

**ENVIRONMENTAL SERVICES COMMITTEE MEETING
TUESDAY 9 MARCH 2021**

Table of Recommendations

No	Item	Summary of key Recommendations
1.	Apologies	<i>Nil</i>
2.	Declarations of Interest	<i>Nil</i>
3.	Minutes of Environmental Services Tuesday 9 February 2021	Confirmed
4.	Extension to Temporary Pavement Café Licencing Scheme	<p><i>That legal proceedings for breaches of Pavement Café licencing detected during the period 1st July 2020 to 31st December 2020 be withdrawn so as not to impose an additional burden on businesses as a result of the COVID – 19 Pandemic;</i></p> <p><i>That Council continue to support food businesses by continuing to waive the fee for a Pavement Café Licence from 1st April 2021 to 31st March 2022;</i></p> <p><i>That those businesses that had previously been granted a temporary pavement café licence prior to 31st December 2020. These will be considered on production of a renewal application, a valid in date public liability insurance certificate and subject to statutory consultee response</i></p>

No	Item	Summary of key Recommendations
		have not submitted a valid application for a Pavement Café Licence within 8 weeks of detection will be subject to Council's enforcement policy
5.	Any Other Relevant Business (Notified in Accordance with Standing Order 12 (o))	Information
	5.1 Pavement Licencing process (Councillor McCandless)	
6.	Operational Arrangements on Fly Tipping Protocol Between NIEA and CCGBC	That Council recommend the signing of the fly tipping protocol between NIEA and Council and that the Director of Environmental Services be duly authorised to sign the document on behalf of the Council
7.	NIHE Lease – Hazard House, 59 Hamilton Park, Ballymoney	That Council asks the stakeholder to provide an alternative method of providing the service and the house returned to NIHE
8.	Entertainment Licencing Fees 2021	That Council notes the report and considers writing to the Department to ask that consideration be given to extending the £1 licence fee to those premises applying for a grant of licence if they previously held an Entertainment licence prior to the COVID restrictions coming into effect in March 2020
9.	Lansdowne Green – Vehicle Access Control	That Council accept Option 1 and Officers look at the option of a carpark

No	Item	Summary of key Recommendations
10.	Cemetery Provision	<p><i>That the Land and Property Department explores the options to purchase land adjacent to the existing Coleraine and Ballymoney sites for future cemetery development subject to planning approval.</i></p> <p><i>Further report to then be brought back to Committee</i></p>
11.	Petroleum Spirit Licence Renewals	<i>Information</i>
12.	Licences Delegated Under Delegated Authority	<i>Information</i>
13.	Department of Health – Northern Ireland Distance Awareness Scheme	<i>Information</i>
14.	Waste Data Return July to September 2020 (Provisional)	<i>Information</i>
15.	Correspondence	<i>Nil</i>
16.	Consultative Documents	<i>Nil</i>
17.	Conferences	<i>Nil</i>
18.	Matters for Reporting to the Partnership Panel	<i>Nil</i>
19.	<p>Notice of Motion Proposed by Councillor McGurk Seconded by Councillor Bateson, referred from Council Meeting 2 March 2021</p> <p><i>Abbrev. (bi – lingual street signage)</i></p>	<i>Notice of Motion lost</i>
20.	<p>Notice of Motion Proposed by Alderman Fielding Seconded by Alderman Robinson, referred from Council Meeting 2 March 2021</p> <p><i>Abbrev. (dog parks)</i></p>	<p><i>That Council explore dedicated space where dog owners would have the freedom to let their pets off the lead so that they can</i></p>

No	Item	Summary of key Recommendations
		exercise and play in a controlled manner
21.	Any Other Relevant Business (notified in accordance with Standing Order 12 (o)) 'In Public'	
	21.1 Car Parking, Ballymoney (Councillor Wallace)	<i>That Council reinstate charges in Castle Street Carpark at the same tariff previously in place</i>
	21.2 Ballintoy Harbour (Alderman Baird)	<i>To have tender/auction for 1 extra trader in place for 1st June 2021</i>
	'IN COMMITTEE' (21.3 - 27 inclusive)	
	21.3 Drumaduff (Councillor Chivers)	<i>The Director of Environmental Services provided an update to the Committee regarding the progress of vesting the land of what was the Drumaduff dump advising that legal advice is required before moving forward.</i>
	22. Purchase of Replacement Vehicles	<i>Approve the purchase of 1no. tipper lorry, 1no. van and 1no. lawnmower to ensure continued delivery of front-line services.</i>
	23. Climate Emergency Forum (CEF) Terms of Reference	<i>That 16 members of the Environmental Services Committee participate in a Workshop at the beginning of the Environmental Services Committee Meeting with the Chair of the Committee Chairing the Working Group.</i>

No	Item	Summary of key Recommendations
24.	Full Business Case (FBC) The development of Waste Management Infrastructure for Kerbside Collected Recyclates	<p><i>That Council note and support the Full Business Case as reported and approve in principal participation in the Six Council MSRF project.</i></p> <p><i>That Officers now prepare a report on the Project Management Structure required to deliver the Six Council MSRF for consideration at a further meeting of the Committee</i></p> <p><i>That Officers progress the Terms of Reference required to establish a Joint Committee as part of the necessary governance framework required to support and deliver the project.</i></p> <p><i>That Council support the proposal that Mid Ulster District Council acts as the administrative lead Council in relation to the proposed unincorporated Joint Committee</i></p>
25.	Correspondence in relation to property at Briar Hill, Greysteel	<p><i>Hold a site visit by the Environmental Services Committee and local DEA Elected Members and seek internal legal advice.</i></p>
26.	Period 10 ES Management Accounts	<i>Information</i>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF
THE ENVIRONMENTAL SERVICES COMMITTEE
IN CIVIC HEADQUARTERS AND VIA VIDEO CONFERENCE, ON
TUESDAY 9 MARCH AT 7:00 PM**

