

**ENVIRONMENTAL SERVICES COMMITTEE MEETING
TUESDAY 5 FEBRUARY 2019**

Table of Recommendations

| No | Item | Summary of Key Recommendations |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| 5 | Notice of Motion Proposed by Councillor McCandless, Seconded by Alderman King Abv... Incontinence and adequately equipped toilets | <i>Support Motion for Audit on Sanitation Bins in Toilets</i> |
| 6 | Entertainment Licensing Report | <i>Grant</i> |
| 7 | Grant of Approval of a Premises as a Venue for Civil Marriage/Civil Partnership | <i>Approve</i> |
| 8 | Bye-Laws: Tattooing; Semi-Permanent Skin Colouring; Cosmetic Piercing; Ear-Piercing; Electrolysis and/or Acupuncture | <i>Revoke Existing Eighteen Legacy Council Bye-Laws and Produce one CC&GBC Bye-law</i> |
| 9 | Bye-Laws: Consumption of Intoxicating Liquor in Designated Places | <i>Review Four Existing Bye-Laws and Produce one CC&GBC Bye-law</i> |
| 10 | Street Trading: Lammas Fair | <i>Approve 5 Recommendations</i> |
| 11 | Update to Persons Appointed as Public Analyst | <i>Appoint</i> |
| 12 | Consultation on Guidance for Food Traceability, Withdrawals and Recalls within the UK Food Industry | <i>Endorse Response</i> |

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| 13 | Implementation of Local Government Resilience Resourcing Model | Approve |
| 14 | Market Street, Ballycastle – Depot Extension | Approve |
| 15 | Licence Agreement for Maintenance of Flowerbed at entrance to West Strand Car Park, Portrush | Approve Licence Agreement |
| 16 | Unmarked Infant Grave Portstewart Cemetery | Fees to be Waived |
| 17 | Commercial Collection Charges 2019-2020 | Approve 2.1% Increase in Charges |
| 18 | Entertainments Licence Renewals | Information |
| 19 | Liquor Licences | Information |
| 20 | Petroleum Spirit Licence Renewals | Information |
| 21 | Society Lottery Registrations | Information |
| 22 | Acupuncture / Business of Cosmetic Piercing / Tattooing / Semi-Permanent Skin-Colouring / Electrolysis Registrations | Information |
| 23 | Amusement Permit Renewals | Information |
| 24 | Cinema Licence Renewals | Information |
| 25 | Licences Issued Under Delegated Authority | Information |
| 26 | Brown Bin Update and Kerbside Communications | Information |
| 27 | Correspondence 27.1 Ards & North Down – Action on use of Single Use Plastics 27.2 Keep Northern Ireland Beautiful - Live Here Love Here | Support Defer |
| 28 | Matters for Reporting to Partnership Panel | Nil |

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|-----------|------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| 29 | Consultation Documents | <i>Nil</i> |
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| | IN COMMITTEE | |
| 30 | Bin Collection | <i>Verbal Update</i> |
| | | |
| 31 | Proposed Maintenance of Slipways, Quay Walls and Water Access Points at Portstewart, Dunseverick and Dalriada Harbours | <i>Approve</i> |

UNCONFIRMED

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE
ENVIRONMENTAL SERVICES COMMITTEE
IN CIVIC HEADQUARTERS, COLERAINE ON
TUESDAY 5 FEBRUARY 2019 AT 7:00 PM**

In the Chair: Alderman Finlay

Members Present: Alderman Campbell and King
Councillors Douglas, Holmes, Hunter, Loftus,
McCorkell, McLaughlin, McLean, MA McKillop,
Watton and Wilson

**Non Committee
Member Present:** Councillor McCandless

Officers Present: A McPeake, Director of Environmental Services
B Edgar, Head of Health & Build Environment
E McCaul, Committee & Member Services Officer

In Attendance: Press (1 No)

1. APOLOGIES

Apologies were recorded for Councillor McGurk.

2. DECLARATIONS OF INTEREST

There were no declarations of Interest.

3. MINUTE OF MEETING HELD 4 DECEMBER 2019

The Chair advised the Minutes of the Meeting were adopted at 18 December 2018 Council Meeting.

4. WASTE POLICY PRESENTATION

The Chair advised that the waste policy presentation had been postponed by the Head of Waste Policy, DAERA due to a family bereavement.

5. NOTICE OF MOTION PROPOSED BY COUNCILLOR McCANDLESS, SECONDED BY ALDERMAN KING & ALDERMAN HILLIS REFERRED FROM 27 NOVEMBER 2018 COUNCIL MEETING

Councillor McCandless proposed that:

'Not every disability is visible and as it is not considered as polite conversation – bladder and bowel problems and toileting issues in general tend not to be discussed.

