

**ENVIRONMENTAL SERVICES COMMITTEE MEETING
TUESDAY 8 SEPTEMBER 2020**

Table of Recommendations

No	Item	Summary of Key Recommendations
1.	Apologies	<i>Alderman Boyle</i>
2.	Declarations of Interest	<i>None</i>
3.	Minutes of Meeting held Tuesday 11 August 2020	<i>Confirmed</i>
4.	Bio-Diversity within Council	<i>Successful introduction of wild flowers noted and efforts to continue Report on alternative areas for wild flower planting to be brought to October ES Meeting</i>
5.	Review of the Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010	<i>Agreed - to endorse and Head of Health and Built Environment to submit response</i>
6.	Update on Affordable Warmth Scheme	<i>Agreed – defer decision to October ES Committee Meeting</i>
7.	Review of Suspension of Out of Hours Service Provision (Dog Control)	<i>Agreed – to withdraw service and</i>

		<i>commence negotiations with relevant employees</i>
8.	Asset Realisation Officer	<i>Agreed – grant permission to restructure and recruit Asset Realisation Officer</i>
9.	Review of Current Household Recycling Centre Operations	<i>Agreed – retain current booking system and review paper to be brought back in 6 months Review on Garvagh and Kilrea opening hours to be brought to October ES Meeting Reminder of booking system to be put on web</i>
10.	Entertainments Licence Renewals	<i>Information</i>
11.	Petroleum Spirit Licence Renewals	<i>Information</i>
12.	Street Trading Licence Renewals	<i>Information</i>
13.	Potential Transfer of Landlord Registration Function to Councils	<i>Information</i>
14.	Correspondence	<i>None</i>
15.	Consultations	<i>Noted</i>
16.	Conferences	<i>None</i>
17.	Matters for Reporting to Partnership Panel	<i>None</i>
18.	Notice of Motion Proposed Councillor McCaw, seconded by Alderman Boyle (referred from Council Meeting held 1	<i>Withdrawn deferred to October Environmental</i>

	September 2020) Keep Northern Ireland Beautiful's "Live Here, Love Here" Campaign	Services Committee Meeting
	IN COMMITTEE (ITEMS 19 TO 21 INCL)	
19.	Renewals/Replacement of Festive Lights	Agreed – Option 2 replace lights
20.	Replacement of Street Lighting – Cloonavin & St John's Close, Portstewart	Agreed - Option 2 – replace all lights and award contract to FP McCann
21.	Environmental Financial Position Q1	Information
22.	Any Other Relevant Business (notified in accordance with Standing Order 12 (o))	
	22.1 Councillor McQuillan Could Council set up a program over the next 8 months to have all our public toilets deep cleaned and any that needs refurbished put on a program to have this done over the following year with a report being brought to the environmental services committee each month with what has been done.	Information
	22.2 Councillor McQuillan Could Council provide an update on the works to be carried out on Garvagh War Memorial.	Report to be brought to October ES Committee Meeting
	22.3 Councillor McQuillan Could Council provide some sort of special status for the Community Rescue Service to be able to use the recycling site in Coleraine free of charge.	Information

**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 SEPTEMBER 2020 AT 7:00PM**

- In the Chair:** Alderman McQuillan (C)
- Members Present:** Alderman Finlay (C) and Robinson (R)
Councillors Bateson(R), Beattie (R), Chivers (R),
Holmes (C), Hunter (R), McGlinchey (R), McLaughlin
(R), MA McKillop (R),
McLean (C), Wallace (C) and Wilson (R)
- Non Committee
Members Present:** Councillor McCaw (R) substituted for Alderman Boyle
Councillor McAuley(C) substituted for Alderman
Fielding
- Officers Present:** A McPeake, Director of Environmental Services (C)
B Edgar, Head of Health & Built Environment (R)
A Mullan, Head of Operations (R)
G Doyle, Head of Estates (R)
J Richardson, Head of Capital Works, Energy &
Infrastructure (R)
D Allen, Committee & Member Services Officer (C)
- In Attendance:** Press (R) (2 No)

Key:

C = Chamber **R** = Remote

SUBSTITUTIONS

Councillor McCaw for Alderman Boyle.
Councillor McAuley for Alderman Fielding

1. APOLOGIES

Apologies were recorded for Alderman Boyle.

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest recorded.

3. MINUTES OF MEETING HELD TUESDAY 11 AUGUST 2020

The Minutes of the Meeting held Tuesday 11 August 2020 were confirmed as a correct record.

4. BIO-DIVERSITY WITHIN COUNCIL

Report, previously circulated.

The Director of Environmental Services presented Members with a report updating them with the efforts to both reduce cost, enhance bio-diversity throughout the Borough and to continue with bio-diversity initiatives in future years.

In November 2019 Council approved a reduction in floral displays in an effort to reduce costs. A combination of approaches have been used successfully to achieve this aim. In particular Estates have replaced the traditional displays of, for example, begonias with bio-diversity friendly wildflower displays. This innovation has proved to be very popular with residents and visitors alike who have taken time to contact Council to compliment them on this approach. Not only has it reduced cost and proved popular but it has also had the benefit of providing a rich source of food for pollinators such as bees, butterflies and moths. Some estimates suggest that up to one third of our native bee population could become extinct due to lack of food (flowers).

This approach along with the 'Don't Mow, Let It Grow' campaign has demonstrated that with a little thought, our natural environment can be managed to the benefit of both people and fauna.

A selection of photographs have been appended highlighting the rich and varied displays throughout the Borough. A media release is also planned to highlight Council's wild flower initiatives.

It is recommended that the Environmental Services Committee notes the successful introduction of wildflower displays and recommends to Council that efforts continue to enhance bio-diversity throughout the Borough.

