

## Purpose of Report

The purpose of this report is to update members on the response from the Department for Communities (DfC) to a letter sent by Council expressing concern regarding the reduction in funding for the Affordable Warmth Scheme.

### **Background**

Further to committee report ES220510 and CM220607 in relation to correspondence from DfC on the Affordable Warmth Scheme budget for 2022-23 it was agreed that Council would write to DfC to express concern about the reduction in funding and request that funding be restored to allow Council referrals to the scheme to be reinstated to 30 per month.

A copy of the letter sent to DfC is attached as Appendix 1 (circulated).

A copy of DfC's response is attached as Appendix 2 (circulated). DfC advise that the monthly referral rates cannot be changed but will be reviewed on a quarterly basis and if there is an opportunity to increase the referral rates Council will be notified.

### **Recommendation**

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

**AGREED** – to recommend that Council note the report.

Alderman McQuillan stated disappointment with the response, he advised the Scheme was required more now, than ever.

## **14. RESPONSE TO REQUEST FOR BETTER REGULATION OF COSMETIC TREATMENTS**

Report, previously circulated.

### **Purpose of Report**

The purpose of this report is to update members on the response from the Minister of Health to a letter sent by Council asking for better regulation of the cosmetic industry in Northern Ireland.

### **Background**

Further to committee report ES220614 and CM220630 it was agreed that Council would send a letter to the Minister of Health to ask for better regulation of cosmetic treatments in Northern Ireland, along with the introduction of a licensing scheme for non-surgical cosmetic procedures.

A copy of the letter sent to the Minister of Health is attached as Appendix 1 (circulated).

A copy of the response received from the Minister of Health is attached as Appendix 2 (circulated).

### **Recommendation**

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

**AGREED** – to recommend that Council note the report.

## **15. ES BUSINESS PLAN 6 MONTH UPDATE**

Report, previously circulated.

### **Purpose of Report**

The purpose of this report is to present to Members the 2022/2023 Environmental Services (ES) Business Plans 6 month review for information.

### **Introduction**

Council approved the ES Business Plans in May 2022. Progress on achieving the objectives can be viewed in each of the service area reports below. The business plans represented a continuation of work from the 21/22 period, as well as, new targets for 22/23 for each of the service areas:

- Estates
- Health & Built Environment
- Infrastructure
- Operations

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

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

### **The Purpose Of The Plans**

The purpose of the annual business plans is to:

- Give a clear sense of what the service is for and the challenges it faces.
- Show how it is supporting Council's priorities.
- Show how it is contributing to the efficiency drive and transformation of service delivery.
- Show how it is aligning its resources to meet the challenges ahead.
- Help us to hold ourselves to account and ensure we deliver for Council and its residents.
- Bring key information together in one place about the service, which Members, staff and stakeholders can understand.

### **Financial Position at Period 6**

Council has approved the annual budget for Environmental Service and delegated authority to officers to utilise this budget in the provision of services to the rate payers. ES budget for 2022/23 is **£ 26,388,082.00**.

The Environmental Services position at Period 6 shows a £599,199.63 positive variance. This includes predicted increases in employee costs based National Pay agreements and Member decisions to date.

### **Risk Matrix – August 2022**

The Environmental Services Risk Matrix shown below was used to establish the Corporate Risk Register.

### **Recommendation**

The ES Committee is asked to note the ES business plans 6 month review for the 2022 / 23 period.

**AGREED** – to recommend that Council note the report.

In response to Councillor Holmes, the Director of Environmental Services clarified Staff Appraisals had taken place down through the Organisation, from Heads of Service, to Managers and Business Support, it is anticipated that front line staff would be completed by the end of the financial year.

The Director of Environmental Services stated he would take on board the comment that actions on the ground in connection with energy saving and reducing fuel were not reflected within the Action Plan. He advised it was reflected within the financial position which was almost £600,000 positive variance at Period 6.

## **16. MATTERS FOR REPORTING TO PARTNERSHIP PANEL**

There were no matters for reporting to the Partnership Panel.

## **17. CONSULTATIONS**

There were no consultation documents.

## **18. CORRESPONDENCE**

There were no items of correspondence.

## **CHANGE OF ORDER OF BUSINESS**

The Chair advised he would *take* Any Other Relevant Business next on the Agenda and leave '*In committee*' Items to the end.