In the Chair: Councillor McQuillan (C)

Members Present: Alderman Fielding (C), Robinson (C); Councillors Beattie (R), Bateson (R), Chivers (R), Holmes (C), Hunter (R), McAuley (C), McCaw (R), McGlinchey (R), McLaughlin (R), MA McKillop (R), McLean (C), Wallace (C), Wilson (C)

Non - Committee Members in Attendance: Alderman Duddy (C), Baird (R), Councillors Knight - McQuillan (R), McCandless (C), McGurk (R)

Officers Present: A McPeake, Director of Environmental Services (C)
A Mullan, Head of Operations (R)
J Richardson, Head of Capital Works Energy and Infrastructure (R)
G Doyle, Head of Estates (R)
B Edgar, Head of Health and Built Environment (R)
M Campbell, Energy Efficient Officer (R)
J Keen, Corporate Support Assistant (C)

In Attendance: J Winfield, ICT Operations Manager (C)
C Thompson, ICT Operations Officer (C)
A Lennox, ICT Mobile Operations Officer (R)
I Owens, Committee and Member Services Officer (C)

Press (3 no) (R)
Public (1 no) (R)

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

SUBSTITUTION

Councillor McCaw substituted for Alderman Boyle.

1. APOLOGIES

There were no apologies recorded.

The Chair thanked Alderman Finlay for his work on the Committee and welcomed Councillor McAuley.

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 9 FEBRUARY 2021

Summary, previously circulated.

The Minutes of the Environmental Services Committee meeting held Tuesday 9 February 2021 were confirmed as a correct record.

4. EXTENSION TO TEMPORARY PAVEMENT CAFÉ LICENSING SCHEME

Report, previously circulated, was presented by the Head of Health and Built Environment.

The Chair allowed consideration of the Any Other Relevant Business Item from Councillor McCandless in conjunction with this report.

The purpose of this report is to provide members with an update to the decision made in June 2020 to temporarily waive application fees with respect to the issue of Pavement Café Licences in the Borough.

Background

Council agreed to assist the recovery of the hospitality sector amid the current health pandemic. There was an electronic vote on the 24th June 2020 to waive the fees levied for the issue of Pavement Café Licences for a period of 6 months ending 31st December 2020.

As a result a streamlined process was put in place for the issue of Pavement Café Licences working in conjunction with Planning Service, PSNI and the Department for Infrastructure.

The intent was to create additional outdoor space for use by customers in our towns and villages. Business operators were requested to complete an application form, a risk assessment, confirm public liability insurance was in place together with scale plans of the proposed area to be used. These were then scrutinised by DfI to make an informed judgement about separation distances from road junctions, street furniture, etc., to ensure that there was adequate circulation space for all pedestrians. Social distancing requirements were also required to be met.

A revised application form flowchart and information pack was posted on Councils website and all business that had previously been identified as utilising additional outdoor space contacted.

Monitoring was carried out by Officers, who continued to work with applicants to ensure all necessary supporting documentation was provided to enable a determination to be made. Operators continued to trade whilst valid applications were considered.

Traders who continued to offer outdoor seating spaces and had not submitted a valid application for a Pavement Café Licence were subject to Councils graduated enforcement policy, a copy of which is also published on the website.

Licences

Seven valid applications were received, processed and temporary licences issued.

Sixteen premises contacted did not complete the process. Enforcement files were prepared and passed to councils legal services 13th October 2020.

Enforcement

Subsequent to prosecution files being passed to Legal Services, restrictions were re-imposed on food businesses only allowing takeaways and delivery.

Given this extended burden on the businesses at this time, it is considered appropriate to review the decision to proceed with legal action against those that did not complete the pavement café licensing process.

Proposed Extension of Temporary Licence Procedure

The temporary process agreed expired on the 31st December 2020. It is proposed that in advance of easing of restrictions and to again assist in economic recovery of the sector, that application process for this incoming financial year is reinstated to enable businesses to apply for a pavement cafe licence (12 months maximum, from 1st April 2021 to 31st March 2022. Any licence issued during this period will have an expiry date 31st March 2022.

The Pavement café licence application fee will be waived, but applicants will still be required to satisfy all other criteria, including any necessary planning permission where appropriate.

For those businesses that had previously been granted a temporary pavement café licence prior to 31st December 2020, these will be considered on production of a renewal application, a valid in date public liability insurance certificate and subject to statutory consultee response.

Traders who continue to offer outdoor seating spaces and have not submitted a valid application for a Pavement Café Licence within 8 weeks of detection will be subject to Councils enforcement policy.

It is recommended that legal proceedings for breaches of Pavement cafe licensing detected during the period 1st July 2020 to 31st December 2020 be withdrawn so as not to impose an additional burden on business as a result of the Covid-19 pandemic.

It is recommended that Council continue to support food businesses by continuing to waive the fee for a Pavement Café Licence from 1st April 2021 to 31st March 2022. Any licence issued will have an expiry date of 31st March 2022.

It recommended that those businesses that had previously been granted a temporary pavement café licence prior to 31st December 2020, these will be considered on production of a renewal application, a valid in date public liability insurance certificate and subject to statutory consultee response.

It is further recommended that traders who continue to offer outdoor seating spaces and have not submitted a valid application for a Pavement Café Licence within 8 weeks of detection will be subject to Councils enforcement policy.

The Head of Health and Built Environment indicated that where enforcement action had been started, the businesses had submitted drawings and the licences can be processed in conjunction with the Planning Department.

Responding to an enquiry from an Elected Member, the Head of Health and Built Environment advised that legal costs accrued starting the enforcement action was between £500 - £1,000 to date.