Alderman Robinson raised a query in relation to maintenance of the wild flower sites.

The Director of Environmental Services informed Members that initially work is undertaken to prepare the land to accept the seeds. Once these have been planted there is little maintenance required. At the end of the

season the seeds are extracted and the area is cut back to allow growth for the following year.

The Head of Estates clarified that once existing flower beds are replaced with the wild flower seeds, these grow quickly which smother the nettles and dandelions. In relation to other areas weeds/nettles can grow and the grass is cut and lifted in September and again in the Spring of the year. Taking grass away from areas removes nutrients from the soil, and so the nettles/weeds do not grow.

In response to a request from Councillor Bateson the Director of Environmental Services stated that a report would be brought back on alternative areas for wild flower planting.

Councillor Wallace requested that the Director of Environmental Services pass on his appreciation to those Members of staff on the ground involved in this. He requested assurances that not all beds be planted with wild flowers as they have a much shorter flowering season than traditional beds.

The Director of Environmental Services confirmed that planting would be a mixture of both wild flowers and traditional bedding plants.

The Head of Estates commented that he differed on the comment on the longevity of the wild flowers – some were planted to flower at different times of the year so as to spread colour throughout the summer.

In response to a query from Councillor MA McKillop the Head of Estates informed Members that the seeds were extracted at Autumn time and relocated to grow elsewhere. Council would also buy in new seeds as well as retrieving and re-using others.

Councillor McLean enquired as to whether there were plants suitable for the Riverside Park Ballymoney. The Head of Estates informed Members that as this was in a flood plain and flooded heavily that there were limited plants that were suitable. The Director of Environmental Services explained that a site visit was scheduled for the next week.

Councillor McAuley stated that Council should re visit the 'Don't Mow – Let it Grow' campaign; wild flowers were a good way forward but nettles and weeds needed to be kept to a minimum.

The Director of Environmental Services informed Members that he would forward comments received from the public in relation to Riverside Park, Ballymoney.

Proposed by Councillor Bateson
Seconded by Councillor MA McKillop and

AGREED - to recommend that Council notes the successful introduction of wildflower displays and recommends to Council that efforts continue to enhance bio-diversity throughout the Borough.

5. REVIEW OF THE ROADS (MISCELLANEOUS PROVISIONS) ACT (NORTHERN IRELAND) 2010

Report, previously circulated.

The Head of Health and Built Environment presented a report advising Members of the consultation issued by Department for Infrastructure on the 27 July 2020 regarding the Review of the Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 with a submission date of the 24th September 2020. Responses may be made via an online questionnaire https://www.surveymonkey.co.uk/r/Dfl_Special_Events
A response has been prepared for consideration.

The Roads (Miscellaneous Provisions) Act (Northern Ireland) was enacted in August 2010, however the provisions dealing with special events on roads were not immediately commenced as Department officials were working with Councils to develop guidance to assist in its implementation.

The legislation dates back to a time when it was anticipated that Councils, as part of local government reform, may have an enhanced role in road infrastructure management. This ultimately did not happen. The NI Act also was developed along the same lines as UK legislation, where the role of Councils in relation to roads infrastructure and traffic management is very different.

In the early stages, the draft legislation was the subject of much criticism by Councils to the point where, in 2013, the commencement order was deferred and the legislation 'shelved' by the Minister for Regional Development amidst concerns. However, the legislation was dusted down and the commencement Order passed in January 2017, immediately prior to the collapse at Stormont, without a further review.

As a result, many of the concerns previously raised by Councils still remain. The issues for Council have been categorised into both the legislation intent/content matters, and the operational difficulties subsequently encountered when attempting to implement an instrument which is not fit for purpose. The following comments are offered for consideration.

The purpose of the legislation is essentially one of traffic management and public notification rather than event safety, which is dealt with under other procedures. It was founded in the need to control the use of public roads for holding of special events i.e. sporting and social activities such as fun runs, street parties, switching on of Christmas lights, and the making of films.

The legislation specifies Council as the responsible authority but the rationale for this is questionable. Its core purpose is to ensure the safety of road users and minimise disruption to road users/owner occupiers of adjoining property for events on a road (by way of a public notification process) and it is difficult to see how this is the responsibility of Council.

Council believes that both these remits fundamentally lie with PSNI and Department for Infrastructure with Council having neither the role or responsibility or even knowledge/expertise in these matters.

Council are acting as secretariat to Department for Infrastructure (DfI) in a bureaucratic and costly process. The current legislation and associated guidance has created an unnecessary, time consuming and costly system for councils without any formal input or decision making. The arrangements, as they stand, have in effect resulted in Councils acting as the secretariat and administrators for DfI in the road closure process for special events.

Council's activity involves validating and processing applications, publishing a Public Notice in the local paper to specify restrictions, specify alternative routes and invite representations, formally consulting with the relevant agencies, consideration of representations from interested parties and seeking additional paperwork for consideration by PSNI and DfI, without any input to the process themselves. Furthermore, Councils can only issue an Order once consent has been granted by DfI. The process is therefore highly inefficient and costly and one in which Council has little input or control.

The DfI have had systems and procedures in place for years to deal with road closures for utility works and the like. The Road traffic Regulation (Northern Ireland) Order 1997 article 7 refers. The most obvious arrangement would be to extend the existing DfI road closure process to special events and remove this role from Councils.

The legislation imposes unnecessary costs to event organisers. It is prescriptive and outdated, requiring newspaper advertisements by way of public notifications. This is a significant cost to event organisers including Councils and others such as, community groups and sporting clubs that operate on a not for profit basis. (Council has agreed to absorb this cost on

behalf of particular applicants). This is money that neither councils nor applicants need to pay – websites or other social media platforms are generally accepted as effective means of public notification without the expense of newspaper advertising.

