

**ENVIRONMENTAL SERVICES COMMITTEE MEETING
WEDNESDAY 17 APRIL 2024**

Table of Recommendations

No	Item	Summary of key Recommendations
1.	Apologies	<i>Councillor Archibald, Bateson and Wallace</i>
2.	Declarations of Interest	<i>None</i>
3.	Minutes of previous meeting held Tuesday 12 March 2024	<i>Confirmed as a correct record</i>
4.	Entertainments Licensing Report	<i>To recommend that Council grant Annual Indoor Entertainments Licence subject to compliance with any recommendations of the Council's Licensing Department, reference Licence No EL423 and EL353</i>
5.	Approval of Premises as a Venue for Civil Marriage and Civil Partnership Report	<i>To recommend that Council grant Approval for Civil Marriage and Civil Partnership subject to compliance with any recommendations of the Councils licensing section</i>
6.	Operations Fleet, Plant and Equipment Renewal 2024-25	<i>To recommend that Council procure items identified in the Operations fleet, plant and equipment renewal programme for 2024-25</i>

No	Item	Summary of key Recommendations
7.	Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations 2024	To recommend that Council provide funding to support the appointment of this resource for a minimum 2 year period with each authority contributing £5K per annum
8.	Amusement Permit Renewals	Note
9.	Approval of Premises as a Venue for Civil Marriage	Note
10.	Approval of Premises as a Venue for Civil Partnership	Note
11.	Entertainment Licence Renewals	Note
12.	Petroleum Spirit Licence Renewals	Note
13.	Environmental Services Management Accounts – Period 11	Note
14.	Matters for reporting to Partnership Panel	None
15.	Consultations	None
16.	Correspondence	To recommend that Council liaise with NICCY; Seek to liaise locally with Education Authority regarding a forum and implementation of details contained within correspondence; Nominate Youth Champions - Councillor Mairs and Stirling as part of liaison process
	'IN COMMITTEE' (Items 17 – 22 inclusive)	

No	Item	Summary of key Recommendations
17.	Harbours & Marinas – Capital Infrastructure works to “Old Slipway, Portrush Harbour”. Consideration to Progression to Stage 3 – ‘Construction Phase’	<p>To recommend to Council Option 1 - “the required works” – Carryout the essential operation and H&S works as shown within Appendix B, and progress to stage 3, ‘Construction Phase’, with the most economically advantageous tenderer, Messrs. JD Building Repairs Limited in the sum of £68, 700.00 + VAT, with a 15% contingency sum applied resulting in a project delivery contract sum of £79, 005.00 + VAT.</p>
18.	Data Sharing Agreement with Health & Safety Executive for Northern Ireland	<p>To recommend that Council agrees to the Data Sharing Agreement and that approval is given to the Head of Health and Built Environment to sign the agreement on behalf of Council</p>
19.	Cost of Purchasing Pay & Display Machines	<p>To recommended that Council notes the investment associated with purchasing the equipment to implement members wishes to introduce charging</p>
20.	Trading Concessions Legal Advice	Note
21.	Licences Issued under Delegated Authority	Note
22.	North West Region Waste Management Group (NWRWMG) – Joint Committee Minutes	Note

No	Item	Summary of key Recommendations
23.	Any Other Relevant Business (notified in accordance with Standing Order 12 (0))	
23.1	Litter Strategy 2022-26 (Councillor Kane)	<i>Update</i>
23.2	Dog Patrols at Beaches (Councillor MA McKillop)	<i>Update</i>

UNCONFIRMED

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF
THE ENVIRONMENTAL SERVICES COMMITTEE HELD
IN THE COUNCIL CHAMBER, CIVIC HEADQUARTERS AND VIA VIDEO
CONFERENCE, ON WEDNESDAY 17 APRIL 2024 AT 7.00 PM**

In the Chair: Alderman Fielding

Members Present: Alderman S McKillop; Councillors Callaghan, Chivers, Holmes, Kane, Kyle, MA McKillop, McQuillan, Mairs, Stirling

Officers Present: A McPeake, Director of Environmental Services
J Richardson, Head of Capital Works, Energy and Infrastructure
W Hall, Capital Projects Manager
T Vauls, Car Parks Officer (R)
I Owens, Committee & Member Services Officer

In Attendance: C Thompson, ICT Operations Officer

Press (2 no.) (R), Public (1 no.) (R)

Key: (R) Attended Remotely

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

1. APOLOGIES

Apologies were received from Councillor Archibald, Bateson and Wallace.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING HELD TUESDAY 12 MARCH 2024

Summary, previously circulated.

