

**ENVIRONMENTAL SERVICES COMMITTEE MEETING
TUESDAY 10 DECEMBER 2024**

Table of Recommendations

No	Item	Summary of key Recommendations	Estimated Timescale for completion
1.	Apologies	<i>Alderman John McAuley, Councillor Callaghan</i>	<i>N/A</i>
2.	Declarations of Interest	<i>None</i>	<i>N/A</i>
3.	Minutes of previous meeting held Tuesday 12 November 2024	<i>Confirmed as a correct record</i>	<i>N/A</i>
4.	Approval of Premises as a Venue for Civil Marriage	<i>Noted</i>	<i>N/A</i>
5.	Approval of Premises as a Venue for Civil Partnership	<i>Noted</i>	<i>N/A</i>
6.	Entertainment Licence Renewals	<i>Noted</i>	
7.	Licences & Registrations Issued Under Delegated Authority	<i>Noted</i>	<i>N/A</i>
8.	Dog Control Orders	<i>Noted</i>	<i>N/A</i>
9.	Period 7 ES Management Accounts and Financial Positions 2024/25	<i>Noted</i>	<i>N/A</i>

No	Item	Summary of key Recommendations	Estimated Timescale for completion
10.	Matters for Reporting to Partnership Panel	None	N/A
11.	Consultations	Nil	N/A
12.	Correspondence	<p><i>To recommend that Council write to DAERA Minister Andrew Muir to consider the introduction of a specific nappy recycling scheme for Northern Ireland.</i></p>	N/A
	'IN COMMITTEE' (Item 13-15 inclusive)		
13.	Purchase of Telehandler (Additional Cost) – Retrospective Approval	<p><i>To recommend that Council grant retrospective approval for additional cost incurred in respect of purchase from Mullan Plant Sales, Garvagh of telehandler.</i></p>	
14.	Ballintoy Variable Message Signage (VMS)	<p><i>To recommend that Council grant officers permission to purchase and install the Variable Message Signage to help alleviate congestion in the car park and the Harbour Road area leading to Ballintoy Harbour and permit NIE to conduct all works, excavations, and reinstatements on third party land at a total cost of £22,299.03 plus VAT.</i></p> <p><i>And to further recommend that Council identify criteria for the installation of Variable Message Signage and</i></p>	

No	Item	Summary of key Recommendations	Estimated Timescale for completion
		<p>conduct a borough-wide audit to identify other sites that would benefit from such signage.</p> <p>To recommend that Council write to the Department for Infrastructure inviting them to present to the Environmental Services Committee with their plans for improving infrastructure in the Causeway Coast and Glens area, particularly in respect of tourism; and to invite Council's Growth Deal team to present their ideas to an upcoming meeting of the Environmental Services Committee.</p>	
15.	Professional Construction Related Consultancy Services Framework (PSC) Mechanical & Electrical Consultancy Engineering Services (Low Carbon/Net Zero) 2025 to 2026	<p>To recommend that Council approve the Framework of successful tenderers in respect of the Mechanical & Electrical Consultancy Services (Low Carbon/Net Zero) as set out in Appendix A of the previously circulated report item.</p>	N/A
16.	Any Other Relevant Business (notified in accordance with Standing Order 12 (0))	Nil	

**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 10 DECEMBER 2024 AT 7.00 PM**

In the Chair: Councillor Mairs (C)

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

Non-Committee

Members Present: Councillor Kyle (R)

Officers Present: A McPeake, Director of Environmental Services (C)
S McAfee, Head of Health and Built Environment (R)
U Harper, Committee and Member Services Officer (C)

In Attendance: R Finlay, ICT Officer (C)
M Kennedy, ICT Officer (C)

Press (2 no.) (R)

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

Substitutions: Alderman Knight-McQuillan substituted for Councillor Callaghan.

The Chair advised Committee of its obligations and protocol whilst the meeting was being audio recorded.

The Director of Environmental Services undertook a roll call.

1. APOLOGIES

Apologies were received from Alderman John McAuley and Councillor Callaghan.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING HELD TUESDAY 12 NOVEMBER 2024

Summary, previously circulated.

Proposed by Councillor C Archibald
Seconded by Councillor Stirling and

AGREED – The Minutes of the Environmental Services Committee meeting held Tuesday 12 November 2024 were confirmed as a correct record.

* **Councillor Wilson joined the meeting in the Chamber at 7.04pm.**

4. APPROVAL OF PREMISES AS A VENUE FOR CIVIL MARRIAGE

For Information report, previously circulated, was presented as read by the Chair.