Proposed by Councillor Holmes
Seconded by Councillor Wallace and

AGREED

- that legal proceedings for breaches of Pavement cafe licensing detected during the period 1st July 2020 to 31st December 2020 be withdrawn so as not to impose an additional burden on business as a result of the Covid-19 pandemic.
- that Council continue to support food businesses by continuing to waive the fee for a Pavement Café Licence from 1st April 2021 to 31st March 2022. Any licence issued will have an expiry date of 31st March 2022.
- that those businesses that had previously been granted a temporary pavement café licence prior to 31st December 2020, these will be considered on production of a renewal application, a valid in date public liability insurance certificate and subject to statutory consultee response.
- that traders who continue to offer outdoor seating spaces and have not submitted a valid application for a Pavement Café Licence within 8 weeks of detection will be subject to Councils enforcement policy.

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

5.1 Pavement Licencing process (Councillor McCandless)

'An update from the Officers in relation to the Pavement Café Licencing process for the incoming year'.

This item of Any Other Relevant Business was considered collectively within the previous report.

6. OPERATIONAL ARRANGEMENTS ON FLY-TIPPING PROTOCOL AGREEMENT BETWEEN NIEA & CCGBC

Report, previously circulated, was presented by the Head of Health and Built Environment.

The purpose of this report is to consider the adoption of a fly-tipping protocol between the Northern Ireland Environment Agency and Council, when investigating and dealing with complaints of fly-tipping.

Background

The fly-tipping of waste remains a high profile environmental issue. It is a criminal activity that can blight communities and reduces the quality of life for residents. It can often begin a spiral of decline and has the potential to cause serious pollution to the environment. In some cases, it may also be a risk to human health as well as causing harm to the environment. The incidence of fly-tipping is a further demand on the revenue budgets of Local Councils and the NIEA which needs to be addressed collaboratively across the region.

Both the NIEA and local Councils have powers and responsibilities to deal with fly-tipping. However, clarity of working arrangements is vital to efficient and effective services for the public.

NIEA in consultation with Councils have developed a protocol to deal with such incidences. The agreement defines the agreed roles and responsibilities of the NIEA and Local Councils in dealing with fly-tipping and illegal waste disposal.

Within this agreement the general approach taken will see the NIEA deal with waste disposal incidents concerning larger quantities of waste, which have a greater environmental risk and may have commercial involvement and/or involve organised criminality. Local Councils will deal with smaller scale incidents in terms of quantity, environmental risk and commercial involvement.

Under the joint working approach, Councils may request that the NIEA consider the provision of support and assistance in providing a more robust response to

matters such as repeat and persistent offenders, waste crime hotspots and incidents involving commercial operators.

A copy of the protocol was provided at appendix 1, circulated.

It is recommended that the Environmental Services committee recommend to Council the signing of the fly-tipping protocol between NIEA and Council and that the Director of Environmental Services be duly authorised to sign the document on behalf of Council.

Discussion occurred regarding the concerns with fly tipping in the Borough.

In response to questions from Elected Members, the Head of Health and Built Environment advised it is the responsibility of the landowner to remove hazardous substances and materials from their land, therefore Council would be only responsible if the substances and materials were found on Council land. With regards the disposal of waste, NIEA hold responsibility for safe disposal of hazardous waste, while Council hold responsibility of disposing of general waste. It was also advised that there had been an increase in the number of incidents in fly tipping being reported during the beginning of lockdown, this may be due to the public out walking more, or more incidents of fly tipping occurring.

Responding to questions, the Director of Environmental Services advised that there are no longer skips located in rural towns and villages due to legal implications and advised that Household Recycling Centres are located throughout the Borough; that a bulky waste collection service is also provided by Council. In relation to grants for the litter strategy, the Director of Environmental Services advised Environmental Services are liaising with the Funding Unit to develop criteria and the outcome will be brought to the next Committee meeting. It was advised that full investigations were completed before enforcement action was taken in relation to fly tipping.

The Director of Environmental Services advised that a report could be developed containing the figures for:

- Fly tipping, littering, dog fouling.
- Enforcement and fixed penalty notices
- Cost in relation to hours worked by staff including early mornings and
- Budget

The need for more enforcement action to be taken in relation to these environmental concerns was highlighted.

Proposed by Councillor McCaw
Seconded by Councillor MA McKillop and

AGREED – to recommend that Council sign the fly-tipping protocol between NIEA and Council and that the Director of Environmental Services be duly authorised to sign the document on behalf of Council.

7. NIHE LEASE: HAZARD HOUSE, 59 HAMILTON PARK, BALLYMONEY

Report, previously circulated, was presented by the Head of Health and Built Environment.

The purpose of this report is to advise members that the lease for the above property, between the Northern Ireland Housing Executive and Causeway Coast and Glens Borough Council has expired and requires to be renewed.

Background

Members will be aware that through a partnership of legacy Councils (Ballymoney, Coleraine and Moyle) and with funding support from the Public Health Agency, a Home Safety learning facility was established in Ballymoney.

The facility provides practical home safety advice for community groups, school and youth groups and members of the general public. The premises remains as one of 2 such facilities in Northern Ireland following the closure of the RADAR Centre in Belfast.

The NIHE has made the premises available for Council use rent free for the last 16 years (opened Autumn 2004), and the proposed renewal is for a further 3 years. (see Appendix 1 to this report).

The Public Health Agency continue to offer an element of annual funding to support the use of Hazard House.

It is recommended that the Environmental Services Committee recommends to Council that the 3 year lease for use of the property be signed and that the Director of Environmental Services and Head of Health & Built Environment sign the document on Councils behalf.

Responding to a question, the Head of Health and Built Environment advised that 300-400 people go through Hazard House on an annual basis.

Discussion occurred regarding the future of Hazard House and consideration given to value of providing the service in a building rather than as a mobile service. It was suggested that the service be provided as a mobile service and the house returned to NIHE.