There has been an inconsistency in approach between Councils and DfI. It is understood that when DfI issue a road closure order for utility works, the public notification and consultation process is required only when the road closure takes place for 2 weeks or more. A Road Closure Order for special events requires an application, consultation etc. process even if a road is to be closed for an hour for a special event.

Council has no monitoring or enforcement role with respect to the legislation as this falls to PSNI. Where matters in relation to traffic disruption or safety arise as a result of a special event being held on a public road, Council has no powers to address.

The legislation has no built in appeal mechanism. Where Council refuse an application for an Order, they are doing so on the basis of decisions made following consultation with other agencies, or as a result of DfI failing to confirm a recommendation by Council for an Order. There is no appeal mechanism built into the legislation. This has the potential for reputational damage to council in relation to a decision that they have little control over.

The legislation was subject to equality assessment in 2009/10 was enacted in 2017 without further assessment despite the revision of equality legislation.

Operational Issues arising out of implementing the legislation

Although DfI have reported that the role for council is administrative in nature and thus there are “no significant resource implications” Council would strongly contest this. From 2017, Causeway Coast and Glens Borough Council have received a total of 44 road closure order applications for special events on roads to date, and have provided advice and assistance to approximately 20 other groups who have made enquiries. The resource implications of validating and processing applications, advising organisers, undertaking consultations with statutory consultees, facilitating and attending SAG meetings, arranging notifications, reviewing representations made and seeking resolutions, in very significant. It is particularly concerning as this cost has had to have been absorbed by Council, as to pass these costs to event organisers would result in their events not being viable.

DfI Guidance means that many of the small events that take place (such as local road run) which typically only restrict traffic flow on minor roads, at off-peak times, for ½ hour or less are ‘caught’ by the legislation. These events are often run by community groups, on a not-for-profit basis, but which fall within the definition of special event (‘not ordinary or usual’). The guide refers to exemptions for small events, however when this is examined relates to events on minor residential roads and cul-de-sacs and would appear to have been written to address the street party type scenario rather than the small 5k road run – in any event the notification and consultation processes (and hence costs) remain the same.

There is at times significant variance in the level of traffic management that event managers put in place, largely influenced by cost. The result can mean that similar events have very different set ups – from closing whole roads for races, to allowing runners and traffic on the same road during an event. Although the adequacy of the event management plan is assessed and approved by DfI in consultation with PSNI, it is Council who issue the Road Closure Order, on the permission of DfI. As the issuing authority, Council runs the risk of a claim of inconsistency in relation to a matter for which they have no input or control.

Short notice events. Even though the legislation and creation of procedure was designed to help the film industry, Council has found that even with a shortened turnaround timescale of 6-8 weeks from application to Order, this is still too long for certain film projects. Council have had several occasions where film industry were asking Council to process and issue road closures order in 4 weeks or less which is not possible within the confines of the existing process.

It is recommended that Council endorses the response above with respect to the consultation to the review of the Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010, and that the Head of Health and Built environment be delegated to submit the response online to meet the closing date.

The Head of Health and Built Environment informed Members that the current fee set in 2017 for business operators was £615 and £200 for Community Groups both with a refundable element.

Councillor McQuillan referred to Paragraph 4.2 of the Committee Report. The Head of Health and Built Environment stated that legislation defines the event and that motor cycle road races sit outside this particular legislation.

Councillor Beattie stated that Local Community Groups have experienced these problems and that the whole process was cumbersome.

Proposed by Councillor Beattie
Seconded by Councillor MA McKillop and

AGREED - to recommend that Council endorses the response above with respect to the consultation to the review of the Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010, and that the Head of Health and Built environment be delegated to submit the response online to meet the closing date.

6. UPDATE ON AFFORDABLE WARMTH SCHEME

Report, previously circulated.

The Head of Health and Built Environment presented a report providing Members with an update on the Affordable Warmth Scheme following receipt of correspondence from Department for Communities (DfC) dated 14th August 2020. Appendix 1 previously attached. A response has been prepared and issued as per Appendix 2 (previously attached).

The Head of Health and Environment informed Members that he had now received a reply from the Department for Communities and would update Members after he had presented the report.

Since the inception of the Affordable Warmth Scheme, which was designed to target those most vulnerable in our society in relation to fuel poverty and provide them with support in improving the thermal performance of their dwelling, Councils have worked with their partners (NIHE and DfC) to deliver a successful Scheme.

Over the life of the scheme (some 7 years), council's role has evolved, developed and become more involved with additional duties and responsibilities in making successful referrals for home improvement works to be carried out. At the same time, the amount of financial funding to support the councils in delivering has been reduced year on year. From an original staffing level of five full time members, this has now been reduced to one.

All councils agreed to be partners in the Scheme as they clearly saw the benefits to their citizens. The original delivery model and Service Level Agreement was based on the cost neutrality to the councils of this Departmental initiative.

Councils recognise the number of local residents that have benefited from improvement measures as a result of successful applications and indeed the economic benefit to local installers and suppliers.

Current Business Plan

Unfortunately, councils are currently in disagreement with the Department on future funding proposals. The Department has recently agreed an internal 5 year business plan for the future of the Scheme, but this is based on a 'pay per referral' model. In short, the Department have imposed a model where councils are only paid for referrals made. This moves the financial risk from the Department to councils and was not what was initially agreed with councils in that scheme delivery would be at no cost to the local ratepayer. The original agreed partnership arrangement included a flat rate, lump sum for delivering the councils role on an annual basis. This allowed councils to recruit and support the Departments Scheme in a balanced and financially fair way. This imposed arrangement now requires a minimum of 18 referrals per month over the course of the year to be submitted to ensure cost recovery.