MARRIAGE REGULATIONS (NI) 2003

THE MARRIAGE (NI) ORDER 2003

Approval of premises as a venue for Civil Marriage.

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

<u>Unique Reference Number</u>	<u>Premises Name</u>	<u>Approval Type</u>
MA006	The Arcadia	Civil Marriage

Committee NOTED the report.

5. APPROVAL OF PREMISES AS A VENUE FOR CIVIL PARTNERSHIP

For Information report, previously circulated, was presented as read by the Chair.

THE CIVIL PARTNERSHIP REGULATION (NI) 2005

THE CIVIL PARTNERSHIP ACT 2004

Approval of premises as a venue for Civil Partnership.

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

<u>Unique Reference Number</u>	<u>Premises Name</u>	<u>Approval Type</u>
CP006	The Arcadia	Civil Partnership

Committee NOTED the report.

6. ENTERTAINMENT LICENCE RENEWALS

For Information report, previously circulated, was presented as read by the Chair.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985

ENTERTAINMENT LICENCES

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

<u>Unique Reference Number</u>	<u>Name of Premises</u>
EL017	Bushtown Hotel
EL007	Golf Links Hotel
EL183	Giants Causeway Visitors Centre
EL375	Sheskburn Recreation Centre
EL253	St Olcan's Parish Centre
EL021	ODM Restaurants T/A The Newbridge
EL393	Coleraine Grammar School (Castlerock Road)
EL032	Coronation Sports & Social Club
EL304	Fullerton Arms
EL184	The Glenshesk Bar
EL004	Agherton Parish Centre
EL417	Neptune & Prawn

Committee NOTED the report.

7. LICENCES & REGISTRATIONS ISSUED UNDER DELEGATED AUTHORITY

For Information report, previously circulated, was presented as read by the Chair.

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

Local Government (Miscellaneous Provisions) (NI) Order 1985

Articles 13 &14, Practice of Acupuncture/Business of Cosmetic Piercing/Tattooing/Semi-Permanent Skin-Colouring/Electrolysis

<u>Unique Reference Number:</u>	<u>Name of Premises</u>	<u>Type of Registration</u>
SP01/2024	Aura Skincare Portrush	Semi Permanent Skin Colouring
SP02/2024	Aura Skincare Coleraine	Semi Permanent Skin Colouring

Entertainment Licences

<u>Unique Reference Number</u>	<u>Name of Premises</u>
EL434	Ballyness Resort
EL145	The Arcadia
EL226	Balnamore Community Centre

Street Trading (NI) Act 2001

<u>Unique Reference Number</u>	<u>Type of Licence</u>	<u>Commodity</u>	<u>Location</u>
TST 008/2024	Temporary	Toys	Church Street, Ballymoney
TST 009/2024	Temporary	Toys	Main Street, Limavady
TST 010/2024	Temporary	Toys	The Diamond, Ballycastle

Committee NOTED the report.

8. DOG CONTROL ORDERS

For information report, previously circulated, was presented as read by the Chair.

Purpose of Report

The purpose of this report is to provide Members with information regarding dog control orders.

Background

Further to ES240514 Members requested a report on dog control orders in place in the Borough and the mechanism to introduce new dog control orders.

The complete set of Dog Control Orders currently in force are attached as appendices 1 – 3.

Council may exercise the power to introduce further Dog Control Orders where there is demonstrable evidence that an Order is necessary to address dog control problems in particular areas.

The arbitrary introduction of Dog Control Orders across the Borough, where no evidence of issues exists is contrary to the Guidance issued to Councils by the Department of the Environment and could be subject to legal challenge.

Where a Dog Control Order is introduced Council must erect sufficient signs at the locations to reasonably advise the public of the provisions. Additionally, the Orders need to be monitored by enforcement staff to ensure compliance.

Guidance when imposing a Dog Control Order

The Department of the Environment (NI) produced guidance for District Councils to refer to when considering imposing Dog Control Orders called 'Guidance on Part 5 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011' which can be found at <https://www.daera-ni.gov.uk/sites/default/files/publications/doe/guidance-dog-control-orders.pdf>

The following excerpts are from that guidance on general principles:

- Paragraph 1.3 - District councils may make dog control orders, provided that they are satisfied that an order is justified, and they have followed the necessary procedures. It is also important for any district council considering a dog control order to be able to show that this is a necessary and proportionate response to problems caused by the activities of dogs and those in charge of them.
- Paragraph 1.5 - Enforcement of the legislation is just one tool that is available to district councils to deal with dogs. Councils should bear in mind that the introduction of a dog control order may not always be the

most appropriate course of action and that education also has an important part to play in promoting responsible dog ownership.