Proposed by Councillor McAuley
Seconded by Councillor Holmes and

AGREED - That the stakeholder provides an alternative method of providing the service and the house returned to the NIHE.

8. ENTERTAINMENT LICENCE FEES 2021

Report, previously circulated, was presented by the Head of Health and Built Environment.

The purpose of this report is to provide members with an update on the determination by the Department for Communities (DfC) regarding fees for Entertainment Licences for the duration of the 2021/2022 financial year and to advise on the current arrangements within council regarding Entertainments Licences for the year 2020/2021.

Background

Under Article 3 and Schedule 1 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, as amended by Article 52 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992, certain specified entertainment shall not be provided at places, except, and in accordance with, the terms, conditions and restrictions that are included in entertainment licences granted by district councils. The legislation also requires that any application for the grant, renewal, transfer or variation of an entertainment shall be accompanied by fee as the DfC may from time to time determine.

On the 10th February 2021 the DfC announced a change in the fees for Entertainment Licences for one year with effect from 6th April 2021. A nominal licence fee of £1 has been introduced for renewal applications only. A copy of the circular 4/2021 is provided at Appendix 1 to this report.

The reduction is to remain in place for the duration of the 2021/2022 financial year and will be subject to review early next year to determine whether there is a need to extend the measure beyond this period.

This temporary easement directly addresses the issue of costs to businesses, applies some consistency across all council areas, and keeps the arrangement within the scope of the current legislation.

Council has lost a significant portion of income from the entertainment licensing fees during 2020/2021 as a result of the Covid 19 restrictions on the hospitality and the process of adding time on to entertainment licences that were not used during this time. The introduction of the nominal licence fee will result in a further loss of income from this source during the year to come.

Councils have been asked to continue to notify the DfC of any potential loss of income incurred which can be met from funding provided by the Executive. A claim will be submitted in this regard.

Current Arrangements

Entertainment premises were asked to close from 21st March 2020 and have remained as such, unable to provide entertainment and therefore use their Entertainment Licence since this time.

Such premises were advised from this time that the enforced closure would not be detrimental to them and that time would be added to their Entertainment Licence when restrictions were lifted.

Under the Order a premise must apply for the renewal of their licence before the expiry of the current licence – otherwise their application will be for the grant of a new licence and not a renewal.

Considerations

A number of premises decided not to renew their licence over the past year due to business restrictions and some have not been able to pay the fee. (approximately 20% at time of writing). These premises will need to apply for the grant of licence when they reopen and hence will need to meet the full licence fee and cannot avail of this revised £1 fee.

Whilst this amendment to the fee is to be welcomed in that it will support some businesses it only covers premises renewing their licence after the 6 April 2021.

Businesses that have had to renew since last March when the COVID pandemic arrived will still need to pay the full fee to renew their licence for the current year. To prevent any detriment however, the equivalent time lost will be added to the renewed licence.

Whilst the Department did request information regarding the impact on the council's income prior to issue of the circular, they did not consult on their proposals to assist businesses.

It is considered that the Council should write to the Department and raise their concern that this amendment of the fee structure will not support all licensed premises especially those who did not renew their licence over the past year due to health restrictions. Consideration should be given to extending this licence fee to cover those premises if they wish to renew their licence in the coming year.

It is recommended that Council notes the report and considers writing to the Department to ask that consideration be given to extending the £1 licence fee to those premises applying for a grant of licence if they previously held an entertainment licence prior to the COVID restrictions coming into effect in March 2020.

The Head of Health and Built Environment advised that DfC has been very specific about the date of the payment of fees. The fees are not dictated by the Council but by DfC. The NI Licencing Forum is in place to avoid disparity and ensure a level playing field.

Proposed by Councillor Holmes
Seconded by Alderman Robinson and

AGREED – that Council notes the report and writes to the Department to ask that consideration be given to extending the £1 licence fee to those premises applying for a grant of licence if they previously held an entertainment licence prior to the COVID restrictions coming into effect in March 2020.

9. LANSDOWNE GREEN – VEHICLE ACCESS CONTROL

Report, previously circulated, was presented by the Head of Estates.

Purpose of Report

Lansdowne Green, Portrush has a history of unauthorised parking on the grass area. Various popular events and peak season (with good weather) footfall, has resulted in a large numbers of cars utilising it, causing significant ground damage, resulting in regular ground reinstatement costs. This report makes recommendations to resolve this issue.

Background

In 2015 Council requested that greater efforts be made to enforce parking restrictions on Lansdowne Green. This has had limited impact and Council is still required to temporarily fence off access each year during Events and times of high visitor numbers. When not fenced off car users have uninterrupted access causing surface damage with resulting re-instatement and additional cleansing costs.

Proposals

1. Create a grass bank around the perimeter, with three access points for vehicles, this is shown on the attached drawing (appendix 1). These access points to be controlled by installation of telescopic bollards. Grass cutting can still be carried out safely using a 'slope mower' so there will be no additional maintenance costs. Cost savings can also be made using spoil material from the earthworks removal as part of Ballywillan Cemetery extension. This option is the least intrusive as it requires no additional physical barriers retaining the existing grassed layout. Cost £13,730.
2. Create a barrier by the installation of low level timber posts and a continuous concrete mowing strip (appendix 2). Provide three access points for vehicles, each controlled by the use of telescopic barriers. Installation cost estimate: £18,534 +vat. Annual maintenance costs for repainting the timber posts (on the assumption they are needing repainted every two years), are approximately £900 +vat.