There is an assumption that incontinence only affects the elderly – not so.

NHS figures reveal that as many as 900K children and young people are affected by incontinence in the U.K. but because of the associated stigma they try to hide it.

Crohn's or ulcerative colitis cause serious discomfort, the most common age for diagnosis is between 18-30. These conditions affect the digestive system to different degrees but it is factual that 1 in 10 people will experience regular incontinence.

Incontinence sufferers can have their journeys restricted due to the lack of awareness or the necessary sympathy required for adequately equipped toilets.

Conditions associated with incontinence can lead to social isolation, particularly with elderly males. Those who suffer from incontinence face the dilemma of needing to change their pad and then the problem of where to dispose of it when they are out for the day. Men with urinary incontinence, particularly after prostate surgery, and those suffering from faecal incontinence require a discrete, safe and hygienic method to dispose of their hygiene waste.

To that end I would call upon our council officers to conduct an audit of our toilets throughout the Borough recognising the needs and requirements of incontinence sufferers (both genders) and advise what is required in bins and time required to implement a plan to provide proper sanitation bins.

Along with this to benchmark our council in comparison to others in this regard, advise exact locations to enable incontinence sufferers to plan their day out and advise where radar key access locations are.'

Speaking in support of the motion, Councillor McCandless outlined that since submitting the Notice of Motion, he had time to reflect on the

seriousness of incontinence and lack of proper toilet facilities, with those with bowel problems having to plan their journeys and often having to use toilet floors for changing purposes. He said that it would cost around £15k to upgrade each toilet with proper sanitation facilities and was of the view that Council invest in toilet provision to accommodate those with this disability, especially in the four main towns of the Borough.

The motion was seconded by Alderman King.

The Chair put the motion to the Committee to vote, with 12 Members voting for, 0 against and 0 abstentions.

The Chair declared the motion **CARRIED**.

It was noted that it would take officers several months to complete the audit on the toilets.

6. ENTERTAINMENT LICENSING REPORT

Report previously circulated.

Grant of Occasional Indoor Entertainments Licence

Licence No: EL 371
Premises: Out Lady of Lourdes School, Castle Street, Ballymoney
Application: Grant of occasional indoor entertainments licence
Days and times on which it is applied to provide entertainment:
Monday – Sunday 18:00 hrs to 23:00 hrs
PSNI and NIFRS: Awaiting Responses

Recommendation - Grant of an Occasional Entertainment Licence subject to compliance with any recommendations of the Councils licensing department inclusive of the following special conditions:

- *No objection from PSNI or NIFRS*

Proposed by Councillor Hunter
Seconded by Alderman Cole and

AGREED – to recommend that Council grant an Occasional Entertainment Licence subject to compliance with any recommendations of the Councils licensing department and no objection from PSNI or NIFRS.

7. GRANT OF APPROVAL OF A PREMISES AS A VENUE FOR CIVIL MARRIAGE/CIVIL PARTNERSHIP

Report previously circulated.

The Marriage (NI) Order 2003 / The Civil Partnership Regulations (NI) 2005

7.1 Approval of a Place as a Venue for Civil Marriage and Civil Partnership

Reference Number: MA 032 / CP 032
Premises: Royal Court Hotel
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: Awaiting responses

It is recommended that the premises be approved as a venue for Civil Marriage subject to compliance that the premises be granted Approval for Civil Marriage and Civil Partnership subject to compliance with any recommendations of the Councils licensing section, inclusive of the following special conditions:

- *No objections from PSNI and NIFRS*

Proposed by Councillor Hunter
Seconded by Councillor M A McKillop and

AGREED – to recommend to Council that the premises be approved as a venue for Civil Marriage subject to compliance that the premises be granted Approval for Civil Marriage and Civil Partnership subject to compliance with any recommendations of the Councils licensing section, inclusive of the following special conditions:

- *No objections from PSNI and NIFRS*

7.2 Approval of a Place as a Venue for Civil Marriage

Reference Number: MA 030
Premises: Cushendall Sailing and Boating Club
Application: Application has been received for the Grant of Approval as a place of Civil Marriage.
Representations: No objections received
PSNI and NIFRS: No objections received

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

Proposed by Councillor Hunter
Seconded by Councillor M A McKillop and

AGREED – to recommend to Council that the premises be granted Approval for Civil Marriage subject to compliance with any recommendations of the Councils licensing section;

8. BYE-LAWS: TATTOOING; SEMI-PERMANENT SKIN-COLOURING; COSMETIC PIERCING; EAR PIERCING; ELECTROLYSIS AND/OR ACUPUNCTURE ENVIRONMENTAL HEALTH & BUILDING CONTROL STUDENT PLACEMENTS

Report previously circulated.