In the most recent correspondence from the DfC, council was advised that it would be required to make 44 referrals to the Northern Ireland Housing Executive each month from August 2020 in order to maximise the budget available (£12M) to spend across the province. It is the DfC's view that the target is achievable should councils fulfil their agreement to work on Emergency referrals during the period when restrictions to the scheme were in place and to process normal referrals as far as possible. In order to meet this demand, a further 2 units of staff would require to be recruited and trained, with the likelihood that it would be 8-12 weeks before fully operational.

Additionally, achieving 44 referrals per month would necessitate an easing in the current scheme restrictions (it is currently targeted with at least 60% of referrals coming from a targeted list) with the remainder self-referrals that meet the scheme criteria. Open promotion of the scheme is not permitted.

COVID-19

Due to COVID-19, the proposed model of delivering a set number of referrals a month was suspended by the Department who asked councils to continue to refer emergency cases only through COVID-19 and make preparations for reinstatement on the lifting of lockdown. The Department made a payment of £10.9k for the first quarter of 20/21 to

support this function, although this was only after representation to Council and not before it was necessary to furlough the staff member.

Correspondence dated 25 June 2020 from David Polley, DfC, indicates the Departments intentions of stepping up the Scheme (in due course), but asking councils to take additional responsibility of ensuring access for Officers of both Council and NIHE and ensuring manufacturer's reports are available for faulty heating systems. This in itself doesn't sound overly burdensome, however when we consider a targeted Scheme with a current ratio of 6 door knocks to each successful referral, (some councils are finding a higher ratio) the front end work to achieve a successful referral is mounting at a time when the Department appear intent on only paying for each successful referral. It is also felt that this additional requirement could dissuade vulnerable citizens from wishing to participate in the referral process as well as add additional financial burden to the ratepayer at a time of already mounting council costs due to COVID-19.

Council has worked diligently to carry out risk assessments and revised visit protocols to recommence service delivery. This has placed additional burdens on staff and vulnerable clients which again affects the numbers of referrals a surveyor is able to process. Council has continued to process Emergency applications where possible and has reintroduced normal service delivery from mid-August 2020.

Whilst the current health pandemic prevails, there remains uncertainty around service delivery in any sector or geographical area with surges in cases, the development of local clusters and the potential re-imposition of restrictions. Whilst our own business continuity plans take account of this, it would appear that the DfC does not recognise this fact.

Service level Agreement

There is no service level agreement in place with Councils. The last signed SLA on behalf of Causeway Coast and Glens Borough Council was September 2018 and the funding agreed at that time for the period 2018-2019 was agreed in July 2018. This was on a flat rate basis. There has been no engagement on a revised SLA for either 2019-2020 or 2020-2021. The Department intention was to have the SLA formally agreed before the end of August, but at time of writing no documents have been provided for consideration.

It is recommended that Council endorse the response at Appendix 2 to the report.

It is recommended that Council continue to negotiate with the Department for Communities to deliver this scheme in partnership on the basis that it will be no cost to Council.

It is recommended that should Council agree to delivering 44 referrals per month to NIHE, recruitment of 2 additional units of staff be undertaken immediately.

It is recommended that should Council and the Department fail to reach an agreement, then notice shall be served on the Department to terminate the partnership.

It is recommended that should the partnership be terminated, a written request be made to the Department seeking confirmation that any alternative delivery model is fully equality assessed to ensure equitable delivery to all citizens within the Borough and that they present their proposals for so doing to Council in advance of implementation.

In response to a query from Councillor McQuillan the Head of Health and Built Environment informed Members that Council would not be able to make the 44 referrals as required by the Department for Communities (DfC) without the employment of additional staff; the DfC to cover this cost. 18 referrals require one unit of staff.

Alderman Robinson raised concerns in relation to the fourth recommendation in relation to the possible termination of the agreement. Those most vulnerable in society, especially since COVID 19 were in need of this support and that the scheme with the support of the DfC should continue.

The Head of Health and Built Environment informed Members that the termination recommendation was a fall back position; in the long term it was down to the DfC to put an alternative scheme in place to ensure people were not disadvantaged.

He further stated that all Councils were in the same situation and that they had engaged with DfC who had stated that there would be no further cost to Councils.

In response to a query from Alderman Robinson the Head of Health and Built Environment clarified that the Boiler Replacement Scheme was still in place and that he was not aware of any plans on it being terminated.

Councillor Bateson agreed with recommendations 1, 2 and 3 but not recommendations 4 and 5, he was against any termination of the agreement without engaging with all parties and the DfC first.

Proposed by Councillor Bateson
Seconded by Councillor McLaughlin

- that Council consults further with the Department for Communities and engage with all party groups and a report be brought back to the Committee next month.

Alderman Finlay stated that he had been dealing with this through the Housing Council. He had just received a reply back from the Housing Council which he would forward on to the Head of Health and Built Environment and therefore was reluctant to make a decision on this at this time.

Proposed by Alderman Finlay
Seconded by Alderman Robinson

- that a decision be deferred until the October Environmental Services Committee Meeting for any additional correspondence to be reviewed.

The Head of Health and Built Environment informed Members that he had been aware of the Housing Council Meeting that had been held the previous Thursday and that a meeting with the Permanent Secretary and Secretary from the DfC has been scheduled with HNI and Solace.

Councillor Bateson withdrew his proposal with the agreement of the seconder.

It was **AGREED** - that a decision be deferred until the October Environmental Services Committee Meeting for any additional correspondence to be reviewed.