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

4. ENTERTAINMENTS LICENSING REPORT

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

ENTERTAINMENTS LICENCE

GRANT OF OUTDOOR ENTERTAINMENTS LICENCE

Licence No: EL423

Premises: The Scenic Inn (Shirley Summer Bash), Fivey Road Ballymoney

Application: Grant of an Outdoor Entertainments Licence

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

Friday 28th June 2024 17:00hrs – 23:00hrs
Saturday 29th June 2024 17:00hrs – 23:00hrs

Representations: Closing date 25th April 2024

PSNI & NIFRS: Closing date 18th April 2024

Recommendation

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

GRANT OF INDOOR ENTERTAINMENTS LICENCE

Licence No: EL353

Premises: The Point Bar, 107 Point Road, Limavady

Application: Grant of an Annual Indoor Entertainments Licence

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

Monday to Friday 20:00 hrs to 01:00 hrs
Saturday to Sunday 16:00 hrs to 01:00 hrs

Representations: Closing date 10th April 2024

PSNI: No Objections

NIFRS: Closing date 4th April 2024

Recommendation

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

Proposed by Alderman Hunter
Seconded by Councillor MA McKillop and

AGREED – to recommend that Council:-
- grant Annual Indoor Entertainments Licence subject to compliance with any recommendations of the Council's Licensing Department, reference Licence No EL423 and EL353

5. APPROVAL OF PREMISES AS A VENUE FOR CIVIL MARRIAGE AND CIVIL PARTNERSHIP

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

THE MARRIAGE (NI) ORDER 2003 AND THE CIVIL PARTNERSHIP REGULATIONS (NI) 2005

APPROVAL OF A PLACE AS A VENUE FOR CIVIL MARRIAGE AND CIVIL PARTNERSHIP

Reference Number: MA 013 / CP 013

Premises: Marine Hotel, Ballycastle

Application: Application has been received for the Grant of Approval as a place of Civil Marriage and Civil Partnership.

Representations: No Objections received

PSNI and NIFRS No Objections received

Recommendation

It is recommended that the premises be granted Approval for Civil Marriage and Civil Partnership subject to compliance with any recommendations of the Councils licensing section.

Proposed by Councillor MA McKillop
Seconded by Councillor C McQuillan and

AGREED – to recommend that Council grant Approval for Civil Marriage and Civil Partnership subject to compliance with any recommendations of the Councils licensing section.

6. OPERATIONS FLEET, PLANT AND EQUIPMENT AND RENEWAL 2024-25

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

Purpose of Report

The purpose of this report is to seek approval from Members to procure vehicles, plant and equipment during the 2024-25 financial year in order to maintain the continuity and enhance the efficiency of Operations services.

Background

The Operations function is required to use a range of specialist vehicles and plant at different locations/facilities. A number of vehicles have been identified for replacement due to age/cost to maintain or are presently on continuous hire.

Vehicles and plant to be procured are as follows (table circulated):-

The Operations function is required to use a range of equipment at different locations/facilities.

Equipment to be procured is as follows (table circulated):-

Estimated cost of Operations fleet, plant and equipment renewal in 2024-25 is c.£1,555,750.

Options

Do nothing. If identified vehicles, plant or equipment are not procured additional strain will be put on existing fleet/operations, with increased and continuing hire and repair costs being incurred.

Procure vehicles/plant/equipment identified in order to reduce maintenance/hire costs and maximise service efficiency due to reduced down time.

Recommendation

It is recommended that the Environmental Services Committee recommends to Council that permission be given to procure items identified in the Operations fleet, plant and equipment renewal programme for 2024-25.

*** Councillor Callaghan joined the meeting at 7.05 pm**

At the request of Alderman Hunter the Director of Environmental Services advised that he was content with the current complement of fleet and said that the one armed machine referred to by Alderman Hunter was better placed for use in more rural areas.

Proposed by Alderman Hunter
Seconded by Councillor McQuillan and

AGREED – to recommend that Council procure items identified in the Operations fleet, plant and equipment renewal programme for 2024-25.

7. PRODUCER RESPONSIBILITY OBLIGATIONS (PACKAGING AND PACKAGING WASTE) REGULATIONS 2024

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

Purpose of Report

To advise/update Members on discussions at a national level with regard to agreeing proposals across the four UK nations in respect of proposals/draft regulations for Extended Producer Responsibility (EPR) for packaging scheme.

To seek member approval to recruit a shared waste specialist to deal with the implications of EPR, representing and assisting District Councils and NILGA on national forums with regard to policy development for EPR, a Deposit Return Scheme (DRS) and Common Collections Guidance in consideration of meeting waste, circular economy and climate goals.

Background

'Producer responsibility' is a concept used widely within the waste regulation sector aimed at ensuring that businesses that manufacture, import and sell products onto the open market are responsible for their end of life environmental impact.