- Paragraph 2.2 - The council needs to balance the interests of those in charge of dogs against the interests of those affected by the activities of dogs, bearing in mind the need for people, in particular children, to have access to dog-free areas and areas where dogs are kept under strict control, and the need for those in charge of dogs to have access to areas where they can exercise their dogs without undue restrictions. A failure to give due consideration to these factors could make any subsequent dog control order vulnerable to challenge in the Courts.
- Paragraph 2.3 District councils should also consider how easy a dog control order would be to enforce, since failure to enforce properly could undermine the effect of an order. This is particularly the case for orders that exclude dogs completely from areas of land.
- Erecting signage - Regulation 3(4)(a) of the Procedures Regulations provides the legal requirement that, where practicable, signs must be placed summarising the order on land to which a new order applies, thereby informing the public that the land is subject to an order.

Procedures for making a Dog Control Order

The 'Guidance on Part 5 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011' also sets out the procedures for making a dog control order. The following excerpts are from that guidance:

- Paragraph 2.5 - The Procedures Regulations require that before it can make a dog control order, a district council must publish a notice describing the proposed order on the council's website and in a local newspaper circulating in the same area as the land to which the order would apply and invite representations on the proposal.

The notice must:

- (a) identify the land to which the order will apply;
- (b) summarise the order;
- (c) if the order will refer to a map, say where the map can be inspected. This must be at an address in the district council's area, be free of charge, and be available at all reasonable hours during the consultation period;
- (d) state that representations about the proposal may be made to the council and give the date by which they must be made. The final date for representation must be at least 28 days after the publication of the notice.

- Paragraph 2.6 At the end of the consultation period the council must consider any representations that have been made. If it then decides to proceed with the order, it must decide when the order will come into force. This must be at least 14 days from the date on which it was made.

Considerations for Council

- The relevant guidance requires that the introduction of any Dog Control Order must be justified.
- Councils must take into account the interests of dog owners to be able to exercise their dogs without undue restrictions.
- Any proposed Dog Control Order must have a public consultation and the responses from this consultation such as objections to the Dog Control Order must be considered.
- The introduction of any Dog Control Order is subject to legal challenge and may fail if Council cannot demonstrate that such an Order is required and justified.
- Resource requirements for introducing Dog Control Orders include expenditure for signage as well as staff resources for ongoing enforcement monitoring of the Orders once implemented.

Recommendation

It is recommended that Committee Members consider the above information.

Councillor Kane thanked the Director of Environmental Services for bringing the report to the Committee. He stated that, as the report contained a lot of information, he would like to go through it and revisit the matter at a future Committee meeting.

Committee NOTED the report.

9. PERIOD 7 ES MANAGEMENT ACCOUNTS AND FINANCIAL POSITIONS 2024/25

For information report, previously circulated, was presented as read by the Chair.

Purpose of Report

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

Background

Council has approved the annual budget for Environmental Service and delegated authority to officers to utilise this budget in the provision of services to the rate payers. ES budget for 2024/25 is **£ 30,851,687.59**. This is based on expenditure budget of **£36,559,317.45** and income budget of **£5,707,629.86**

The Environmental Services position at Period 7 shows a **£66,686.51 positive variance (P5 - £170,045.38 adverse variance)**.

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

- Employee costs are £404k positive
- Premises costs are £287k adverse
- Transport Costs are £201k adverse – Fuel (-15k), Mileage Claims (-30k), Repairs, Service and maintenance – (-126k)
- Supplies and Services are £18k favourable
- Contract Payments are £401k positive – Landfill Tax (£360k)
- Income is £159k adverse – Car Parks (-£184k), Landfill (-£394k), Building Control (£261k)

Estates.

£351k adverse mainly due to increased material costs. Employee costs is positive by £294k and Income is favourable by £3k.

Health and Built Environment.

£352k positive. Employee costs are £130k positive. Fee Income is favourable by £331k including £261k from Building Control.

Infrastructure.

£3k adverse. Car park income £184k adverse. Employee costs are £121k favourable.

Operations.

£37k favourable variance in Period 7. Employee costs are £144k adverse. A breakdown of the Variances was previously circulated.