## **19. ANY OTHER RELEVANT BUSINESS (NOTIFIED IN ACCORDANCE WITH STANDING ORDER 12 (0))**

### **(i) Riverside Park, Ballymoney Alderman McLean (~~Alderman Fielding~~)<sup>1</sup>**

*Can we get an update on when repair works will be carried out on the bridges in the former trim trail part of Riverside Park Ballymoney. Also has there been any plans looked at for improvements following the number of meetings and discussions for the whole Riverside Park area.*

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<sup>1</sup> COUNCIL MEEING 6 DECEMBER 2022 - RESOLVED CORRECTION TO NAME



The Director of Environmental Services advised the bridges had been closed as there were issues with the decking and structural integrity of the bridges and repairs required. The Director reminded Committee of improvements to Riverside Park which had already been agreed and he advised would take place in the near future.

The Head of Estates clarified the timescale and the reasons for the delay of the repairs to date and detailed the works to be undertaken off site, which would require removal of the bridges. He outlined remedial short term works which had been planned and concurred with Alderman McLean that his preferred option would be for a higher spend and higher quality proactive repairs to include galvanising.

Councillor Wilson stated Riverside Park had been well tidied up, however he referred to the ongoing issue of the wetlands area.

Proposed by Alderman Mclean  
Seconded by Councillor Wilson and

**AGREED** – to recommend that Council repair the two bridges properly, approve them being taken away, the works to be completed by Spring 2023.

Alderman McQuillan requested an update on Castlerock Footbridge, he advised it was scheduled to be on the agenda monthly and this had not taken place.

The Head of Estates advised that Translink had provided Council with a list of significant repairs that they required under their initial basic assessment. The Head of Estates advised these works had not been completed as there was no assurance they would meet the full structural analysis and may not be adequate. Translink's Consultant had undertaken a further detailed assessment of these proposed works and he advised that report was due on 25 November 2022.

**(ii) Christmas Lights energy saving (Councillor Wallace)**

*As an energy saving measure can council reduce the time Christmas lights are lit by turning them off at 11.00pm each evening.*

Councillor Wallace considered as an energy saving measure the lights could be turned off in all Towns.

The Director of Environmental Services clarified the infrastructure was connected to Street Lighting columns and were lit when once it turned dark, until light.

The Head of Estates detailed the specification required to install within Department for Infrastructure lampposts which would require a spend of £40,000, to turn the lights off would save £6,000, the electricity bill last year was £19,000 and expected to be £25,000 this year and there was no business

case. He confirmed Council can control some sections of Christmas Lights within towns; some lights would therefore be on and some would be off.

Alderman McQuillan referred to Climate change, stated Council should be controlling what it can for the economy and ratepayer and that a report could be brought back to consider for Year 2023, with a view to spending in order to save for the long term.

The Director of Environmental Services agreed a report would be brought back.

***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.***

### **MOTION TO PROCEED ‘IN COMMITTEE’**

Proposed by Councillor Wilson  
Seconded by Alderman Fielding and

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

\* **Press were disconnected from the meeting at 8.08pm.**

## **20. PURCHASE OF REPLACEMENT VEHICLES**

Confidential report, previously circulated.

### **Purpose of Report**

Approval is sought to replace vehicles/plant which, given their age and condition, are becoming more unreliable and uneconomical to repair.

### **Background**

Grounds maintenance work involves the carrying of plant, materials and men to the various sites throughout the Borough. To do this effectively, in a timely and safe manner requires reliable vans and lorries capable of carrying the various resources. Progress has been made in disposing of aging vehicles and plant which are proving expensive to maintain. This report details the next phase of replacements. In line with members wishes prices have been obtained for outright purchase rather than lease or hire.

### **Proposal**

Vehicle 1. Replacement beavertail lorry (crew cab). This type of vehicle is the workhorse within Estates used for planned and reactive maintenance functions carrying men materials and plant to the various sites. The current vehicle is 15 years old and no longer economical to repair. Price £60,208 + VAT

Vehicle 2. Replacement 7.5t tipper. This vehicle carries soil, stones, bark etc to use in the maintenance of parks, footpaths, car parks and cemeteries. The current vehicle is 10 years old needing £7,500 to repair. Given its’ age and general condition repair is deemed uneconomical. Currently hiring. Replacement cost £53,682 + VAT

Vehicle 3&4. Replacement vans (x2).

Van 3. Current van 14 years old (163,000 miles) has significant corrosion to chassis and floor. Replacement cost £34,795 + VAT

Van 4. Current van 14 years old (180,000 miles) has significant chassis and mechanical faults. Replacement £34,795 + VAT

Vehicle 5. Replacement for Golf Course Mower.