7. REVIEW OF SUSPENSION OF OUT OF HOURS SERVICE PROVISION (DOG CONTROL)

Report, previously circulated.

The Head of Health and Built Environment presented a report providing Members with an update on the suspension of this service (Dog Control) since July 2019 as a result of necessary in year savings.

Members will be aware that all legacy councils provided an out of hour's service for Dog Control, Food Control and Health & Safety, Dangerous Structures and Emergency Planning

Whilst voluntary arrangements are still in place for the remaining service areas, those for Dog Control have been suspended now for 12 months. A review of the impact of this decision has been undertaken.

The total number of complaints received with respect to the service area during normal working hours are detailed in the table below.

	1st July 2018- 30th June 2019	1st July 2019- 30th June 2020
Attacks on Persons	55	63
Attacks on Livestock	18	22
Attacks on other Dogs	46	51
Attacks on other Animals	5	3
Stray Dogs	497	377

Whilst a number of these complaints may have been received out of hours, (particularly stray dogs), the section is not aware and have not received any complaints as a result of service reduction. All complaints and notifications received have been adequately managed with the provision of a normal weekday service.

Any serious incident (dog attacks) at weekends were responded to by officers on their return to work. This has not affected the quality or speed of any investigations or prosecutions.

Stray dogs have either been retained by the public over the weekend/ overnight or taken directly our kennel service provider or to dog rescue charities.

It is recommended that Council confirm the withdrawal of this service on a permanent basis and to commence negotiations with relevant employees with respect to employment contract amendments.

In response to a query from Councillor McLean the Director of Environmental Services informed Members that if a stray dog was lifted and taken to a compound and held overnight there would be costs associated with this that were not overly necessary.

The Head of Health and Built Environment clarified that the services provided was in relation to more serious offences on the Dog Order,

Council have not provided the Dog Control services during the last 12 months and that he was not aware of any complaints received by the public or the kennel services provider in relation to this. This service would cost Council in the region of £50K to £60K per annum; there were no resource implications.

In response to a comment from Councillor Wilson in relation to subcontracting this service out the Head of Health and Built environment clarified that Council did have the option to do this, the contract was due for renewal at the end of the financial year.

In response to a concern raised by Alderman Robinson the Head of Health and Built Environment informed Members that should a child be attacked by a stray dog then it is Councils responsibility to investigate. The incident would be reported to the PSNI and Council would then be duty bound to investigate. The Director of Environmental Services clarified that Council had an emergency phone line for emergency services to report any incidents like this and the dog warden would then respond; this would also include incidences of sheep worrying.

Councillor Wilson proposed that Council delay a decision until they had reviewed the contract with the kennel service provider at the end of the financial year. There was no seconder for this proposal.

Proposed by Councillor Holmes
Seconded by Councillor McQuillan

- to recommend that Council confirm the withdrawal of this service on a permanent basis and to commence negotiations with relevant employees with respect to employment contract amendments.

The Chair put the Motion to the Committee to vote. 12 Members voted For, 1 Member voted Against and 2 Members Abstained.

The Chair declared the Motion **CARRIED**.

* **Alderman Finlay left the meeting at 8.25pm.**

8. ASSET REALISATION OFFICER

Report, previously circulated.

The Director of Environmental Services presented a report requesting Members permission to re-organise staffing structure to create and recruit an Asset Realisation Officer. This would not be an additional resource

within the Infrastructure department as a post remains vacant within the capital project team and this would be a reallocation in line with Members priorities to realise the potential of our assets.

Members requested that an emphasis be placed on asset realisations across Council estate to maximise - asset efficiency, asset potential and to commence disposal where necessary. The Estates Strategy ratified this year in March by Council also identified that asset realisation is essential to - generate capital and improve revenue efficiencies. The strategy also identified the necessity of having a champion or lead to have a single point of ownership for issues relating to any changes in relation to any Council asset and to consolidate multi departmental efforts. The strategy also recommended an adaption and re-configuration of governance structures.

Infrastructure has been identified as the department to lead on the delivery of these opportunities given the multi-disciplinary skills within the department. The Head of Capital Works, Energy & Infrastructure has previously reported updates and progress to the finance committee on current opportunities in line with the terms of reference where the responsibility & lead rests with the finance committee for asset realisation - Appendix 1 (previously circulated) shows the process from the Finance Committee through to realisation. Appendix 2 (previously circulated) shows the position of this new post within the structure.

The reallocated position shall bring the following additional resource to:

- Set up an Asset Realisation Register in line with the estates strategy to support corporate objectives and improved social outcomes.
- Prioritise identified these assets in order for maximum realisation in terms of adaption ease – inclusive of title, planning development zone, site value and cost.
- To ensure the best value for public expenditure, examining alternative uses of asset resource, focusing on assessment of needs, objectives, options, costs, benefits, risks, funding, affordability and other factors relevant to decisions on assets.
- Consolidate efforts from various departments including the land and property, legal, capital project and the GIS department.
- Manage each stage of asset transformation from identification to completion.

- Develop an asset management strategy in line with the Estates Strategy recommendation.
- Manage the capital asset realisation accrument budget. Assess financial trends to assist maximum advantage with further identifications.
- Assist, manage and implement an asset challenge process (as per estates strategy recommendation) to identify and assess opportunities within existing business models to maximise asset return.
- Carryout “in house” valuations and procurement of necessary professional services.
- To provide a robust basis for Councils investment decisions and property transactions.
- Provide a solid basis that defines surplus assets and other commercial opportunities.
- Promote innovation and development in asset management.

It is recommended that Council grant permission to re-structure and to recruit an Asset Realisation Officer.

