

Title of Report:	CORRESPONDENCE REPORT
Committee Report Submitted To:	ENVIRONMENTAL SERVICES COMMITTEE
Date of Meeting:	8th DECEMBER 2020
For Decision or For Information	FOR DECISION

Linkage to Council Strategy (2019-23)	
Strategic Theme	Leader and Champion
Outcome	Establish key relationships with Government, agencies and potential strategic partners
Lead Officer	Director of Environmental Services

Budgetary Considerations	
Cost of Proposal	N/A
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No N/A	Date:
	EQIA Required and Completed:	Yes/No N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No N/A	Date:
	RNA Required and Completed:	Yes/No N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No N/A	Date:
	DPIA Required and Completed:	Yes/No N/A	Date:

1.0 Purpose of Report

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

2.0 The following correspondence has been received:

2.1 Derry City & Strabane District Council (dated 13th November 2020)

Summary

Derry City & Strabane District Council has requested that Causeway Coast & Glens Borough Council consider Motions passed at a meeting of their Council held on 29th October 2020. See copy of correspondence attached as Appendix 1.

2.2 Department for Communities (dated 1st December 2020)

Designation of Councils under the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020

Summary

Councils were designated by the Department of Health under the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 (S.R. 2020 No. 55), to enforce certain provisions within those regulations. Those regulations have been superceded by the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (S.R. 2020 No. 150) (the "Restriction Regulations").

Attached is a copy of the correspondence and the Designation made under the Restriction Regulations (see Appendix 2).

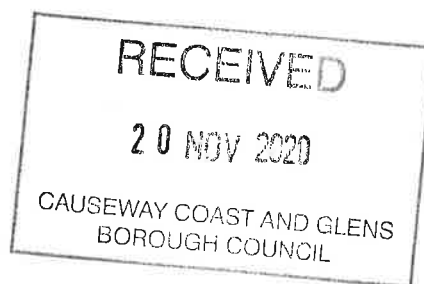
3.0 Recommendation(s)

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

Our Ref: TJ/C375/20

13 November 2020

Mr David Jackson
Chief Executive
Causeway Coast and Glens Borough Council
Civic Headquarters
66 Portstewart Road
Coleraine
BT52 1EY



Derry City & Strabane
District Council
Comhairle
Chathair Dhoire &
Cheantar an tSratha Báin
Derry Citty & Strabane
District Council

Dear Mr Jackson

At a Meeting of Derry City and Strabane District Council held on 29 October 2020, the following Motions were passed:

Council will recall that a motion was moved at the December 2019 Council meeting calling for action to combat poor air quality in the council area. Officials advised at that time that the motion was premature, given the imminent publication of a report which might have a bearing on the motion. Council notes that the report has since been produced but does not have a bearing on the motion.

Council endorses the thrust of the December 2019 motion as now resubmitted:

Council acknowledges that poor air quality has harmful effects on human health, especially on the health of the elderly, the infirm and young children;

Council recognises that urgent action needs to be taken to tackle air pollution. Council commits to increasing its air quality monitoring across its council area, including of harmful PM2.5s, PM10s and ammonia;

Council will create an air quality action plan and adopt World Health Organisation standards for PM2.5;

Council will bring forward draft policy options for discouraging the installation of fossil fuel heating and wood burning stoves in all new planning projects. Council will devise a set of criteria to be agreed by Members above which an air quality assessment will be required to accompany planning applications;

Derry

C/o Council Offices
98 Strand Road
Derry
BT48 7NN

Strabane

C/o Council Offices
47 Derry Road
Strabane
BT82 8DY

John Kelpie MEng., CEng., MStructE., MIEI

Chief Executive
Derry City and Strabane District Council

+44 (0) 2871 253 253
chiefexecutive@derrystrabane.com
www.derrystrabane.com

f Derry City & Strabane District Council
@dcsdcouncil

Council will organise a series of seminars to upskill members on Current Air Quality issues. Council will write to all other councils urging them to pass a similar air quality motion;

Council will write to the Northern Ireland Executive asking for an update on the effectiveness of the air quality monitoring station at Brooke Park since the station was moved from its original location at the junction of Creggan Road and Marlborough Terrace;

Council will underline to the Executive the urgent need for a NI Clean Air Act to include WHO threshold for PM2.5

I would appreciate your consideration in this important matter would be grateful for a response in relation thereto.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Kelpie', with a large, stylized initial 'J'.