3. Create a barrier by the installation of galvanised steel bollards and a continuous concrete mowing strip (appendix 2). Provide three access points for vehicles, each controlled by the use of telescopic barriers. Installation cost estimate: £49,194 +vat. There are no expected annual maintenance costs associated with this option.
4. Do not provide any physical barrier. Council would still be faced with ongoing cost of erecting temporary barriers at busy times (bank holidays) and during events. This costs approximately £750 per erection/dismantle, say £3,000 per year. There are also clean up/ground repair costs which can vary depending on crowds and ground conditions.

It is recommended that Council approve option 1 – to create a grass bank around the perimeter, incorporating access points allow controlled parking for Council events to take place.

Discussion centred on the cost of the options presented and the need for car parks in Portrush.

Proposed by Councillor Holmes
Seconded by Councillor Hunter

- To accept Option 1 and Officers look at the option of a carpark.

The Chair put the motion to a vote.
9 Members voted For; 7 members voted Against; 0 Members Abstained
The Chair declared the motion carried.

10. CEMETERY PROVISION

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

The purpose of this report is to update members on current Cemetery provision and requirements for the future.

Background

On 28th February 2017 Council approved a tendering process to appoint a cemetery development specialist to undertake a study to investigate potential cemetery development throughout the Borough. Based on the initial report further work has been ongoing at the existing locations at Ballymoney, Coleraine, Portrush, Portstewart and also at Ballycastle.

Given limited design life of the existing Portrush cemetery, efforts were initially concentrated on examining the options in at this location. Successful ground investigations subsequently led to planning approval with Council approving the

purchase of land adjacent to the existing cemetery. Measures are now underway to extend the existing boundary to incorporate this land. (Plan 1)

Following a delay (due to pandemic restrictions) work has now been completed on the potential to develop the other cemeteries where design life is relatively short. The table below summarises the current status.

Location	Address	Design Life Remaining (years)	Comment
Ballymoney	Knock Rd	12 - 15	See below
Ballywillan	Portrush	50+	Includes new section
Coleraine	Atlantic Rd	15 - 17	See below
Kilrea	Blackrock Road	100+	
Limavady	Scroggy Rd	50+	
Portstewart	Agherton Rd	5 - 7	See below
Portstewart	Coleraine Rd	20+	Site still to be investigated
Rasharkin	Finvoy Rd	100+	
Ballycastle	Ramoan Rd		Potential site

Ballymoney – investigations were permitted by the land owner in the field adjacent to the existing site. Results indicate that the land would be suitable for cemetery development subject to planning approval and purchase of the land. It would provide another 50 years +. (Plan 2)

Coleraine – investigations were carried out on a section of land adjacent to land owned by Council (Cornfields site). Results indicate that the land would be suitable for cemetery development. The section under consideration would add 9 years to the current design life. There is potential for further development should Council wish to include the rest of the Cornfields site. This would provide 50+ years. Contact has also been made with NIHE to ascertain if they are amenable to selling the land to the north of the existing cemetery. We await a response. (Plan 3) Any development would be subject to planning approval.

Portstewart – between Agherton Rd and Coleraine Rd there is approximately 25 years left. Efforts to gain permission to carry out ground investigations in the land adjacent to the Coleraine Rd site have so far not been successful – there are a number of land owners involved. Efforts are ongoing. (Plan 4)

Ballycastle – Council own a green field site on Ramoan Rd which is currently under-utilised. Site investigations indicate that it would be suitable for cemetery development subject to planning approval. It would have a design life of approximately 16 years less any parking provision. (Plan 5)

Proposal

Council should actively plan ahead to increase burying capacity throughout the Borough.

Having successfully extended the site at Ballywillan, Portrush, it would be prudent at this time to look at both Coleraine and Ballymoney cemeteries which have the least space left at current burial rates.

Subject to the response from NIHE, Council may wish to consider the future of the Cornfields site to avoid additional land purchase in Coleraine.

In respect of the Ballymoney site it may be to Council's advantage to discuss the purchase of the adjacent field (subject to planning approval). Whilst the need is not urgent it may be prudent to enter into a legal agreement now giving Council an option to purchase within a set timeframe rather than lose the current opportunity. The land sits within an area zoned for housing.

No public cemetery exists in Ballycastle but a suitable site has been identified which is under Council ownership albeit with limited life expectancy.

Land & Property department are best placed to implement recommendations, involving purchase, with assistance from the Estates Department.

Options

1. Do nothing. Ultimately Council will run out of burying space.
2. Proactively seek to purchase land adjacent to existing cemeteries for their development on a priority basis (Coleraine & Ballymoney)
3. Subject to planning approval develop the Ramoan Rd site in Ballycastle. This avoids the need to purchase land and would, during its lifetime, confirm the demand for public burial space in Ballycastle.

It is recommended that the Environmental Services Committee recommends to Council that the Land & Property department explores the options to purchase land adjacent to the existing Coleraine and Ballymoney sites for future cemetery development subject to planning approval. Further report to then be brought back to committee.

Discussion occurred regarding the extension of Coleraine Cemetery with concerns expressed regarding the extension into the Cornfield Environmental Project. Officers addressed these concerns stating that there was a triangle area of land which could be extended into, there is also an area which could be purchased from NIHE. Discussion occurred regarding the site in Ballycastle and Officers advised that although another site had been considered, the site presented was deemed the most suitable.

Proposed by Councillor Holmes
Seconded by Councillor Wilson and

AGREED – to recommend that the Land & Property department explores the options to purchase land adjacent to the existing Coleraine and Ballymoney sites for future cemetery development subject to planning approval. Further report to then be brought back to committee in relation to these and progress on Portstewart and Ballycastle proposals.

11. PETROLEUM SPIRIT LICENCE RENEWALS

Report, previously circulated, presented as read.

PETROLEUM (REGULATION) ACTS 1929 AND 1937

PETROLEUM SPIRIT LICENCES

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

<u>Licence No:</u>	<u>Name of Premises</u>
PL043	Finvoy Filling Station
PL049	Armoy Filling Station
PL048	Bush Fuels
PL034	Kennedy's NISA

12. LICENSES DELEGATED UNDER DELEGATED AUTHORITY

Report, previously circulated, presented as read.