In response to a query raised by Councillor Holmes the Director of Environmental Services stated that although there would be a reporting line change Council would not know if there would be an increase in costs with this appointment until the job description had been set. He expected costs to increase slightly but not substantially.

The Head of Capital Works, Energy and Infrastructure informed Members that the post is estimated to be evaluated as a PO2 or PO3; there would be an increase of £1200/£1300 per annum associated with a PO3 post.

* **Alderman Finlay rejoined the meeting at 8.30pm.**

The Head of Capital Works, Energy and Infrastructure informed Members that a Project Officer required very special skills and this post was outside the scope of Project Officers.

Proposed by Councillor McLean
Seconded by Councillor MA McKillop and

AGREED - to recommend that Council grant permission to re-structure and to recruit an Asset Realisation Officer.

9. REVIEW OF CURRENT HOUSEHOLD RECYCLING CENTRE OPERATIONS

Report, previously circulated.

The Head of Operations presented a report providing Members with details of the booking system for Household Recycling Centres (HRCs).

HRCs reopened after lockdown on 4 May 2020. A telephone booking system was introduced to aid social distancing on site and prevent traffic congestion. The telephone booking system consisted of three mobile numbers covering 11 household recycling centres. Due to the high volume of calls additional telephone assistance was provided on 1st June 2020 by the Flowerfield Hub.

On 8 June 2020 a 24 hour accessible online booking system became operational. The online booking system can be accessed via the council website.

The tables below show user numbers and capacity for each HRC including the % of capacity used.

Table 1 – June 2020

From 8th June to 30th June 2020				
Site	Monthly users no.	Average number of users daily	Daily Capacity	% . Capacity Used
Carnealty	1188	59	210	28%
Castlerock	703	35	84	42%
Coleraine	2924	146	252	58%
Dungiven	948	47	210	22%
Garvagh	541	34	210	16%
Kilrea	590	37	210	18%
Ballymoney	1594	80	168	48%
Limavady	2836	142	210	68%
Portrush	1073	54	210	26%
Portstewart	1284	64	210	30%
Crosstagherty	1420	71	126	56%
<i>Total</i>	<i>15101</i>			

Table 2 – July 2020

July 2020				
Site	Monthly users no.	Average number of users daily	Daily Capacity	% Capacity Used
Carneatly	1701	65	210	31%
Castlerock	1096	42	84	50%
Coleraine	4522	174	252	69%
Dungiven	1798	69	210	33%
Garvagh*	1141	88	210	42%
Kilrea**	1102	85	210	40%
Ballymoney	2304	89	168	53%
Limavady	4470	172	210	82%
Portrush	2282	88	210	42%
Portstewart	3082	118	210	56%
Crosstagherty	2029	78	126	62%
Total	25527			

Table 3 – August 2020

August 2020				
Site	Monthly users no.	Average number of users daily	Daily Capacity	% Capacity Used
Carneatly	1701	65	210	31%
Castlerock	1146	44	84	52%
Coleraine	4329	167	252	66%
Dungiven	1993	77	210	37%
Garvagh*	1108	85	210	40%
Kilrea**	1102	84	210	40%
Ballymoney	2451	94	168	56%
Limavady	4413	169	210	80%
Portrush	2292	88	210	42%
Portstewart	3008	116	210	55%
Crosstagherty	1972	76	126	60%
<u>Total</u>	<u>25515</u>			

* Garvagh HRC open Wednesday, Friday and Saturday

** Kilrea HRC open Tuesday, Thursday and Saturday

Approximately 76% of bookings are made using the on line booking system with the remainder made using the telephone numbers.

Using the month of July as a reference to compare residual waste tonnages, there has been a reduction of circa 20% during July 2020 compared to July 2019. (847 tonnes July 2019 / 679 tonnes July 2020).

During August 2020 a survey was carried out asking HRC users if they would like the booking system to be retained. Of the 619 responses received 77% thought the booking system should be retained.

The Health and Safety Executive have visited Council HRCs to observe measures and procedures that Council have implemented to protect staff and the public. There was no advice or guidance given to change current procedures at HRCs.

It is recommended that the booking system is retained and a review paper brought back to Council in 6 months.

The Head of Operations informed Members that after the next 6 months the pandemic will have reached a different stage and that Council would have more information on users of this service. In response to a query by Councillor McQuillan he stated that Garvagh HRC and Kilrea HRC were not open on Mondays to reduce costs over the Bank Holiday periods. A report will be brought back to the October Environmental Services Committee Meeting.

Alderman Finlay preferred that the telephone booking system be stopped and that Members of the public be allowed to just turn up and dispose of their items.

Councillor Bateson was concerned that the pandemic may spike again in the Autumn months and that as the telephone booking system was currently working well that it be retained for the next 6 months.

Councillor McLean stated that the capacity in some centres was low and that there is nothing that informs Council what the capacity was before the telephone booking system was introduced.

The Director of Environmental Services informed Members that Council did not have the capacity to retrieve this information before this so this system would benefit Council as it would be able to provide this information. The amount of cars attending the Recycling Centres was slightly down due to businesses not being open and therefore there would also be a reduction in tonnage. Council did have tonnage numbers from last year so is now able to compare the figures with this years.

Councillor McAuley highlighted a problem reported to him by his constituents in that they could not gain access to the recycling plant if they had not booked even though no one was using it at that time.

Alderman Finlay stated that assistance should also be provided to the elderly. The Director of Environmental Services stated he would look into this.

Councillor Wilson stated that he had received high praise in relation to the Knock Road and Ballymoney centres and would like this directed to the staff on the ground. The Director of Environmental Services to pass on praise to staff.