Local Government Bye-Laws are laws which operate over the particular geographical area of a Council, made by that Council under an enabling power established by statute i.e. an Act of Parliament, an Order in Council, or an Act of the Northern Ireland Assembly.

Section 90 of the Local Government Act (Northern Ireland) 1972 is an enabling power which makes a wide range of Bye-Laws and should only be used where a more specific power does not apply.

Bye-laws cannot be made in respect of matters which are already dealt with in primary legislation.

Prior to Local Government Reform the Department of Environment (now Department of Communities) published guidance confirming that existing Bye-Laws made by predecessor Councils would remain extant after those Councils ceased to exist, however the new Councils were encouraged to review existing Bye-Laws to ensure they remained appropriate for their respective new district areas.

The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, provides Councils with powers to make Bye-Laws for tattooing; semi-permanent skin-colouring; cosmetic piercing; ear piercing; electrolysis and/or acupuncture under Articles 13(7) and 14 (7). These activities were extended by Article 31 of the Local Government (NI) Order 2005.

Coleraine Borough Council, Limavady Borough Council, Ballymoney Borough Council and Moyle District Council had previously made individual Bye-Laws for the regulation of businesses undertaking these practices as all of these procedures involve some degree of skin piercing and therefore carry a potential risk of skin infections, allergic or toxic reactions to various substances used on or in the skin, and transmission of blood borne viruses (such as hepatitis or HIV).

The current Bye-Laws were enacted in these legacy Council areas in the following years:

Limavady Borough Council Bye-Laws for

| | |
|-------------------------------|------|
| Tattooing | 1990 |
| Ear Piercing and Electrolysis | 1990 |
| Acupuncture | 1990 |
| Cosmetic Piercing | 2006 |
| Semi-permanent skin Colouring | 2006 |

Moyle District Council Bye-Laws for

| | |
|-------------------------------|------|
| Tattooing | 2011 |
| Electrolysis | 2010 |
| Acupuncture | 2010 |
| Cosmetic Piercing | 2010 |
| Semi-permanent skin Colouring | 2010 |

Ballymoney Borough Council for

| | |
|-------------------------------|------|
| Tattooing | 1987 |
| Ear Piercing and Electrolysis | 1987 |
| Acupuncture | 1987 |

Coleraine Borough Council for

| | |
|-------------------------------|------|
| Tattooing | 1989 |
| Ear Piercing and Electrolysis | 1989 |
| Acupuncture | 1989 |
| Cosmetic Piercing | 2011 |
| Semi-permanent skin Colouring | 2011 |

The Health and Built Environment Section seek to revoke these eighteen existing Bye-Laws. These legacy Bye-Laws will be replaced by one new Bye-Law which will assist in ensuring conformity of standards by operators throughout the Causeway Coast and Glens Borough Council area.

The Proposed new Bye-Law "*Causeway Coast and Glens Borough Council (Acupuncture, Tattooing, Semi-Permanent Skin Colouring, Cosmetic Piercing, Electrolysis Bye-laws 2019* " circulated has been

prepared and given due consideration to each legacy council's Bye-Laws and model standards as produced by the Health Protection Branch of the Department of Health.

The procedure for revoking and introducing new Bye-laws is governed by the Local Government Act (NI) 1972 and must include the following:

- At least one month before application for confirmation is made to the Department of Health by Council notice of its intention to apply must be given in at least 2 local newspapers and placed on the Council's website
- At least one month before application for confirmation is made a copy of the new Bye-Laws must be made available for inspection at the Council Offices
- Bye-Laws cannot come into operation until they are confirmed by the Department of Health

In order to have these new Bye-Laws confirmed this sequence of events must be followed otherwise the Department of Health is unlikely to approve the new Bye-Laws.

It is recommended - that Council agree to revoke the existing eighteen legacy Council Bye-Laws which are concerned with the practices of tattooing; semi-permanent skin colouring; cosmetic piercing; ear piercing; electrolysis and acupuncture in accordance with the procedure outlined above to produce one new Bye-Law to cover these practices in premises in the Causeway Coast and Glens Borough Council area.