**John Kelpie
Chief Executive**



Department for

Communities

An Roinn

Pobal

Máinnistrie o

Communities

**Causeway Exchange
1-7 Bedford Street
Belfast
BT2 7EG**

Council Chief Executives

Telephone: 028 9082 3346
e-mail: anthony.carleton@communities-ni.gov.uk

Our ref:

Date: 1 December 2020

Via email

Dear Chief Executive

**DESIGNATION OF COUNCILS UNDER THE HEALTH PROTECTION
(CORONAVIRUS, RESTRICTIONS) (NO. 2) REGULATIONS (NORTHERN
IRELAND) 2020**

As you are aware, councils were designated by the Department of Health under the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 (S.R. 2020 No. 55), to enforce certain provisions within those regulations. Those regulations have been superceded by the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (S.R. 2020 No. 150) (the "Restriction Regulations").

Please see attached Designation made under the Restriction Regulations which designates councils as a relevant person, for the purposes of taking such action as is necessary to enforce any requirement or restriction imposed by regulations 4 to 4C and 4E of those regulations. This includes the giving of a prohibition notice under regulation 7(2).

Please note councils are also designated as authorised persons for the purposes of issuing fixed penalty notices under regulation 9 of the Restriction Regulations and also for the purposes of issuing a registration certificate to the Magistrates Court where there has been a failure to pay a fixed penalty.

I would be grateful if you could bring this matter to the attention of your council.

ANTHONY CARLETON
Director, Local Government & Housing Regulation Division

Designations under the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020

The Department of Health makes the following designations, with immediate effect, in exercise of the powers conferred by regulations 1(2) and 9(12) of the Health Protection (Coronavirus, Restrictions) (No. 2) Regulations (Northern Ireland) 2020 (“the Restrictions Regulations”):

1. Enforcement: general

For the purposes of regulation 7 (enforcement of requirement) of the Restrictions Regulations, a district council is hereby designated by the Department of Health (under the definition of a “relevant person” in regulation 1(2) of the Restriction Regulations) as a relevant person who may take such action as is necessary to enforce any requirement or restriction imposed by regulations 4 to 4C and 4E, namely -

- regulation 4 (Requirement to close businesses and premises);
- regulations 4A and 4B (Requirement in relation to venues at which intoxicating liquor may be consumed);
- regulation 4C (Requirement to collect and share information: restaurants, cafes, bars, public houses etc.);
- regulation 4E (Requirement in relation to social distancing).

This includes the giving of a prohibition notice under regulation 7(2) of the Restriction Regulations in relation to any contravention of regulations 4 to 4C and 4E.

2. Enforcement: fixed penalty notices

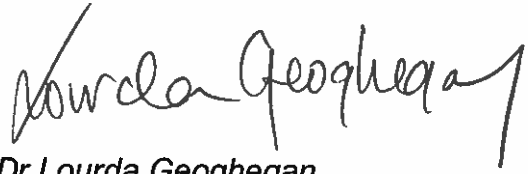
For the purposes of regulation 9 (fixed penalty notices) of the Restriction Regulations, a district council is hereby designated by the Department of Health as an authorised person who may issue a fixed penalty notice to anyone, aged 18 or over, who the authorised person reasonably believes has committed an offence of contravening a requirement or restriction in regulation 4 to 4C and 4E of the Restriction Regulations. A district council is also designated as an authorised person for the purposes of issuing a registration certificate to the Magistrates Court where there has been a failure to pay a fixed penalty notice.

3. Savings

Any action taken under a previous designation¹ shall remain valid.

¹ A designation under The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 (S.R. 2020 No. 55)

Sealed with the Official Seal of the Department of Health at 8.00 pm on 30th
November 2020



Dr Lourda Geoghegan

A senior officer of the Department of Health