The Director of Environmental Services to ensure that a reminder on the booking procedure be put on the web page.

Proposed by Councillor Bateson
Seconded by Councillor McLean and

AGREED - to recommend to Council that the booking system is retained and a review paper brought back to Council in 6 months.

* **Alderman Robinson left the meeting at 8.50pm.**

**10. ENTERTAINMENTS LICENCE RENEWALS
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER
1985**

Information report, previously circulated.

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

Unique Reference Number	Name of Premises
EL231	Manor Hotel
EL240	The Robinson Hall

The information report was **NOTED**.

**11. PETROLEUM SPIRIT LICENCE RENEWALS
PETROLEUM (REGULATION) ACTS 1929 AND 1937**

Information report previously circulated.

The undernoted applications for renewals of Petroleum Spirit Licences have been received acknowledged and processed during the report period.

<u>Licence No:</u>	<u>Name of Premises</u>
PL008	Kilrea Service Station
PL017	Sainsburys Filling Station
PL024	Spar Mountsandel
PL055	Tesco Limavady

The information report was **NOTED**.

12. STREET TRADING LICENCE RENEWALS STREET TRADING (NI) ACT 2001

Information report previously circulated.

11 applications for a Street Trading Licence have been received, acknowledged and processed during the report period.

The information report was **NOTED**.

13. POTENTIAL TRANSFER OF LANDLORD REGISTRATION FUNCTION TO COUNCILS

Information report previously circulated, advising Members of the consideration of the Department for Communities (DfC) to potentially transfer the Landlord Registration function under the Private Tenancies (Northern Ireland) Order 2006 to Councils. The following comments below have been provided by EHNI for Members information.

Representatives from EHNI and SOLACE met with the Department for Communities (DfC) officers on 12 March 2020 at Lough Neagh Discovery Centre, to discuss the potential transfer of the Landlord Registration Scheme from DfC to Councils.

DfC have now appointed consultants (ASM Chartered Accountants) to assess potential delivery model options and costs of the transfer of the Landlord Registration Scheme to Councils. The consultants are contacting each Council to discuss options around the transfer of Landlord Registration function. It is expected that should DfC wish to progress the proposed transfer a full consultation will follow.

EHNI members would like to highlight the following comments in relation to the proposed transfer:

Councils are currently facing increasing pressures with limited resources to deal with the impact of delivering services under the

current Corvid restrictions as well as responding to the requirement to enforce new powers under The Health Protection (Coronavirus Restrictions) Regulations. The feasibility and timing of any proposed transfer of this function must be at the forefront of any deliberations with the appointed consultants.

During the initial meeting (on 12th March) Councils indicated the collective view that the current registration system provides an administrative landlord database but that it has limited scope to improve the overall standards of private rented sector accommodation, should the transfer to Councils to proceed in the current configuration.

Any transfer of the scheme must ensure that the outcomes for overall regulatory services are improved by allowing Council officers to access the database to deal with wider issues. Currently, Councils cannot use the information held on the database for other issues such as noise, anti-social behaviour, animal welfare, Clean Neighbourhoods enforcement or Building Control enforcement.

Any changes to the Landlord Registration Scheme needs to be underpinned by a change in the Fitness Standard, otherwise the standard of properties in the privately rented sector will not improve. The current statutory fitness standard is nearly 40 years old, is not fit for purpose and must be reviewed as part of this process. Furthermore, standards will not improve unless landlords undergo a regulatory inspection or make a declaration of fitness at the point of registration. Any such scheme linked to the registration will need to be sufficiently funded so that there is no additional costs to Councils arising from its implementation and administration.

Any new proposed model (be it one regional model, 11 Council model or cluster model) must be delivered in a consistent way and have clear and simplified presence to the public and to landlords. The HMO function has a separate brand and provides visibility and distinction to agents, landlords and tenants. Councils are concerned that moving away from a single regional model will become an administrative burden for landlords and may result in a more fragmented system for Councils to administer bearing in mind that there are multiple landlords with multiple tenancies in different Council areas.

EHNI members are supportive of the need to introduce measures that will ultimately improve that overall standard of private rented housing stock, however, the transfer of the function in its current format will result in the transfer of an administrative function which will not afford

any scope for intervention to improve the housing stock and therefore affords no appreciable benefits to Council.

It is recommended that the Committee notes the comments above.

The information report was **NOTED**.

14. CORRESPONDENCE

There was no correspondence.

15. CONSULTATIONS

The Director of Environmental Services presented the consultation report, previously circulated.

15.1 Department of Agriculture, Environment & Rural Affairs – Circular Economy Package Policy Statement

A UK wide Circular Economy Package (CEP) Policy Statement has recently been published setting out the key changes made by the CEP and the approach of the UK to transposition of the 2020 CEP measures. The UK, Welsh, Scottish and Northern Ireland governments have decided to take the approach of issuing this public statement and not to run a formal consultation. The bulk of the 2020 CEP measures are relatively small technical changes and, where appropriate, the implementing legislation will simply adopt the same wording as that of the Directive.

The Consultation Report was **NOTED**.

16. CONFERENCES

There were no conferences.

17. MATTERS FOR REPORTING TO THE PARTNERSHIP PANEL

There were no matters to report to the Partnership Panel.

18. NOTICE OF MOTION PROPOSED BY COUNCILLOR MCCAW, SECONDED BY ALDERMAN BOYLE (REFERRED FROM COUNCIL MEETING HELD 1 SEPTEMBER 2020)

'That this Council sign up to Keep Northern Ireland Beautiful's "Live Here, Love Here" campaign, in order to become a full participant in its events and grants programmes in the fields of litter removal, enhancement of green spaces and biodiversity and improvement of disused or derelict areas.'