The regulations require businesses to minimise waste arising from these products and promote their reuse.

The current producer responsibility system for packaging has been in operation since 1997 however it has not covered the full costs of recovering / disposing of packaging waste.

DAERA launched a public consultation on packaging EPR in July 2023. The consultation was UK wide and ran until the 9th October 2023. The purpose of the consultation was to test the clarity of the obligations created in the regulations and test their operability.

Following the consultation closure further discussions took place with all stakeholder organisations following which it was agreed to pause the process to allow for further and detailed engagement across all UK regions.

This engagement has developed into practical implementation, with local government being brought together with the packaging sector, as part of the whole collection and packaging value chain in a Steering Group to design a "Scheme Administrator" which will be responsible for delivery of the pEPR scheme from 2025

The new UK pEPR scheme will move the cost of dealing with packaging waste away from the taxpayer and on to packaging producers, who will pay for the full cost of managing packaging waste from households. Through the fees they pay to councils, producers will be incentivised to use less packaging, to use packaging that can be recycled, and to meet higher recycling targets.

Proposals

Extended Producer Responsibility (EPR) will move the full cost of dealing with packaging waste from households away from local ratepayers and councils to the packaging producers (applying the Polluter Pays principle) giving producers responsibility for their packaging throughout its life cycle.

The scheme / regulations once finalised will encourage producers to reduce their use of packaging and use packaging that is easier to recycle. Producers will be required to pay more for less sustainable packaging, incentivizing producers that use less material and which is easier to recycle.

Producers will also be responsible for meeting ambitious new recycling targets and to use clear recycling labelling to make it easier for consumers to do the right thing.

A national Steering Group is being established with representatives from local government across the UK invited to participate so as to ensure that the views and considerations of local authorities are fully reflected in the design and implementation of the finalised scheme.

In consideration of the above it is the considered view of SoLACE, CWF and NILGA that a dedicated resource be appointed to represent all of Northern Ireland's District Councils on this steering group, and related (preparatory) national meetings of local government.

Following discussions with SIB, they have agreed to recruit and manage this resource with the postholder working 2.5 days per week on EPR and related matters for the 11 district councils.

A draft JD and programme of activities is attached as appendix 1, previously circulated.

The postholder will report to and receive direction from a co-ordinating group of SoLACE (via CWF), SIB and NILGA on a regular basis

Implications

Equality, Rural Needs, Climate Change and Data Protection

The Regulations are consistent with Councils commitment to reduce waste and to encourage greater recycling whilst delivering positive climate benefits.

The extended EPR regulations plays a part in the UK government's strategy in meeting net zero carbon emissions by 2050. The new EPR regime aims to deliver a more circular economy and achieve a reduction in the environmental impact of packaging through its life cycle.

Financial, Legal, HR, Improvement and Other

The impact of these regulations for Council will result in a net gain as producers make payments for the costs of managing household waste. This is thought to

provide an estimated £1.2 billion of funding to local authorities across the UK each year for managing packaging waste easing pressures on Council's current tight budgets.

Councils are asked to provide funding to support the appointment of this resource for a minimum 2 year period with each authority contributing £5K per annum.

Recommendation

It is recommended that the Environmental Services Committee recommends to Council to provide funding to support the appointment of this resource for a minimum 2 year period with each authority contributing £5K per annum.

Proposed by Alderman McKillop
Seconded by Councillor Stirling and

AGREED – to recommend that Council provide funding to support the appointment of this resource for a minimum 2 year period with each authority contributing £5K per annum.

8. AMUSEMENT PERMIT RENEWALS

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

THE BETTING, GAMING, LOTTERIES AND AMUSEMENTS (NI) ORDER 1985

RENEWAL OF AN AMUSEMENT PERMIT

The undernoted application for renewal of an amusement permit was received and processed during the report period.

<u>Licence No:</u>	<u>Name of Premises</u>
AP013	Hayes Caravan Park

Committee NOTED the report.

9. APPROVAL OF PREMISES AS A VENUE FOR CIVIL MARRIAGE

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

MARRIAGE REGULATIONS (NI) 2003

THE MARRIAGE (NI) ORDER 2003

Approval of premises as a venue for Civil Marriage.

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

<u>Unique Reference Number</u>	<u>Premises Name</u>	<u>Approval Type</u>
MA009	Manor House Kilrea	Civil Marriage

Committee NOTED the report.

10. APPROVAL OF PREMISES AS A VENUE FOR CIVIL PARTNERSHIP

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

THE CIVIL PARTNERSHIP REGULATION (NI) 2005

THE CIVIL PARTNERSHIP ACT 2004

Approval of premises as a venue for Civil Partnership.