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

STREET TRADING (NI) ACT 2001

Unique Reference No	Applicant	Street Trading Licence	Location
SST 017	Steven McAllister	Stationary Street Trading	Bishops Gate lay-by, Musseden Road, Castlerock

13. DEPARTMENT OF HEALTH: NORTHERN IRELAND DISTANCE AWARENESS SCHEME

Report, previously circulated presented as read.

The purpose of this report is to bring to members attention of the Department of Health initiative Distance Awareness Scheme with a scheduled launch by the Minister of Health on the 24th February 2021, #BeDistanceAware

Background

The Scheme is designed to promote and reinforce the message amongst the general public of the need to continue to maintain social distancing for the foreseeable future.

The scheme involves the manufacture and distribution of 400,000 badges with a motif designed to promote this message. The badge photograph was circulated.

Lapel badges are to be distributed to members of the public through:

- a) Community Pharmacies when filling prescriptions;
- b) The seven Trust Regional Covid-19 Vaccination Centres;
- c) Primary Care as part of the vaccination programme; and
- d) ASDA have agreed to make a version of the badge available at information points across their 17 NI stores.

This means that there will be around 900 distribution points.

A number of posters have also been produced with examples circulated.

The messaging around this scheme is very simple:

- Please give other people space.
- Please keep your distance.
- Keep safe. Keep other people safe.
- Feel safe. Help other people feel safe.
- Respect other people's space.
- Have other people respect your space.

The Department of Health is engaging with a range of organisations including local Councils to ask for their assistance in promoting the scheme.

To that end, a supply of lapel badges has been requested for use by elected members and will be made available to the public at each of the civic buildings and high footfall buildings (once restrictions are eased), together with the display of posters to promote the scheme. The scheme will also be promoted through the Councils website, Social media pages, ezines where appropriate and staff Newsletter.

A copy of the Briefing Newsletter was circulated at Appendix 1.

14. WASTE DATA RETURN JULY TO SEPTEMBER 2020 (PROVISIONAL)

Report, previously circulated, was presented as read.

The purpose of this report is to advise Members on the publication of provisional waste statistics on 28th January 2021 by the Department of Agriculture, Environment and Rural Affairs (DAERA) for the July to September 2020 reporting period.

Background

DAERA produce quarterly provisional Northern Ireland local authority collected municipal waste management statistics between April and March each year.

The publication provides information on local authority collected municipal waste from household and non-household sources and recycling and landfill rates.

In November each year, notwithstanding any delays, the Department produces a validated report for the proceeding April to March 12 month reporting period.

Information

Provisional statistics for recycling performance in the July to September 2020 reporting period as follows.

Household waste sent for preparing for reuse, dry recycling and composting was 58.1%. The Northern Ireland average was 53.7%. Council ranked 2nd for reporting period.

In the corresponding period, July to September 2019, household waste sent for preparing for reuse, dry recycling was 60.2%.

Municipal waste sent for preparing for reuse, dry recycling and composting was 54.1%. The Northern Ireland average was 52.9%. Council ranked 7th for reporting period.

Waste from households (WfH) preparing for reuse and recycling including composting was 54.3%. The Northern Ireland average was 52.2%. Council ranked 5th for reporting period.

There is a statutory requirement on UK Local Authorities to achieve a Waste from Households (WfH) recycling rate of 50% in 2020. The WfH recycling rate is a harmonised indicator across the four UK countries.

The Director of Environmental Services spoke of the positive return for Quarter 2 highlighting that the Council ranked second in Northern Ireland which is positive news.

The Chair congratulated everyone involved.

15. CORRESPONDENCE

There were no correspondence reports to present.

16. CONSULTATIVE DOCUMENTS

There were no consultations to present

17. CONFERENCES

There were no conferences to inform members of.

18. MATTERS FOR REPORTING TO PARTNERSHIP PANEL

There were no matters for reporting to the Partnership Panel.

The Chair declared a recess at 8.27PM

* **The meeting reconvened at 8.42PM**

**19. NOTICE OF MOTION, PROPOSED BY COUNCILLOR MCGURK
SECONDED BY COUNCILLOR BATESON, REFERRED FROM COUNCIL
MEETING 2 MARCH 2021**

That this Council adopts a new policy on bi-lingual street signage with the trigger for consultation with residents set at an expression of interest by a resident/residents/elected member and further that the number percentage of residents responding positively being sufficient to erect a second nameplate being set at 15% with non-respondents counted a void. The European Charter for Regional or Minority Languages, to which the UK is a signatory, establishes an obligation on state signatories not to create barriers in respect of the use of a minority language. The European Charter for Regional or Minority Languages and the UN Special Rapporteur's guide to the implementation of language rights of linguistic minorities. The relevant paragraph of the guidance is as follows: Street and locality names and topographical indicators intended for the public are important as markers of social identity, culture and history. A good, practical approach adopted in most countries is for the authorities to provide transparent legalisation or procedures to allow bilingual or even trilingual signs, usually following the proportionality principle where there is a sufficient concentration or demand for such signs in minority languages. While national legalisation varies, the low threshold where it is considered practicable and reasonable to provide such signs tends to vary between 5 per cent and 20 per cent of the local population, with the lowest threshold usually associated with the use of a minority language that also has some kind of official status or

for traditional, historical reasons. The criteria for the display of signs in minority languages must be given a clear and unambiguous legislative basis for it to be effectively implemented. Bilingual or multilingual signs used by public authorities demonstrate inclusiveness, and that various population groups share a locality in harmony and mutual respect.