Proposed by Councillor Loftus
Seconded by Councillor Hunter and

AGREED – to recommend that Council agree to revoke the existing eighteen legacy Council Bye-Laws which are concerned with the practices of Tattooing; semi-permanent skin colouring; cosmetic piercing; ear piercing; electrolysis and acupuncture in accordance with the procedure outlined above to produce one new Bye-Law to cover these practices in premises in the Causeway Coast and Glens Borough Council area.

9. BYE-LAWS: CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES

Report previously circulated.

Local Government Bye-Laws, are laws which operate over the particular geographical area of a Council, made by that Council under an enabling power established by statute i.e. an Act of Parliament, an Order in Council, or an Act of the Northern Ireland Assembly.

Section 90 of the Local Government Act (Northern Ireland) 1972 is an enabling power which makes a wide range of Bye-Laws and should only be used where a more specific power does not apply.

Bye-Laws cannot be made in respect of matters which are already dealt with in primary legislation.

Prior to Local Government Reform the Department of Environment (now Department of Communities) published guidance confirming that existing Bye-Laws made by predecessor Councils would remain extant after those Councils ceased to exist, however the new Councils were encouraged to review existing Bye-Laws to ensure they remained appropriate for their respective new district areas.

The legacy Council areas namely Limavady Borough Council, Coleraine Borough Council, Ballymoney Borough Council and Moyle District Council had for many years invoked Bye-Laws prohibiting the consumption of intoxicating liquor in public places.

These Bye-Laws prohibit the drinking of alcohol on designated streets and public open spaces rather than a blanket ban covering large areas.

The current Bye-laws were enacted in these Council areas in the following years

- Limavady Borough Council Consumption of Intoxicating Liquor in Designated Place Bye-Laws 19 November 2007
- Coleraine Borough Council Bye-Laws to control the consumption of liquor in designated places 28 September 2010
- Ballymoney Borough Council Bye-Laws for Good Rule and Government Consumption of Intoxicating Liquor in Designated Places 1 March 1999
- Moyle District Council Consumption of Intoxicating Liquor in Designated Places Bye-Laws 24 March 1997

It is proposed that a phased approach with respect to these Bye-Laws is undertaken. Initially to amend these existing four Bye-Laws to reflect the new Borough Council that is Causeway Coast and Glens Borough Council and provide a measure of uniformity and consistency in terms of

style and substance of these Bye-Laws. A copy of this proposed amended Bye-law was circulated.

It is further envisaged to undertake a review of the new Council area to identify new developments or to include areas where problems have arisen and to bring new Bye-Laws back before Council to include these areas.

The procedure for amending Bye-laws is governed by the Local Government Act (NI) 1972 and must include the following:

- At least one month before application for confirmation is made to the Department of Communities by Council notice of its intention to apply must be given in at least 2 local newspapers and placed on the Council's website
- At least one month before application for confirmation is made a copy of the new Bye-Laws must be made available for inspection at the Council Offices
- Bye-Laws cannot come into operation until they are confirmed by the Department of Communities

In order to have these new Bye-Laws confirmed this sequence of events must be followed otherwise the Department of Communities is unlikely to approve the new Bye-Laws.

It is recommended - that Council agree to review the four existing Drinking in public places Bye-Laws in accordance with the procedure outlined above to produce one Bye-law for the consumption of alcohol in designated places for Causeway Coast and Glens Borough Council.

Proposed by Councillor Hunter
Seconded by Councillor MA McKillop and

AGREED – to recommend that Council agree to review the four existing Drinking in public places Bye-Laws in accordance with the procedure outlined above to produce one Bye-law for the consumption of alcohol in designated places for Causeway Coast and Glens Borough Council.

10. STREET TRADING LAMMAS FAIR

Report previously circulated.

Since Local Government reform, the Lammas Fair event has been characterised as a Council Event, delivered by Council through its Leisure Services Department, with assistance from the Health and Built

Environment Section in the form of the facilitation and delivery of street trading licences. These Street Trading Licences carry pertinent conditions for those who trade on the designated public streets in Ballycastle town centre at the event.

Section 3 of the Street Trading Act (NI) 2001 allows a District Council to designate specific streets in its area as being suitable for street trading. This is considered to create a more open system which gives everyone an opportunity to comment on a proposal to permit street trading in a particular street. In addition prospective traders will be more aware of where street trading is to be permitted. A Council is not compelled to designate streets. However, if a street remains undesignated, a District Council may not issue a licence under the Act to permit street trading from a stationary position on that street. Street trading may be permitted in undesignated streets under the authority of a temporary licence or where the trader has been authorised by Council to trade as a mobile trader.