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

<u>Unique Reference Number</u>	<u>Premises Name</u>	<u>Approval Type</u>
CP009	Manor House Kilrea	Civil Partnership

Committee NOTED the report.

11. ENVIRONMENTAL LICENCE RENEWALS

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

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>
EL158	Ballycastle Golf Club
EL046	Garvagh Sports and Social Club
EL204	Dunloy & Hannah McCracken Memorial Hall
EL070	Old Point Inn
EL366	The Ponderosa Bar & Restaurant
EL301	Kilmore Country House
EL152	Marquee at Kilmore Country House
EL346	Limavady Rangers Supporters Social Club
EL371	Our Lady of Lourdes School
EL258	St Patrick's Parish Centre And Youth Hall
EL014	Boveedy Community Hall
EL411	The Roost Bar
EL037	Dunluce Presbyterian Church Hall

Committee NOTED the report.

12. PETROLEUM SPIRIT LICENCE RENEWALS

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

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>
PL008	Kilrea Service Station
PL045	Barkley's Service Station
PL049	Armoy Filling Station
PL021	Eurospar Garvagh

Committee NOTED the report.

13. ENVIRONMENTAL SERVICES MANAGEMENT ACCOUNTS – PERIOD 11

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

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 11.

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 2023/24 is £ 28,731,095.78. This is based on expenditure budget of £34,228,754.98 and income budget of £5,497,659.20

The Environmental Services position at Period 11 shows a £462,143.25 positive variance. This includes predicted increases in employee costs based on the now implemented National Pay Award which is greater than the predicted budget increase.

The main costs and income attributing to the ES P11 position were summarised as follows as variances against budget (table circulated)

Estates (Table circulated)

£636k favourable mainly due to Employee costs which are £306k favourable. This is a result of difficulty in recruiting the number of seasonal grounds maintenance staff. A number of vacant posts within the Estates section remain unfilled. Income is positive by £111k.

Health and Built Environment (Table circulated)

£213k positive. Employee costs are £103k favourable. Fee Income is favourable by £218k including £71k from Building Control at P11.

Infrastructure (Table circulated)

£439k favourable mainly due to income favourable by £85k. Car Park income is favourable by £54k. Employee costs are £142k favourable mainly due to the Asset Realisation Officer post not having been filled and Harbour and Marina structure not permanently filled.

Operations (Table circulated)

£814k adverse variance in Period 11. Employee costs are adverse by £919k, this includes an accrued pay award which was underprovided for in the budget estimates agreed by Members. Seasonal profiling has not been completed. A breakdown of the variances were previously circulated.

ES Business Support

£10k adverse due to increased employee costs.

ES Centrally Managed

£2k adverse variance.

In-year Savings

Officers have and will continue to manage and scrutinise the budget to identify opportunities for reducing expenditure and increasing income. This includes

- not filling vacant posts,
- reducing season staff durations,
- not filling staff on sick leave in all non-essential service areas.
- completing only essential maintenance on ES properties.

Therefore, at Period 11 ES financial position has a positive variance of **£462,143.25**.

Recommendation

Members are requested to note the paper.

The Director of Environmental Services referred to the positive variance at period 11 and said he hoped to retain this position.

AGREED - to recommend that Council note the paper.

14. MATTERS FOR REPORTING TO PARTNERSHIP PANEL

There were no matters for reporting to the Partnership Panel.

15. CONSULTATIONS

There were no consultations.

16. CORRESPONDENCE

Purpose of Report

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

The following correspondence has been received:

Northern Ireland Commissioner for Children and Young People (NICCY), dated 4th March 2024 (copy, previously circulated)

Summary

Re. Climate Justice and UN General Comment 26

Correspondence from NICCY received on 4th March 2024 enclosed a copy of GC 26 as well as a child friendly version of the UN comment. NICCY would welcome further engagement with Causeway Coast and Glens Borough Council to explore how GC 26 might be effectively disseminated and used.

Recommendation

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

Councillor Kane welcomed the correspondence and the opportunity for further engagement in respect of GC 26 by Causeway Coast and Glens Borough Council and spoke of the work undertaken by NICCY across the world in 120 states and territories, saying this was an important landmark and a reminder of our responsibilities to future generations.

Councillor Kane said he was concerned that statistics show that many young people are not aware of the guiding principles including their right to make a decision which relates to them.

Proposed by Councillor Kane
Seconded by Councillor Stirling and

AGREED - to recommend that Council:

Liaise with NICCY;

Seek to liaise locally with Education Authority regarding a forum and implementation of details contained within correspondence;

Nominate Youth Champions - Councillor Mairs and Stirling as part of liaison process.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Councillor Callaghan
Seconded by Councillor McAuley and

AGREED – to recommend that Council move 'In Committee'.