The Chair invited Councillor McGurk to present her motion, Councillor McGurk read from a prepared statement:

“A chairde, you have before you a motion to address the outdated and discriminatory policy council has in relation to bi-lingual street signs.

In this week where we celebrate Seachtain na Gaeilge, it is important that we reflect on how the Irish Language is not only alive and well but thriving in Causeway Coast and Glens Council. Every town, village and townland in this council area will have its roots firmly placed in the Irish Language. In fact for those within the chamber tonight, you will see the Irish language on the former Coleraine council’s crests and indeed the Irish Language is enscripted on the Mayors chains also.

Causeway Coast and Glens is also home to one of only two secondary level Irish medium schools across the North, with the Gaelcholaiste Dhoire in Dungiven.

Despite this Causeway Coast and Glens has a restrictive and regressive bi-lingual street signage policy which imposes bureaucratic barriers and unreasonable demands upon those who which to access this service within council. And in fact the current policy rolls back on the protections on the Irish Language that 3 out of the 4 legacy council areas enjoyed.

And recent moves by councils such as Belfast City Council and Derry City and Strabane to join the likes of Mid-Ulster and Newry Mourne & Down Councils to approve UN and internationally compliant bi-lingual street language policies, has further left this council as an outlier in terms of its counterparts in this issue.

Our current policy requires residents to first produce a petition of signatories containing one third of eligible persons on electoral register, the council will then move to consult with those living in the area and at this stage two thirds of all eligible persons must respond to state that they do wish to have the signage installed. Most importantly, this policy unjustly includes non-respondents as voting against the proposed signage.

If this type of policy was applied to other democratic process such as elections, I doubt if any of the elected members sitting here tonight would be re-elected. Given that the turn out in the last local government elections was 52.7%, had the 38% who did not vote been counted as a vote against not a single councillor here would have met the two thirds majority our current bi-lingual street signage policy demands.

The council also fails to comply with the European Charter for Minority languages, of which the British government is a signatory and the UN Special Rapporteur's guide to the implementation of language rights of linguistic minorities, which advises that local authorities should follow the proportionality principle in facilitation of access to bi-lingual street signage. This sets out that between a 5 and 25% threshold of local population is both reasonable and practicable for the approval of such signage.

Plainly speaking our current policy is discriminatory against those who wish to see their street or road displayed in the Irish language in that it demands a minority seek a significant and unreasonable majority to assert their internationally protected rights in relation to a minority language.

Therefore I would ask this council tonight to approve this motion and adopt a more progressive policy towards bi-lingual signage."

Councillor Bateson spoke in support of the Notice of Motion.

Councillor MA McKillop stated her support for the Notice of Motion and would like to see more bilingual signs in The Glens. She has stated the process for this to happen was restrictive and needed to be made easier.

Councillor Holmes stated that it was unfortunate the language was used to divide and hoped the Irish Language could be a language for all in the future. The proposal as it stood would mean one Councillor could request for every street in the Borough to have bilingual signs and the bar is so low it could happen whether residents wanted it or not.

The Chair put the Notice of Motion to a vote.

7 Members voted For; 9 members voted Against; 0 Members Abstained

The Chair declared the Notice of Motion lost.

20. NOTICE OF MOTION PROPOSED BY ALDERMAN FIELDING SECONDED BY ALDERMAN ROBINSON, REFERRED FROM COUNCIL MEETING 2 MARCH 2021

'That Council explore where available dedicated green space areas could be provided for dog parks at locations across the Borough'.

The Chair invited Alderman Fielding to present his motion, Alderman Fielding read from a prepared statement:

That Council explores where available dedicated green space areas could be provided for dog parks at locations across the Borough.

Someone contacted me in the summer after last year that during the lockdown In Coleraine there was a disused green space field not belonging Council which and was enclosed on all four sides and dog owners where letting their dogs exercise and of their lead but not all dog owners were letting dogs off at the same time. This field may close at some point in the event of this occurring it

does beg the question could a permanent dedicated dog park not be provided. I understand that one already exists in Riverside Park Ballymoney created under the legacy Council.

There are dog parks across Northern Ireland both Council owned and private owned. Fermanagh and Omagh Council opened 2 in June of last year and saw one of them in in Enniskillen last August, close to the town centre and near one of the boating areas. It was reported according to their Council's Environment Department that dog fouling was a major issue locally and that had been the reason the park had been created.

A dedicated dog park I believe would also complement the Green Dog Walkers Scheme to encourage all dog walkers to clean up after their pets. Any of these parks would have to have rules but I'm sure other dog parks currently operating in other areas could provide a template.

I propose in support of motion to explore dedicated space where dog owners would have the freedom to let their pets off the lead so that they can exercise and play in a controlled manner. At this stage I have no locations in mind, but no doubt Councillors in the Seven DEA's will.

Alderman Robinson stated that dog parks had fell to the wayside in Leisure and Development due to the Limavady Playpark. He highlighted that dog parks have become popular in recent years.

The Chair put the Notice of Motion to a vote.

16 Members voted For; 0 members voted Against; 0 Members Abstained

The Chair declared the Notice of Motion carried.

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

21.1 Car Parking, Ballymoney (Councillor Wallace)

'Can we have a re look at the car parking in Ballymoney? The system we agreed to last year is causing excessive congestion at the bottom of the town and dangerous over parking on all the side streets at the top of the town'.

Discussion occurred regarding Castle Street Carpark. It was highlighted that there was considerable congestion in this area of the town. It had been advised that businesses in the area had reported how the free carpark had affected their trade. It was highlighted that at one time it had been discussed developing a road to connect the West and South of Ballymoney to the Frosses Road.

Proposed by Councillor Wallace

Seconded by Councillor McLean and

AGREED – to recommend that Council reinstate charges in Castle Street Carpark at the same tariff as previously in place.

The Chair put the motion to a vote.