The 'fine turf' mower capable of maintaining golf greens and tennis courts is 20 years old. Estimated replacement cost £40,000 + VAT

All are budgeted for in 'Essential Fleet' capital funding and Items 1-4 will be purchased via Crown Commercial Services. Item 5 will be tendered and will be brought back for approval.

**Recommendation(s)**

**It is recommended** that Council approve the purchase of the five vehicles summarised above to ensure continued delivery of frontline services.

Councillor Nicholl sought an indicative figure on how much had been spent hiring vehicles during the period vehicles had been off road and not repairable.

The Head of Estates advised he would provide Councillor Nicholl with the figures.

Proposed by Councillor Nicholl  
Seconded by Alderman McLean and

**AGREED** – to recommend that Council approve the purchase of the five vehicles summarised above to ensure continued delivery of frontline services

**21. RENEWAL OF INDOOR ENTERTAINMENTS LICENCE REPORT**

Confidential report, previously circulated.

**Purpose of Report**

The purpose of this report is for Council to consider the following application for the renewal of an indoor Entertainments Licence to which an objection has been received following public consultation.

**Licence No:** EL057

**Premises** Kilrea Golf Club  
47A Lisnagrot Road  
Kilrea  
Coleraine  
BT51 5SF

**Application:** Renewal of an Indoor Entertainments Licence

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

Monday to Sunday: 19:00hrs – 23:00hrs and to 01:00hrs on those occasions when a late licence has been applied for.

**PSNI & NIFRS:** No objections received

**Public Consultation** One letter of objection has been received.

### **Recommendations**

It is recommended that the Environmental Services Committee recommends to Council that the Entertainments Licence for this premises be renewed in accordance with the details contained in the application.

It is further recommended that Council write to the applicant and objector offering them the opportunity to appear before and be heard by Council before the final decision is made.

Alderman McQuillan supported holding the Licence, to offer the applicant and objector the opportunity to appear before Environmental Services Committee and if that is not accepted, have another look at it.

Councillor Holmes disagreed with the Officer recommendation for the parties to appear before Council.

The Head of Health and Built Environment clarified the process for logging and monitoring of noise complaints.

Proposed by Councillor Nicholl  
Seconded by Councillor McGurk and

**AGREED** - It is recommended that the Environmental Services Committee recommends to Council that the Entertainments Licence for this premises be renewed in accordance with the details contained in the application.

The Chair put the motion to the Committee to vote.  
8 Members voted for; 5 Members voted Against; 0 Members Abstained.  
The Chair declared the motion carried.

\* **Councillor Wallace had left the meeting.**

## **22. CAUSEWAY COAST AND GLENS BOROUGH COUNCIL BUSINESS CONTINUITY PLAN**

Confidential report, previously circulated.

### **Purpose of Report**

The purpose of this report is to consider the adoption of a Business Continuity Plan for all services operated by Causeway Coast and Glens Borough Council, so as to provide resilience to the organisation in the event of either internal or external disruptions.

Background was detailed within the confidential report.

### **Recommendation**

**It is recommended** that the Environmental Services Committee recommends to Council the adoption of the Business Continuity Plan and that it should be reviewed twice annually thereafter commencing May 2023.

The Director of Environmental Services advised the Business Continuity Plan had been presented in November 2020, at that stage Internal Audit was being conducted on the Business Continuity Plan planning and it had not been approved.

The Director of Environmental Services advised the Audit had been completed in March 2021 and deemed satisfactory, however the Plan had not been brought back, and the report had now brought for ratification.

Proposed by Alderman McLean  
Seconded by Councillor Wilson and

**AGREED** – to recommend that Council adopt the Business Continuity Plan and that it should be reviewed twice annually thereafter commencing May 2023.

### **23. COUNCIL STRATEGIC WASTE MANAGEMENT ARRANGEMENTS (UPDATE)**

Confidential report, previously circulated.

#### **Background**

Prior to the RPA (Review of Public Administration) in 2015 the legacy 26 District Councils in Northern Ireland were organised into three voluntary Waste Management Groups;

1. Arc 21 (11 Councils)
2. NWRWMG (North West Region Waste Management Group) (7 Councils)
3. SWaMP2008 (Southern Waste Management Partnership) (8 Councils)

Each group operated through a Joint Committee of Councils albeit on a slightly different basis whereby arc21 and SWaMP 2008 were incorporated corporate bodies whilst the NWRWMG was unincorporated. SWaMP2008 was dissolved in 2015. As an incorporated Joint Committee arc 21 has the ability to award contracts as a separate entity and hold assets whilst SWaMP2008 did not enter into direct contract award.