ES Business Support.

£28k positive - on target

ES Centrally Managed.

£4k positive variance – on target

In-year Savings

Officers have and will continue to manage and scrutinise the budget to identify opportunities for reducing expenditure and increasing income in order to get back on budget. However at Period 7, due to loss of income from car parks and 3rd party waste, but offset by increased income from Building Control, ES financial position has an adverse variance of **£66,686.51**.

Capital Expenditure

The table below set out the capital expenditure that has been approved through Council thus far for the 2024/25 Financial Year:

Environmental Services

Month/Year	Agenda Item No.	Fleet/Project	Amount
April 2024	6	Operations Fleet, Plant and Equipment Renewal 2024-25	c.£1,555,750
April 2024	17	Harbours & Marinas Capital Infrastructure works to “Old Slipway, Portrush Harbour” Consideration to Progression to Stage 3 – Construction Phase	Option 1, “the required works”:- <i>Most Economically advantageous tenderer:- £68,700.00 + VAT</i> <i>Contingency Sum of 15%,</i> <i>(£10,305.00) being applied, with a resultant capital project delivery sum of £79,005.00</i>
April 2024	19	(To note) Cost of Purchasing Pay & Display Machines	£79,500.00
May 2024	7	Purchase of Operations Replacement Vehicle	£19,275
June 2024	21	Estates Fleet Renewal 2024/2025	£ 447,300
September 2024	23	Festive Lights	£124,040
November 2024	20	Air Quality Monitoring Equipment	£42,735
November 2024	22	Limavady Council Offices Fire Alarm	£76,017
November 2024	23	Castlerock Footbridge	£678,996
Total			£3,102,618

Recommendation

Members are requested to note the paper.

Councillor Kane informed the Director of Environmental Services that Elected Members were unable to access the report in advance of the meeting. The

Director of Environmental Services advised that the paper reported a positive variance of almost £67,000 in Period 7. He advised that the paper would be uploaded following the meeting, and that Elected Members could contact him with any comments or questions and raise any issues at the January 2025 Council meeting.

Committee NOTED the report.

10. MATTERS FOR REPORTING TO PARTNERSHIP PANEL

There were no matters for reporting to the Partnership Panel.

11. CONSULTATIONS

There were no consultations.

12. CORRESPONDENCE

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

Purpose of Report

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

The following correspondence has been received:

Michelle McIlveen MLA - Strangford, dated 12th November 2024 (copy previously circulated)

Summary

Re. Proposed Nappy and Absorbent Waste Collection and Recycling Scheme

Correspondence from Michelle McIlveen dated 12th November 2024 encouraging Council to write to DAERA Minister Andrew Muir to consider the introduction of a specific nappy recycling scheme for Northern Ireland.

Recommendation

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

The Director of Environmental Services advised that if there were a strategic direction to reduce the capacity of the black or grey bin or to amend the collection frequency from every two to every three weeks, some form of

nappy collection would be beneficial. He advised that the strategic direction has not yet been issued by the Department.

Alderman Knight McQuillan stated that there is a need for and a benefit of such a service, and that it would be worth exploring.

Proposed by Alderman Knight McQuillan
Seconded by Alderman S McKillop and

AGREED – to recommend that Council write to DAERA Minister Andrew Muir to consider the introduction of a specific nappy recycling scheme for Northern Ireland.

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Councillor McQuillan
Seconded by Alderman Knight-McQuillan and

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

* **Press and Public left the meeting at 7.10pm.**

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

13. PURCHASE OF TELEHANDLER (ADDITIONAL COST) – RETROSPECTIVE APPROVAL

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

Confidential by virtue of paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Purpose of Report

The purpose of this report is to ask Members to grant retrospective approval for additional cost incurred in respect of purchase of telehandler.

Background

Purchase of a replacement telehandler was included in list of Operations vehicles to be procured in 2024-25. Same presented to Environmental Services Committee at April 2024 meeting.

Recommendation

It is recommended that Committee grant retrospective approval for additional cost incurred in respect of purchase from Mullan Plant Sales, Garvagh of telehandler.

Proposed by Councillor Kane

Seconded by Councillor C Archibald and

AGREED – to recommend that Council grant retrospective approval for additional cost incurred in respect of purchase from Mullan Plant Sales, Garvagh of telehandler.

14. BALLINTOY VARIABLE MESSAGE SIGNAGE (VMS)

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

Confidential by virtue of paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Purpose of Report

To request members consideration and decision to proceed to stage 3 of the procurement gateway to provide a Variable Message Signage system (VMS) at Ballintoy (main road).