12 Members voted For; 3 members voted Against; 0 Members Abstained.

The Chair declared the motion carried.

21.2 Ballintoy Harbour (Alderman Baird)

'In the summer of 2020 Ballintoy Harbour was overrun by traders selling water sport experiences, wet suits, life jackets, paddle boards etc etc. On several weekends upwards of 7 or 8 traders were present with attendant trailers and vans in an area with only 52 parking spaces. The Harbour was highly congested and over fill parked at the gates of Ballintoy Parish Church blocking not just the church but the narrow corner there making the road inaccessible for local farmers and importantly emergency vehicles if required.

Can the Director advise what action is being taken by Council to obviate a repeat of the chaos of last year. A solution to regularise trading for water sports at the Harbour by creating a pitch for which Council could benefit financially is urgently required. This would be in addition to the two existing concessions there and enhance the facility in a controlled manner disposing of the "free for all we have now". This would ensure a safe Harbour for all and for children in particular as this Harbour is highly used by young families due to ease of access to two excellent beaches. It would also stop parking of trailers at the Church and ensure emergency services have free access at all times'.

Discussion occurred regarding the congestion caused by the overflow from the carpark in Ballintoy Harbour.

The Director of Environmental Services advised that there have been discussions between interdepartmental Council Officers to try and regularise and manage the situation. The plan was to tender/auction a site so there is one water sport activity trader to reduce the congestion in the area but still encourage people to partake in outdoor activities. The Director of Environmental Services advised he would hope to have a solution for this summer.

Proposed by Councillor Holmes

Seconded by Councillor MA McKillop and

AGREED - To recommend that Council auction/tender to have one water sport activity trader in place for the 1st June 2021.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Alderman Fielding

Seconded by Councillor MA McKillop and

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

- * **Press and public were disconnected from the meeting at 9:30PM.**

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

21.3 Drumaduff (Councillor Chivers)

‘An update on the progress of vesting the land of what was the Drumaduff dump’.

The Director of Environmental Services provided an update to the Committee regarding the progress of vesting the land of what was the Drumaduff dump advising that legal advice was required before moving forward.

22. PURCHASE OF REPLACEMENT VEHICLES

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

The report was presented to the Members for decision regarding the purchase of replacement vehicles to ensure continued delivery of front-line services.

It is recommended that Committee approves the purchase of 1no. tipper lorry, 1no. van and 1no. lawnmower to ensure continued delivery of front-line services.

Proposed by Councillor Wilson
Seconded by Councillor McLean and

AGREED – that Committee approves the purchase of 1no. tipper lorry, 1no. van and 1no. lawnmower to ensure continued delivery of front line services.

23. CLIMATE EMERGENCY FORUM (CEF) TERMS OF REFERENCE

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

The report provided details of the terms of reference for the Climate Emergency Forum.

It is recommended that Members approve the draft terms of reference and propose party member nominations inclusive of chairperson for the Climate Emergency Forum (CEF).

During discussion it was highlighted that there are number of Sub Committees which Members are involved in.

Proposed by Councillor Holmes
Seconded by Councillor MA McKillop and

AGREED – to recommend that the 16 members of the Environmental Services Committee participate in a Workshop at the beginning of the Environmental Services Committee Meeting with the Chair of the Committee Chairing the Working Group.

24. FULL BUSINESS CASE (FBC) FOR THE DEVELOPMENT OF WASTE MANAGEMENT INFRASTRUCTURE FOR KERBSIDE COLLECTED RECYCABLES

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

It is recommended that the Environmental Services Committee recommends to Council to note and support the Full Business case as reported and to approve in principal participation in the Six Council MSRF project.

It is recommended that the Environmental Services Committee recommends to Council that Officers now prepare a report on the Project Management Structure required to deliver the Six Council MSRF for consideration at a future meeting of the Committee.

It is recommended that the Environmental Services Committee recommends to Council that Officers progress the terms of reference required to establish a Joint Committee as part of the necessary governance framework required to support and deliver the Project.

It is recommended that the Environmental Services Committee recommends to Council to support the proposal that Mid Ulster District Council acts as the administrative lead Council in relation to the proposed unincorporated Joint Committee.

Discussion occurred regarding the costs, staffing and viability of the project.

Proposed by Councillor Holmes
Seconded by Councillor McLaughlin and

AGREED - to recommend:

- That Council to note and support the Full Business case as reported and to approve in principal participation in the Six Council MSRF project.

- That Officers now prepare a report on the Project Management Structure required to deliver the Six Council MSRF for consideration at a future meeting of the Committee.
- That Officers progress the terms of reference required to establish a Joint Committee as part of the necessary governance framework required to support and deliver the Project.
- That Council support the proposal that Mid Ulster District Council acts as the administrative lead Council in relation to the proposed unincorporated Joint Committee.

25. CORRESPONDENCE IN RELATION TO PROPERTY AT BRIAR HILL, GREYSTEEL

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

This report was presented to provide Members with information in relation to correspondence received regarding property at Briar Hill, Greysteel.

Discussion regarding concerns over council responsibility if there were to be a landslide from the bank. The Director of Environmental Services advised that the issues that have arisen in this case are not the responsibility of the Council.

Proposed by Councillor Bateson
Seconded by Councillor McLaughlin and

AGREED – to recommend that Council hold a site visit by the Environmental Services Committee and local DEA Elected Members and seek internal legal advice.

26. PERIOD 10 ES MANAGEMENT ACCOUNTS

Confidential report, previously circulated, was presented as read.

This report provided Members with information on the current financial position of the Environmental Services Directorate at the end of Period 10.

MOTION TO PROCEED ‘IN PUBLIC’

Proposed by Councillor Wallace

Seconded by Councillor McLean and

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

There being no further business the Chair thanked everyone for their attendance and the meeting concluded at 10:41PM

Chair

UNCONFIRMED