Whilst the NWRWMG facilitated joint procurement across Councils (with Derry City Council as lead Council) any third-party contract awards were made through the individual Councils.

The principle objective of the three Waste Management Groups was to work collectively through their partner Councils and others to enable the delivery of the three Waste Management Plans for Northern Ireland in order to achieve the various recycling and landfill diversion targets set out in European and Domestic legislation.

Since RPA the picture has become more fragmented. Currently there are two Waste Management Groups:

- Arc21 representing Belfast City, Ards & North Down, Mid & East Antrim, Antrim & Newtownabbey, Newry Mourne & Down and Lisburn & Castlereagh City
- NWRWMG representing Derry City & Strabane and Causeway & Glens

The three remaining Councils (Armagh City, Banbridge and Craigavon, Fermanagh & Omagh and Mid Ulster), sometimes referred to as 'NI Other' do not form part of any Waste Management Group although they have worked together and produced a Joint Waste Management Plan.

These arrangements, however, are not seen as being sustainable in the medium to long term. As a consequence, SoLACE NI requested, through the Technical Advisors Group NI structure, that the Councils review the current set up with a view to making proposals for the future arrangements. The timing is particularly apt as reviews of Councils' Waste Plans and DAERA's "Delivering Resource Efficiency - Northern Ireland Waste Management Strategy" are scheduled for the near future. Organisational changes within the waste management groups also reinforce the need for a strategic review of current arrangements.

Given the increasing demands being made on Councils to continuously improve recycling both in terms of quantity and quality in order to reach and exceed government targets and reduce out dependency on landfill. These factors coupled with Council efforts to work towards the Circular Economy principles it is clear that achieving these goals would be enhanced through greater collaboration between Councils in terms of Waste Management.

Members should be aware that NI Councils spend in the region of 30-35% of their revenue budgets on Waste Management and related environmental services.

This report is therefore intended to update Members on the progress which has been made through SoLACE NI (Society of Local Authority Chief Executives) in conjunction with TAG NI (Local Government Technical Advisors Group) supported by NILGA in assessing the needs of Councils in terms of collaboration for Waste and related Services. Whilst this is very much a 'Work in Progress' it is important that Members are aware of this important collective approach being undertaken by the 11 District Councils in Northern Ireland.

Further information was detailed within the confidential report under the following headings:

- Main Report
- Objective Purpose of the SIB Project Business Case
- Methodology Total cost of NI Council Waste Management Contracts
- Estimated Costs

- Key Findings

### **Recommendation(s)**

Members are requested to adopt in principle the recommendations of the SIB Project Business Case Report.

Members are further requested to approve a funding application with DfC and DAERA in relation to the Subvention Funding required as detailed in the report.

Members are requested to endorse the actions of Officers to date and to receive future reports in due course.

Councillor Nicholl referred to the comprehensive report and considered deferring for one month in order to consult within Party Groups as it was a big decision.

Councillor Holmes requested a presentation to take through the report in more detail.

It was proposed by Councillor Nicholl, seconded by Councillor Holmes that Council defer the Item for one month with a view to consulting within Party Groups. Councillor McGurk was supportive and also suggested a workshop was held, Alderman McQuillan supported a workshop. The Proposer agreed to incorporate this into the motion.

Proposed by Councillor Nicholl  
Seconded by Councillor Holmes and

**AGREED** – to recommend that Council defer the Item for one month with a view to consulting within Party Groups; that a workshop is held.

The Director of Environmental Services advised a workshop could be held before the next Committee meeting in December.

## **24. TENDER FOR THE COLLECTION AND RECYCLING OF CARDBOARD FROM SPECIFIED HOUSEHOLD RECYCLING CENTRES**

### **Purpose of Report**

The purpose of this report is to seek approval from members to award the tender for the collection and recycling of cardboard from specified household recycling centres.

### **Recommendation**

**It is recommended** that the Environmental Services Committee recommends to Council the award of contract for the collection and recycling of cardboard from household recycling centres to McKinstry Skip Hire Ltd for Lots 2, 3 and 4 in accordance with the council's specification and contract conditions.

In response to Councillor Callaghan the Director of Environmental Services clarified the provision for Limavady and Dungiven with the contractor installed baler.

Proposed by Councillor Wilson  
Seconded by Alderman McQuillan and

**AGREED-** to recommend that Council the award of contract for the collection and recycling of cardboard from household recycling centres to McKinstry Skip Hire Ltd for Lots 2, 3 and 4 in accordance with the council's specification and contract conditions.