* **Press and Public left the meeting at 7.25 pm.**

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.

17. HARBOURS AND MARINAS – CAPITAL INFRASTRUCTURE WORKS TO “OLD SLIPWAY, PORTRUSH HARBOUR” CONSIDERATION TO PROGRESSION TO STAGE 3 – ‘CONSTRUCTION PHASE’

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

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

Purpose of Report

To request Members consideration of two options and to obtain approval for officers to deliver the said considered and approved option, herein referred to as Option 1 – “*the required works*” OR Option 2 – “*Do nothing, (by way of the required works)*”. The consideration and approval relate to the slipway and general concrete repair works to Stage 3 of the capital procurement gateway, ‘*Construction phase*’, following a competitive public tender campaign in which officers and external consultancy have identified the most economically advantageous tenderer to carry out the required infrastructure works at the location herein referred to as, “*Old Slipway, Portrush Harbour*”.

Please refer to Appendix A, previously circulated, within this report item identifying the location and extent of such required works, with complimentary written statement of defects.

Background

Environmental Services Committee, dated February 16th 2023, granted approval for officers to commence and complete stage 2 of the capital procurement gateway, ‘*Detailed Design & Procurement*’, following presentation of a professional condition survey report with supporting scheme design estimated costs, identifying key infrastructure works needed to the existing slipway and surrounding concrete areas.

A sum of £194, 800.00 was assigned to this capital project in the overall Capital Programme.

Stage 2 of the procurement gateway has now been completed, having concluded the following key activities: -

- Production of detailed working drawings and specifications, (works information),
- liaising with statutory bodies, (NIEA), and submissions of necessary applications, (Marine Construction License- MCL, ML2023014), HRA’s & Bio-diversity checklist,
- production of procurement related documents, including PQQ & ITT packs, and;
- Management of a competitive tendering process and assessment and conclusion of bids via Councils procurement portal, (eSourcingNI) with tender assessment by appointed lead consultancy, Doran Consulting Limited and Capital Works.

Note

Please refer to Appendix B (previously circulated) – “*Tender assessment and recommendation report*” in which the detailed analysis of the public procurement process is documented.

Financial status

To aid Members consideration, the key financial income and expenditure of the last 5-years, as per table 1A (previously circulated), when considering the available options 1 and 2 described herein.

A rock armour scheme carried out to the North Pier of Portrush Harbour in 2018 at a cost of £3, 878, 855.54, with same being financed via the 'Minimum Revenue Provision' over 50 years at a cost of £77, 577.11 per annum.

A loan outstanding of £251,332.46 is currently against the facility, annual repayments including interest are £11,167.00 with the loan maturing in August 2058, Loan ref: 4441301.

Proposal

Two strategic options exist regarding this asset, these are as follows:-

Option 1 - "*the required works*" – Carryout the essential operation and H&S works as shown within Appendix B, and progress to stage 3, 'Construction Phase', with the most economically advantageous tenderer, Messrs. JD Building Repairs Limited in the sum of £68, 700.00 + VAT, with a 15% contingency sum applied resulting in a project delivery contract sum of £79, 005.00 + VAT.

OR

Option 2 – "*do nothing*", (*by way of the required works*) - The consequential effect of this, is, a. the existing slipway which is an integral structure of the rich harbour and surrounding area heritage shall continue to deteriorate, b. the existing structure presents H&S risks with the existing surface being defective, and therefore, will require immediate closure, c. to allow adequate closure, 'fencing off' of the existing structure will be necessary, with inspections still required to ensure fencing is in good condition to prevent passage, d. asset will still need to be insured, and e. potential negative PR related matters, such as swimmers, leisure use after decades of access to being restricted/closed off, negative linkage / incorporation into just finished Public Realm Scheme and asset of heritage significance not being maintained.

Area shall have to be fenced off to protect the public and limit Council from claims, with estimated works costs being £14, 180.00 +VAT.

Recommendation

It is recommended that Members consider both options and approve of either option 1 or 2 as detailed under 4.1 for officers to progress.

Should Members decide to progress with option 1 given the complex nature of these marine works, a 15% contingency sum to be applied to the said capital project tender price, (£10, 305.00) for any unforeseen works / matters which may arise when on-site, shall be authorised by Members (should this be required) to allow officers to progress the works in this event. With the approval of Option 2, further detail was set out within the report.

Alderman Hunter spoke of unforeseen costs which can arise and the requirement to action accordingly.