Recommendation

It is recommended that members grant officers permission to purchase and install the Variable Message Signage to help alleviate congestion in the car park and the Harbour Road area leading to Ballintoy Harbour and permit NIE to conduct all works, excavations, and reinstatements on third party land at a total cost of £22,299.03 plus VAT.

*** Councillor Kyle joined the meeting remotely at 7.15pm during consideration of this item.**

Alderman S McKillop stated that the signage will be of great benefit and proposed that if the pilot scheme is successful, Council should identify criteria for the installation of Variable Message Signage and conduct a borough-wide audit to identify other sites that would benefit from such signage. She queried whether this project would be suitable for digital transformation funding and the Director of Environmental Services advised that Council would look into that for any future costs.

In response to Councillor MA McKillop, the Director of Environmental Services advised that it is hoped that the signage can be installed before the end of the current financial year. He advised that the audit could be conducted in-house, hence would not incur an additional cost.

In response to a query from Alderman Knight-McQuillan, the Director of Environmental Services advised that he would clarify the situation with hosting fees for other sites with Variable Message Signing.

* **Councillor Kyle left the meeting remotely at 7.24pm during consideration of this item.**

In response to queries from Alderman Knight-McQuillan, the Director of Environmental Services advised that he would provide Elected Members with detail on the initial and long-term costings that were obtained for solar panels as a means of powering this signage.

Proposed by Alderman S McKillop
Seconded by Councillor MA McKillop and

AGREED – to recommend that Council grant officers permission to purchase and install the Variable Message Signage to help alleviate congestion in the car park and the Harbour Road area leading to Ballintoy Harbour and permit NIE to conduct all works, excavations, and reinstatements on third party land at a total cost of £22,299.03 plus VAT.

And to further recommend that Council identify criteria for the installation of Variable Message Signage and conduct a borough-wide audit to identify other sites that would benefit from such signage.

Councillor Wilson stated that there is a lack of clarity in respect of the Department for Infrastructure's long-term plans for improving infrastructure in the borough and proposed that a deputation from DfI be invited to present to the Environmental Services Committee on their plans, particularly in respect of tourism, with a regular schedule of meetings established to review progress on these. The Director of Environmental Services advised that the Council's Growth Deal team could advise on the transportation and parking hub aspect of the Growth Deal.

Councillor Kane stated that it would be useful to get the results of the pilot project to identify the impact of the signage on motorists' behaviour. He asked that the Council's Growth Deal team present to Committee on their ideas for the Borough.

Proposed by Councillor Wilson
Seconded by Councillor C Archibald and

AGREED – to recommend that Council write to the Department for Infrastructure inviting them to present to the Environmental Services Committee with their plans for improving infrastructure in the Causeway Coast and Glens area, particularly in respect of tourism; and to invite Council's Growth Deal team to present their ideas to an upcoming meeting of the Environmental Services Committee.

15. PROFESSIONAL CONSTRUCTION RELATED CONSULTANCY SERVICES FRAMEWORK (PSC) MECHANICAL & ELECTRICAL CONSULTANCY ENGINEERING SERVICES (LOW CARBON/NET ZERO) 2025 TO 2026

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

Confidential by virtue of paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Purpose of Report

The purpose of this report is to seek the approval of Elected Members to Award and Implement a new Professional Construction Related Consultancy Services Framework (PSC) for Mechanical & Electrical Consultancy Engineering Services (Low Carbon/Net Zero) 2025 to 2026, to assist Council in delivering Revenue & Capital Projects.

Recommendation

It is recommended that Members recommend to Council that they approve the Framework of successful tenderers in respect of the Mechanical & Electrical Consultancy Services (Low Carbon/Net Zero) as set out in Appendix A of the previously circulated report item.

Proposed by Councillor Wilson

Seconded by Councillor C Archibald and

AGREED – to recommend that Council approve the Framework of successful tenderers in respect of the Mechanical & Electrical Consultancy Services (Low Carbon/Net Zero) as set out in Appendix A of the previously circulated report item.

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

There were no items of AORB.

MOTION TO PROCEED ‘IN PUBLIC’

Proposed by Councillor Kane

Seconded by Alderman Knight-McQuillan and

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

This being all the business, the Chair thanked Elected Members for their attendance. The meeting closed at 7.45pm.

Chair

UNCONFIRMED