The Director of Environmental Services informed Members that this item had been withdrawn and would be presented at the October Environmental Services Committee Meeting.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Councillor McAuley
Seconded by Councillor MA McKillop and

AGREED - that Council move *'In Committee'*.

* **Alderman Robinson re-joined the meeting at 8.55pm.**

19. RENEWALS/REPLACEMENT OF FESTIVE LIGHTS

Confidential report, previously circulated and presented by the Head of Estates.

Over the last 7 years Council has upgraded and enhanced the festive lighting systems throughout the Borough. Given the fragility and the extremes of weather to which they are subjected, some of the original lights now need replaced.

The Head of Estates took Members through the proposals and various options for them to consider.

Option 1

Do not replace lights – this will lead to visible 'gaps' in lighting systems throughout the Borough with possible negative feedback.

Option 2

Replace lights to ensure lighting provision mirrors that of previous years.

It is recommended that that the Environmental Services Committee considers festive lighting provision and recommends to Council their preferred option.

Councillor McLean stated lights should be maintained now as costs would only increase in the future.

Proposed by Councillor McLean
Seconded by Councillor Wallace and

AGREED - to recommend that Council adopt Option 2 - replace lights to ensure lighting provision mirrors that of previous years

20. REPLACEMENT OF STREET LIGHTING – CLOONAVIN & ST JOHN'S CLOSE, PORTSTEWART

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

A recent structural survey of lighting columns at Cloonavin and St John's Close, Portstewart has identified a number of significant defects. All of the columns need replaced and lighting levels improved to meet current standards.

The proposal is to replace and upgrade the lighting to both the Cloonavin & Marina car parks, St John's Close amenity area and Portstewart Football Club by awarding the contract to the lowest tenderer FP McCann, Magherafelt.

Option 1

Do not replace lights or replace in phases – given the poor condition, this will inevitably result in more failures which could cause damage and/or injury.

Option 2

Replace all lights to eliminate safety concerns and improve lighting levels by awarding contract to FP McCann, Magherafelt.

It is recommended that the Environmental Services Committee recommends to Council the replacement of lights as per Option 2 - replace all lights to eliminate safety concerns and improve lighting levels by awarding contract to FP McCann, Magherafelt.

The Head of Estates informed Members that the lighting heads on the lighting columns would be LED to reduce running costs. He stated that Portstewart Football Club lighting was on the same type of columns and power supply and as Council owned the car park they had a maintenance responsibility. Enhancement was also needed in the Marina Car Park and that there were also dark areas in the Cloonavin car park that needed to be addressed.

In response to a query by Alderman Robinson the Head of Estates confirmed that a lighting survey had been carried out in relation to the Cloonavin car park and that planning needs to be approved for higher columns which would reduce the number of lighting columns required.

He also confirmed that the lighting needed to be replaced before the bad weather took hold.

Proposed by Alderman Finlay
Seconded by Councillor McLean and

AGREED - to recommend that Council adopt **Option 2** – replace all lights to eliminate safety concerns and improve lighting levels by awarding the contract to FP McCann, Magherafelt.

21. Environmental Financial Position Q1

Confidential information report, previously circulated.

The Director of Environmental Services presented a report providing Members information on the current financial position of Environmental Services Directorate at the end of Period 3.

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.

The impact of COVID-19 is likely to have a significant impact on the budget for the year ahead. These include increased costs of waste collection and HRC's as well as loss of income generation streams such as car parks, trade waste, harbour and marina fees, landfill income, building control fees. The impact on the income streams depends on the duration of the restrictions and economic recovery.

The Director of Environmental Services took Members through the current Environmental Services position at Period 3.

Councillor McAuley stated that he had received complaints daily in relation to the state of disrepair throughout the Borough. Most complaints fall within the remit of DFI Roads and that they should be looking at addressing these issues and get their house in order.

Alderman Finlay felt that the car parking in Portrush had been a success, most nights were full and was concerned as to why the car parks in the centre of the town were not doing quite so well. The Director of Environmental Services stated that this may be due to the fact the some members of the public were still cautious but hoped that this would improve in time.

Alderman Robinson asked the Director of Environmental Services if traffic wardens could allow more flexibility with members of the public. The Director of Environmental Services informed Members that they must urge their constituents to use the car parking app.

The confidential information report was **NOTED**.

MOTION TO PROCEED 'IN PUBLIC'

Proposed by Councillor McAuley
Seconded by Councillor Wallace and

AGREED - that Council move 'In Public'.

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

22.1 Councillor McQuillan

'Could Council set up a program over the next 8 months to have all our public toilets deep cleaned and any that needs refurbished put on a program to have this done over the following year with a report being brought to the environmental services committee each month with what has been done.'

The Director of Environmental Services informed Members that a complete deep clean had taken place in advance of the toilets re-opening. This would be done again at the end of the summer period at which point any maintenance issues would also be addressed, this would include the removal of any graffiti.

22.2 Councillor McQuillan

'Could Council provide an update on the works to be carried out on Garvagh War Memorial?'

The Director of Environmental Services informed Members that a report would be presented at the Environmental Services Committee Meeting in October.

22.3 Councillor McQuillan

'Could Council provide some sort of special status for the Community Rescue Service to be able to use the recycling site in Coleraine free of charge.'

The Director of Environmental Services clarified that a system had been set up for the disposal of bulky items. Charity shops should not accept furniture that is not in a suitable condition to be sold on; the person wishing for the old furniture to be disposed of should request a bulky collection for disposal at £5 per item.

There being no further business the Chair thanked everyone for their attendance and the meeting concluded at **9.30pm**.

Chair