Proposed by Alderman Hunter

Seconded by Alderman McKillop and

AGREED – to recommend to Council Option 1 - *“the required works”* – Carryout the essential operation and H&S works as shown within Appendix B, and progress to stage 3, *‘Construction Phase’*, with the most economically advantageous tenderer, Messrs. JD Building Repairs Limited in the sum of £68, 700.00 + VAT, with a 15% contingency sum applied resulting in a project delivery contract sum of £79, 005.00 + VAT.

18. DATA SHARING AGREEMENT WITH HEALTH AND SAFETY EXECUTIVE FOR NORTHERN IRELAND

Confidential by virtue of paragraph(s) 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

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

Purpose of Report

The purpose of this report is to consider and agree a Data Sharing Agreement with the Health & Safety Executive for Northern Ireland (HSENI).

Background

In Northern Ireland responsibility for the enforcement of health and safety at work law rests with District Council Environmental Health Departments and HSENI. The division of responsibility is based on the activity carried out and allocation is set out in the Health and Safety (Enforcing Authority) Regulations (NI) 1999.

Under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (Northern Ireland) 1997 (RIDDOR) certain work-related incidents must be reported to the regulator of the business. Since 2013, employers have the option to report all work-related incidents to HSENI regardless of who their enforcing authority is and reports from Council enforced businesses are forwarded.

There is a need for Council and HSENI to regularly share information to fulfil statutory obligations. Information transferred includes personal data within RIDDOR reports, other reports/notifications made under specified legislation and health and safety complaints submitted to the incorrect authority.

Attached as appendix 1, previously circulated, to this report is a Data Sharing Agreement between Council and HSENI.

Recommendation

It is recommended that Council agrees to the Data Sharing Agreement and that approval is given to the Head of Health and Built Environment to sign the agreement on behalf of Council.

Proposed by Councillor McQuillan

Seconded by Councillor Kane and

AGREED – to recommend that Council agrees to the Data Sharing Agreement and that approval is given to the Head of Health and Built Environment to sign the agreement on behalf of Council.

19. COST OF PURCHASING PAY AND DISPLAY MACHINES

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

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

Purpose of Report

To inform members of the associated costs involved to implement their decision to introduce charging in four additional car parks in Portrush and Ballycastle and to also bring the Pay & Display (P&D) machines in another charged car park in Ballycastle up to a similar standard.

Background

At a Council meeting on 8th February 2024 members decided to introduce charging in four car parks in Ballycastle and Portrush on a seasonal basis from 1st April – 30th September and to be reviewed after one year.

The car parks selected were as follows;

- West Strand car park Portrush.
- Sea Front car park Ballycastle.
- Harbour car park Ballycastle.
- Ferry Terminal car park Ballycastle

As per the contract in place with our service provider Car Park Services Ltd the fixed price for a new Pay & Display machine for supply, install and commission is £5,300.00.

To provide the necessary P&D coverage of the car parks, a total of 12 P&D machines were required. A further 3 No P&D machines were also required to replace the older P&D machines in Ann Street car park Ballycastle as a result of obsolescence – bringing all P&D machines in the area up to the same standard / format.

The new P&D machines are the solar powered Strada Rapide Evo Generation III which accepts both coins and card/contactless payments. For the full specification please see brochure in appendix 1, previously circulated.

The cost of the 15 P&D machines amounts to £79,500.00 plus VAT.

Recommendation

It is recommended that the Environmental Services Committee notes the investment associated with purchasing the equipment to implement members wishes to introduce charging.

Councillor McQuillan referred to the Rescinding Motion in relation to Ballycastle car parking and suggested that any meters being purchased in respect of this area should be deferred until the issue has been dealt with.

At the request of Councillor McQuillan the Director of Environmental Services advised that the meters were purchased after the call-in period in line with Standing Orders of Council.

Councillor MA McKillop questioned proceeding in advance of receipt of Legal Advice and the Director of Environmental Services advised this equipment had been ordered based on the original decision.

The Director of Environmental Services advised there was the option to sell machines which were surplus to requirements.

At the request of Councillor MA McKillop the Director of Environmental Services advised that the mechanism for processing permits is not a feature on the Pay and Display machines which have been purchased and is a separate process.

At the request of Councillor Kane the Director of Environmental Services advised that a decision was required in respect of this report in accordance with procurement process and level of spend involved.

Proposed by Alderman Hunter
Seconded by Councillor Stirling

-to recommend that Council notes the investment associated with purchasing the equipment to implement members wishes to introduce charging.

The Chair put the proposal to the Committee to vote.
6 Members voted For; 4 Members voted Against; 0 Members Abstained.
The Chair declared the Motion Carried.