The legacy Moyle District Council had through the prescribed process under Section 4 of the Street Trading Act (NI) 2001, designated Clare Street “on the west side, the pavement and 1.5m of carriageway. On the east side ground in the open air within 10m of the road and pavement” as an area where stationary street trading licences could be issued during the Lammas Fair event. This was conditional in that no licences were issued by the Council for ice-cream or hot food vehicles.

As a consequence Council made available fifteen designated pitches along Clare Street, where Stationary Street Traders might trade from.

During the 2018 Lammas Fair, only three traders took advantage of these 15 pitches and four street trading licences were issued (one trader took two pitches).

Following the 2018 Lammas Fair, Councils Leisure Department has conducted a review involving business and community engagement.

This review has indicated that additional animation is required around The Diamond area and neighbouring streets, to enhance the visitor experience and diversify the event offering.

Council Leisure Services Department propose for the 2019 Lammas Fair to cover Clare Street, Ballycastle with a canopy and place an open sided marquee to comprise a food market and an outdoor seated area as a pilot.

In order to facilitate this proposal it is necessary that Council remove the existing street trading designation and conditions as devised by the legacy Moyle Council for stationary traders, and if a scenario arises that might be considered street trading in this area, Council can then issue a temporary Street Trading licence.

In order to revoke the designating resolution Council must follow the statutory process as laid out in Section (4) of the Street Trading Act (NI) 2001 and undertake a public consultation and statutory consultation with PSNI and the Department of Infrastructure.

As previously mentioned business and community engagement has identified that further activity is required to animate The Diamond area of Ballycastle during the Lammas Fair. Leisure Services propose to install a small dais staging unit at The Diamond to facilitate music/entertainment/animation during the Sunday evening, Monday and Tuesday of this event. This would replace the need for the mobile staging unit brought into The Diamond on the Sunday night.

This proposal would necessitate the removal of two street trading pitches from The Diamond.

Council is in receipt of written representation from the Ballycastle Branch of The Royal British Legion. The organisation is concerned that the positioning of stalls namely 68-71 impacts the War Memorial located at this location and that visitors to the town should still be able to access the War Memorial to pay their respects to those remembered there whilst the event is occurring.

Council have traditionally not issued a street trading pitch at stall location 73 to facilitate an access to the War Memorial.

Council require applicants to provide a basic Criminal record Disclosure Certificate on application for a Temporary, Stationary or Mobile Street Trading Licence. Anyone can apply for a basic disclosure certificate, which will provide details of any unspent criminal convictions. A disclosure certificate can be obtained for Residents of Northern Ireland, England Scotland, Wales and the Republic of Ireland and will cost approximately £25. Council has not requested the production of a certificate for an applicant to trade at the Lammas Fair event but it is considered that for consistency of approach such certification should accompany an application for a Council Street Trading Licence at this event.

In order to facilitate local residents and allow street cleansing activities to begin it is considered appropriate to introduce a condition on all street

trading licences issued to traders attending the event that Street Trading must conclude within 30 minutes of the Roads in the Ballycastle Town Centre being reopened to vehicular traffic. (Monday and Tuesday)

- 1) **It is recommended** - that Council begin the revocation process of the designation resolution for Clare Street, Ballycastle.
- 2) **It is recommended** - that Council withdraw Pitch 1 and 2 The Diamond, Ballycastle for street trading purposes to facilitate the siting of staging dais.
- 3) **It is recommended** - that Council withdraw Pitches 72-74 from Quay Road, Ballycastle for street trading purposes to facilitate access to the War Memorial.
- 4) **It is recommended** - that applicants for a Street Trading Licence to trade at the Lammas Fair event must produce a basic Criminal Record Disclosure certificate or its Regional equivalent valid to within one year of the date of the Lammas Fair event.
- 5) **It is recommended** - that all street trading licences issued by Council for the Lammas Fair event are conditioned with a time as to when Street Trading activities must conclude.

Proposed by Councillor Hunter
Seconded by Councillor MA McKillop and

AGREED – to recommend that Council approve the following:

- 1) It is recommended that Council begin the revocation process of the designation resolution for Clare Street, Ballycastle.
- 2) It is recommended that Council withdraw Pitch 1 and 2 The Diamond, Ballycastle for street trading purposes to facilitate the siting of staging dais.
- 3) It is recommended that Council withdraw Pitches 72-74 from Quay Road, Ballycastle for street trading purposes to facilitate access to the War Memorial.
- 4) It is recommended that applicants for a Street Trading Licence to trade at the Lammas Fair event must produce a basic Criminal Record Disclosure certificate or its Regional equivalent valid to within one year of the date of the Lammas Fair event.
- 5) It is recommended that all street trading licences issued by Council for the Lammas Fair event are conditioned with a time as to when Street Trading activities must conclude.