## **25. CAR PARK INFRASTRUCTURE – ESSENTIAL H&S CAPITAL WORKS**

**Car parks including: -**

- **Bridge Street, Garvagh**
- **Glenhead Road, Ballykelly**
- **Lansdowne Car Park, Portrush**

Confidential report, previously circulated.

### **Purpose of Report**

The purpose of this report is to request that Members consider and approve for the said scheme, identified as, '*Essential Car Park re-surfacing at 3no. car parks, namely, Glenhead Road, Ballykelly, Lansdowne Car Park, Portrush & Bridge Street, Garvagh*', to progress to Stage 2 of the procurement gateway, detail design and procurement.

### **Background**

Members previously gave approval for stage 1 of the procurement gateway – Scoping and feasibility and now the Capital Works division have carried out condition survey reports of the said carparks, and have identified the following defects: -

- Wearing course deteriorated in locations.
- Failed sub-structure make-up in locations.
- Line markings have faded, and do not comply with current standards.
- The above points present H&S risks to the car park users.

***NB: - Please refer to Appendix A (circulated) of this report for condition survey reports.***

### **Proposal**

It is proposed that this capital works scheme progress to Stage 2 of the procurement gateway, to carry out detail design and procurement.

### **Recommendation**

It is recommended that Members grant permission for officers to progress to Stage 2 of the procurement gateway.

Note.



The footfall of the car parks and their importance to traders (in respect of Lansdowne Road) will also be considered, and it will therefore be necessary to carefully plan the works to cause the minimum amount of inconvenience to users.

A full tender report will be brought back to Members in due course for the final investment decision to be made.

In response to questions, the Director of Environmental Services agreed to find out the minimum cost for essential repairs to take place.

Elected Members referred to the scheduled Finance Workshop where Council income and expenditure matters were being raised, to include car parking charges and to defer the Item until this had taken place.

Proposed by Alderman McQuillan  
Seconded by Councillor Wilson and

**AGREED** – that Council defer Car Park Infrastructure – Essential H&S Capital Works.

## 26. STREET TRADING LICENCE RENEWALS

Confidential report, previously circulated.

### **STREET TRADING (NI) ACT 2001**

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

<u>Unique Reference Number</u>	<u>Applicant</u>	<u>Type of Licence</u>	<u>Commodity</u>	<u>Location</u>
MST 002		Mobile	Hot Food and drinks	Borough of Causeway Coast and Glens

Alderman McQuillan raised the Castlerock trading pitch, he advised he had been made aware of an issue. The Director of Environmental Services stated he had not been made aware of an issue and agreed to look into the matter.

Councillor Callaghan reiterated that Council move forward as quickly as possible.

## 27. UPDATE ON LICENSING LEGAL PROCEEDINGS

Confidential report, previously circulated.

### **Purpose of Report**

The purpose of this report is to provide members with an update on licensing cases referred for legal proceedings.

### **Background**

Council is the enforcing authority for a wide range of legislation. This enforcement role has been delegated to the staff of the Environmental Services Directorate.

The confidential report provided detail on the Operation of an Unlicensed Pavement Café and Illegal Street Trading.

### **Recommendation**

It is recommended that the above information is noted.

Councillor Holmes queried why it took so long for Legal to act on the matter.

Proposed by Councillor Wilson  
Seconded by Councillor Holmes and

**AGREED** – to recommend that Council obtain clarification in writing, from Legal, to Environmental Services Committee explaining why Council cannot pursue the Director of the Company.

## **28. ANAEROBIC DIGESTOR FACILITY - SECOND LEGAL OPINION ON WITHDRAWAL OF ABATEMENT NOTICES**

Confidential report, previously circulated.

### **Purpose of Report**

The purpose of this report is to provide members with an update on the second opinion sought in relation to previous legal advice which recommended withdrawal of Abatement Notices served on the operator of an anaerobic digester facility.

Further information was provided in the Confidential report.

### **Recommendation**

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

**AGREED** – to recommend that Council note the report.

## **29. PERIOD 6 – ES MANAGEMENT ACCOUNTS AND FINANCIAL POSITION 2022/23**

Confidential report, previously circulated.

### **Purpose of Report**

The purpose of this report to provide Members with information on the current financial position of Environmental Services Directorate at the end of Period 6.

### **Recommendation**

Members are requested to note the paper.

**AGREED** – to recommend that Council not the report.

**MOTION TO PROCEED ‘IN PUBLIC’**

Proposed by Councillor Wilson  
Seconded by Councillor Callaghan

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

There being no further business the Chair thanked everyone for their attendance and the meeting concluded at 9.20 pm.

Chair \_\_\_\_\_