20. TRADING CONCESSIONS LEGAL ADVICE

Confidential by virtue of paragraph(s) 5 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

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

Purpose of Report

To bring to Members attention a legal opinion obtained by procurement in relation to a recent proposal (successfully passed) at the full Council

meeting the 26 of March 2024 and to seek a decision in relation to the subsequent legal advice.

Background

Members proposed and seconded the following motion on the 26th of March 2024 – excerpt from the draft minutes relating to same below.

Proposed by Alderman McAuley

Seconded by Councillor Kyle

That Council auction all sites on 20 May 2024, three of those will be subject to Planning and if, for any reason, the Planning Process has not been completed, that the current vendors occupying any of those three sites (only one of the 3 sites is occupied) gets the offer of a two-month extension. That will mean no loss of income to Council.

Councillor Kane stated concern, referring to previous associated history.

Alderman S McKillop stated she did not agree with the proposal.

The Mayor put the motion to the Council to vote.

21 Members Voted For; 0 Members Voted Against; 1 Member Abstained.

The Mayor declared the motion carried.

Officers sought legal advice in relation to the motion to ensure that the procurement process (from advertisement to auctioning of sites) remains fully robust (without risk of challenge) whilst complying with the motion outlined in 2.1 above.

The legal opinion is attached - Appendix 1, previously circulated.

Proposal

It is proposed that Members consider the subsequent legal opinion obtained in relation to the carried motion outline in 2.1 above.

Recommendation

It is recommended that the Environmental Services Committee considers the legal opinion and advise officers how they wish to proceed.

The Director of Environmental Services apologised for the lateness of the Legal Advice received in respect of Trading Concessions.

At the request of Councillor Kane the Director of Environmental Services advised that there was no direction from the Planning Department in relation to the sites in question.

The Director of Environmental Services said he had advised previously that if Planning Department had not given direction prior to the date of the public auction the three sites should be withdrawn from the auction process and no extension given.

Councillor Kane said he was sympathetic to the plight of concessionary traders and impact of decisions on their livelihoods but said that he did not want the process held up. Councillor Kane also referred to historic issues at West Bay in relation to concessionary traders.

The Director of Environmental Services said that a Rescinding Motion at the next Council Meeting was a potential option open to Elected Members, should Planning Permission not be granted in advance of the public auction.

The Director of Environmental Services read from the Standing Orders the extract in relation to Rescinding Motions (Standing Order 24.5).

Alderman Hunter pointed out that she was a member of the Planning Committee and raised potential issues with conflict of interest.

Alderman Hunter suggested that members of the Environmental Services Committee submit a Rescinding Motion.

The Director of Environmental Services this was a matter for individuals, parties or a combination of parties to decide for themselves.

The Director of Environmental Services confirmed that a decision had not been reached in relation to this Item and above discussion was noted.

- * **The Head of Capital Works, Energy and Infrastructure and the Assets Realisation Officer left the meeting in the Chamber at 7.55 pm**

21. LICENCES ISSUED UNDER DELEGATED AUTHORITY

Confidential by virtue of paragraph(s) 2 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

'For Information' report, previously circulated, was presented by the Director Environmental Services.

The below licences were issued under Delegated Authority during the last report period (Table circulated):

Local Government (Miscellaneous Provisions) (NI) Order 1985

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

Committee NOTED the report.

22. NORTH WEST REGION WASTE MANAGEMENT GROUP (NWRWVG) – JOINT COMMITTEE MINUTES

Confidential by virtue of paragraph(s) 2 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

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

Purpose of Report

The purpose of this report is to provide members with minutes from the North West Region Waste Management Group (NWRWMG) Joint Committee meetings held on 15th November 2023 and 8th February 2024.

Background

The NWRWMG is the voluntary coalition of two councils, Causeway Coast and Glens Borough Council and Derry & Strabane District Council, and is responsible for delivering effective waste management infrastructure, procurement and planning. Both councils have formed a Joint Committee under the Local Government Act (Northern Ireland) 1972 in order to carry out this work.

Four elected members from each council sit on the NWRWMG Joint Committee.

Minutes

The undernoted minutes from the NWRWMG Joint Committee are included in appendix 1, previously circulated:-

- Minutes of Joint Committee meeting dated 15th November 2023
- Minutes of Joint Committee meeting dated 8th February 2024

Also attached are:-

- Review of Corporate Risk Register
- Current Status of NWRWMG Tenders

Recommendation(s)

It is recommended that the Environmental Services Committee note the NWRWG Joint Committee meeting minutes of 15th November 2023 and 8th February 2024.

AGREED - to recommend that Council note the NWRWG Joint Committee meeting minutes of 15th November 2023 and 8th February 2024.