11. UPDATE TO PERSONS APPOINTED AS PUBLIC ANALYST

Report previously circulated and presented by Director of Environmental Services.

Public Analyst Scientific Services Limited (PASS Ltd) are contracted to provide Public Analyst Services for the 11 Northern Ireland Councils. Due to changes in personnel at PASS Ltd it is necessary to update the persons appointed as Public Analysts on behalf of Council.

Article 27 (1) of the Food Safety (NI) Order 1991 requires that the Council appoint one or more persons (Public Analyst(s)) to act as Analyst(s) within the district of the Council. Furthermore the Framework Agreement* (Chapter 2, para 12.8), states that Causeway Coast and Glens Borough Council shall ensure that a Food Analyst is appointed to carry out examinations and analyses of food samples. In making these appointments, all relevant legal requirements and Codes of Practice shall be satisfied.

The qualifications required by Analysts are set out in the Food Safety (Sampling and Qualifications) Regulations (NI) 2013. The Environmental Health Department is satisfied that the 7 persons named within the report, who are employed by Public Analyst Scientific Services Ltd, fulfil the requirements of the Regulations for appointment as Public Analysts on behalf of the Council.

Watney Elizabeth Moran MSc, MChemA, CChem, FRSC
Duncan Kenelm Arthur BSc, MChemA, CChem, MRSC
Nigel Kenneth Payne MSc, MChemA, CChem, MRSC
Joanne Hubbard BSc, MChemA, CChem, MRSC
Kevin Wardle MSc, MChemA, CChem, MRSC
Lilian Emma Jane Downie MChem, MChemA, CChem, MRSC
Michelle Evans BSc, MChemA, MRSC

It is recommended - appoint the above named persons as Public Analysts to Council under Article 27 (1) of the Food Safety (NI) Order 1991.

Proposed by Councillor McLean
Seconded by Alderman Campbell and

AGREED – to recommend that Council appoint the above named persons as Public Analysts to Council under Article 27 (1) of the Food Safety (NI) Order 1991.

12. CONSULTATION ON GUIDANCE ON FOOD TRACEABILITY, WITHDRAWALS AND RECALLS WITHIN THE UK FOOD INDUSTRY

The subject of this consultation is newly developed guidance to assist food businesses in complying with food law and provide advice and

supporting tools to food businesses and food enforcement authorities in dealing with food safety withdrawals and recalls. The guidance outlines legal requirements and includes best practice advice.

The new guidance aims to:

- clarify the roles and responsibilities of key players involved in food safety withdrawals and recalls
- provide best practice guidance to help food businesses make consumer recall notifications more consistent and accessible
- help industry make trade communications consistent and effective
- develop and implement systematic root cause analysis procedures for industry in the event of food safety incidents

The guidance has been developed using a multi-stakeholder working group approach.

The full consultation paper can be found at

<https://www.food.gov.uk/news-alerts/consultations/guidance-on-food-traceability-withdrawals-and-recalls-within-the-uk-food-industry>

A suggested response to the consultation was circulated.

It is recommended - that Council endorse this response.

The closing date for submission of responses to the Food Standards Agency is 4 February 2019. Due to time constraints the attached has been submitted as a Council Officer response pending endorsement by Council.

Proposed by Councillor McCorkell
Seconded by Councillor Hunter and

AGREED – to recommend that Council endorse the response.

13. IMPLEMENTATION OF LOCAL GOVERNMENT RESILIENCE RESOURCING MODEL

The Committee considered a report seeking agreement from Members to implement the new local government resourcing model by agreeing to the principles set out within the Service Level Agreement circulated.

In May 2018, councils were requested to endorse a new local government resourcing model for the civil contingencies function. All councils approved this approach, subject to confirmation of a sustainable funding mechanism from the Department for Communities (DFC).

The desired outcomes of this new model are to:

- Provide confidence and assurance for Councils and their Chief Executives that multi-agency plans are in place which complement arrangements existing within Councils;
- Include sufficient resilience to provide adequate cover, particularly during response to emergencies;
- Embed adequate governance arrangements to ensure consistency and performance management across all Emergency Preparedness Groups (EPG) areas;
- Align as best as possible with other organisations planning and response structures to allow for effective planning and response.

It was agreed that any proposed model be based on a regional service hosted by a single council, where all officers would be employed through and DFC funding drawn down. To summarise, this model establishes a regional team, employed through a single council and reporting to the Regional Officer, whilst working across the three emergency preparedness group (EPG) areas. The Regional Officer will report to a relevant Director within the employer council and an executive steering group consisting of CEOs from the three EPG areas and the SOLACE lead for this function. Each EPG will have a Resilience Manager, who will be responsible for the programme management of the EPG and co-ordinate planning, response and recovery activities across this area. A Resilience Officer who will be responsible for taking forward specific work streams, including training, exercising and task and finish functions will support them. Each EPG will require one Resilience Officer, with the Southern EPG requiring an additional officer, as evidenced by a risk to resource assessment carried out within the preliminary scoping of this model.

DFC have confirmed funding for this function until March 2021.

The aim of the paper is to seek agreement to approve the implementation stage to allow the new model to come into effect. It outlines the proposed process required to complete the implementation of the agreed service delivery model for the civil contingencies function. Jones, Cassidy & Brett Solicitors (JCB) and Belfast City Council - Legal Services have provided human resource and legal expertise for the transition to the new service delivery model. A Service Level Agreement (SLA) has been drafted in conjunction with both these partners. The SLA is an agreement between the lead council and the other ten councils. It details the governance arrangements required to enable the effective management of the new model by the lead council; including employment, governance arrangements, budget and dispute resolution.

JCB have confirmed that the implementation of the new model can be progressed using a TUPE transfer, as this work is deemed to fall within the review of public administration and thus the staff transfer scheme and circulars are applicable. Implementation can only proceed on agreement of the SLA.

Funding for all costs associated with the implementation and maintenance of the model post transfer are covered under the remit of Local Government Civil Contingencies Funding.

A copy of the SLA was circulated.

Resource implications

Financial: This function will be wholly funded by DFC, however the SLA states that should there be a withdrawal or shortfall in funding, the shortfall shall be made up by councils in equal amounts.

Human resources: JCB have confirmed that the implementation of the new model can be progressed using a TUPE transfer, as this work is deemed to fall within the review of public administration and thus the staff transfer scheme and circulars are applicable

Assets and other implications: Office accommodation will be required in Armagh, Banbridge and Craigavon Borough Council, Fermanagh and Omagh District Council, Causeway Coast and Glens Borough Council and Belfast City Council. All councils may be required to accommodate staff from this function as and when required, dependant on work priorities.

It is recommended – that as the agreement of the SLA is an essential element to progress the implementation of the model and enable the adoption of a regional approach. It is recommended that council approve the implementation of the model. To achieve this, agreement to the terms set out within the SLA is sought and that authority be given to the Chief executive to sign on behalf of Council.

Proposed by Alderman Cole
Seconded by Alderman King and

AGREED - that the agreement of the SLA is an essential element to progress the implementation of the model and enable the adoption of a regional approach. It is recommended that council approve the implementation of the model. To achieve this, agreement to the terms set out within the SLA is sought and that authority be given to the Chief executive to sign on behalf of Council.

14. MARKET YARD, BALLYCASTLE – DEPOT EXTENSION

The Committee received a report which set out that A Workplace Transport Risk Assessment has highlighted a significant number of deficiencies in the operation of the Market Street Depot. There were a number of safety concerns which can be addressed by increasing the footprint of the facility.

The Risk Assessment has highlighted a number of H&S concerns, many of which are incapable of being addressed given the boundary size constraints of the site, namely:

- a) Lack of separation between pedestrians and vehicles
- b) Blind spots for both vehicles and pedestrians
- c) Unsuitable one way system (of sorts) using garage as a through route
- d) Lack of pedestrian crossing points
- e) Proximity of fuel pumps to parked vehicles and building
- f) Reversing manoeuvres by RCVs within confined space contrary to Workplace Regulations ACoP
- g) Lack of parking for both council and staff vehicles in contravention of HSE guidance
- h) Inadequate arrangements to receive public visitors
- i) Inadequate storage space
- j) Garage used for parking leading to compromised layout
- k) Increased fire risk with RCVs (perhaps with waste on board) parking inside garage
- l) There is a health risk to staff from exhaust fumes inside the garage
- m) Garage operations compromised due to presence of parked vehicles with risk to mechanics

With the transfer of off-street car parking to Council a relatively simple solution is available. Castle Street car park sits beside and to the rear of the depot. By creating a gateway into the car park it is possible to increase the size of the depot site thus eliminating many of the issues highlighted above. A parking study has indicated that the car park is under-utilised. This would allow us to fence off the lower end adjacent to the depot, install lighting and CCTV and use this space for Council vehicle parking. An outline plan was circulated for information. Planning approval will be required for change of use of this section of the car park. Indicative cost for the work is approximately £50k.