MOTION TO PROCEED 'IN PUBLIC'

Proposed by Councillor Kane
Seconded by Councillor Chivers and

AGREED – to recommend that Committee move '*In Public*'.

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

23.1 Litter Strategy 2022-26 (Councillor Kane)

“To ask the Director of Environmental Services for an update on the delivery and efficacy of the Litter Strategy 2022-26, and for details of the approach to litter & cleansing services over the summer months, especially in our coastal resort towns, including hiring of seasonal casual staff, cleaning/litter picking schedules, and litter management around large events.

The Director of Environmental Services said he would bring a report back to the Committee incorporating the details contained in the AORB, and advised the Litter Strategy was generally on target at this time.

The Director of Environmental Services advised of initiatives over the Easter period which included digital signage advising visitors to take their litter home. In terms of budgets the Director of Environmental Services said that the same level of budget was available for cleansing this year as for the previous year and advised that there had been few complaints in respect of cleanliness last year. The Director of Environmental Services referred to the work undertaken by Wombles during times of peak tourist influx as well as enhanced bin emptying processes and increased capacity bins for larger events.

The Director of Environmental Services said that Community Groups request bins for events and spoke of the work of community litter picks.

Councillor Kane thanked the Director of Environmental Services for the helpful update and said that the work of community litter picks should be recognised. Councillor Kane referred to the huge volume of plastic bottles and single use plastics which had been collected recently.

At the request of Councillor Kane the Director of Environmental Services agreed to include statistics of the fines issued since the inception of the increase in fines agreed which had previously been a proposal by Alderman Callan and Alderman Fielding. Also at the request of Councillor Kane the Director of Environmental Services agreed to report on Keep Northern Ireland Beautiful statistics which would show trends via visual surveys undertaken by them.

Alderman McKillop referred to a pilot scheme undertaken in Kilrea and suggested this could be rolled out perhaps in the village of Bushmills and enquired as to the potential cost of same.

The Director of Environmental Services advised that the presence of a warden in Kilrea had proved positive, the role which included weed spraying for which Council hoped to have the cost re-couped and referred to plans to

trial this function in Ballymoney also, which if successful could be rolled out further.

At the request of Councillor Chivers the Director of Environmental Services agreed to provide the number of fines issued as well as details of the update of Livesmart Grant initiatives.

Councillor Chivers referred to the fines imposed in Canada up to £2k and suggested increasing the cost of Northern Ireland fines. The Director of Environmental Services advised that there was a cap for cost of fines issued in Northern Ireland which was set at £200 for Causeway Coast and Glens Borough Council.

The Director of Environmental Services advised Elected Members that a third party had been employed by Council as part of the enforcement process for eradicating littering but that Elected Members had requested that this contract not be renewed.

Councillor Callaghan said that in his capacity as Mayor and having attended local events he witnessed the good work undertaken by the Environmental Services cleansing teams. The Director of Environmental Services said he would pass on the remarks to his staff.

Councillor MA McKillop spoke of the littering in rural areas and suggested that Wombles also undertake removal of litter in these areas too.

Councillor McAuley said that he had witnessed operatives undertaking weed spraying within the borough whilst driving on quads without the required personal protective equipment.

At the request of Councillor McAuley the Director of Environmental Services confirmed that Council do not use quads and that appropriate training had been provided to Council staff

27.2 Dog patrols at beaches (Councillor MA McKillop)

“Could we look at how we are to patrol our beaches with regards to dogs?”

The Director of Environmental Services said that Enforcement Officers could act on targeted advice by the general public and spoke of the difficulties involved with catching those actively littering or allowing their dog to foul.

At the request of Alderman Fielding the Director of Environmental Services agreed to ensure that all signage in relation to dog fouling indicated that the current level of fine is £200 and not £80.

Councillor McKillop referred to issues on Waterfoot Beach with out of control dogs which were not on leads and in particular a specific incident of which the PSNI are aware.

The Director of Environmental Services said that capturing information about these types of incidences was key which included times, location and the type of dog/s. The Director of Environmental Services said that reports of dog attacks would be investigated and those responsible would be prosecuted. The Director of Environmental Services said that there were around 16,000 licensed dogs in our borough and it was difficult to catch individuals in the act.

Councillor Kane said that the definition of a dog being 'out of control' was interpreted differently with some people being fearful of dogs.

At the request of Elected Members the Director of Environmental Services said he would report on the signage in place regarding dog control and how it should be interpreted.

Elected Members referred to the App as a means of reporting dog fouling and the Director of Environmental Services advised this was available to download and agreed that some work was required in order to promote use of the app, which he would look into.

This being all the business The Chair thanked Elected Members for their attendance and the meeting closed at 8.40 pm.

Chair