Consideration was also given to re-locating to the Civic Amenity centre at Carnealty but ruled out due to cost of buying additional land and planning issues, for example, increased traffic volumes and access to main road

along with possible interface issues with the public using the site. The extension into the car park is the most cost effective option.

It is recommended - that Council approve the extension of the Ballycastle Depot into the car park to address the Health & Safety and operational issues raised in the Workplace Transport Risk Assessment.

Proposed by Councillor MA McKillop
Seconded by Councillor Hunter and

AGREED - to recommend that Council approve the extension of the Ballycastle Depot into the car park to address the Health & Safety and operational issues raised in the Workplace Transport Risk Assessment.

* Councillor Watton joined the meeting at 7:12 pm.

15. LICENCE AGREEMENT FOR MAINTENANCE OF FLOWERBED AT ENTRANCE TO WEST STRAND CAR PARK, PORTRUSH

The Committee was reminded that Item 7 of the Environmental Services Committee meeting held 4 December 2018 was to consider and explore whether Council had the right to claim ownership to a flowerbed at entrance to West Strand Car Park.

Although there is anecdotal evidence that this location has been maintained for several years by Council, there is no documentary confirmation giving any details on the actual period of maintenance. Legal advice would suggest that Council would find it difficult to make a case to claim ownership.

It is recommended – that Council enter into a licence agreement with NI Transport Holding Co. for the continuing maintenance of the floral presentation at the entrance to West Strand Car Park, Portrush.

In response to Members, the Director of Environmental Services advised that the cost to Council for maintenance of the flowerbed was approximately £100 and that this had been included within the budget.

Proposed by Alderman Cole
Seconded by Councillor Loftus and

AGREED – that Council enter into a licence agreement with NI Transport Holding Co. for the continuing maintenance of the floral presentation at the entrance to West Strand Car Park, Portrush.

16. UNMARKED INFANT GRAVE PORTSTEWART CEMETERY

The Director of Environmental Services reported that in 2009 the skeletal remains of an infant were found in a house in Portstewart. The infant remains had been wrapped in newspaper from the 1930s and hidden under floorboards. They were subsequently interred in Portstewart Cemetery.

A request has now been received from Portstewart Community Group who wish to erect a memorial stone marking the grave of the infant. Local Funeral Director H Wade & Sons has kindly agreed to fund the provision of the memorial. Council are asked to waive any fees associated with this application and agree to this request.

It is recommended - that Council agree to the Portstewart Community Group request and waive any fees associated with the provision of the memorial.

It is also recommended - that Officers, on behalf of Council, write thanking Hugh Wade & Sons for his generous offer.

The Director of Environmental Services advised that the fee being waived was £60.

Proposed by Alderman King
Seconded by Councillor Hunter and

AGREED – to recommend that Council agree to the Portstewart Community Group request and waive any fees associated with the provision of the memorial and that Officers on behalf of Council write thanking Hugh Wade & Sons for his generous offer.

17. COMMERCIAL COLLECTION CHARGES 2019 – 2020

The Committee received a report to consider an increase in commercial collection charges for 2019 – 2020.

Council provide a commercial bin collection service to non-domestic customers throughout the borough. The annual income generated from this service is circa £440k.

The report detailed prices currently charged per bin collection.

* Councillor Douglas joined the meeting at 7:19 pm.

It is recommended - that Council increase commercial charges by 2.1% for the year 2019/20.

This will result in additional annual income of £9,240 should the customer base remain unchanged.

Proposed by Councillor Hunter
Seconded by Councillor Watton

- *to recommend that Council increase commercial charges by 2.1% for the year 2019/20.*

Councillor Holmes proposed that Council increase commercial charges by 5% for the year 2019/20. The motion was not seconded.

The Chair put Councillor Hunter's motion to the Committee to vote, with 10 Members voting for and 4 abstentions.

The Chair declared the motion carried.

Committee **NOTED** the Information reports Items 18 - 26 to be taken as read.

18. ENTERTAINMENT LICENCE RENEWALS

Information report circulated.

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> |
|--------------------------------|--------------------------------------------|
| EL342 | Limavady United Football and Athletic Club |
| EL323 | Largy Community Hall |
| EL315 | Rising Sun Bar |
| EL344 | Calablanca Bar & Lounge |
| EL068 | The Forge Bar |
| EL049 | Harbour Bar & Bistro |
| EL142 | The Crannagh Coffee Shop & Bistro |
| EL180 | Hunters Bar |
| EL308 | Donegal Charlies |
| EL345 | Drummond Cricket Club |

| <u>Unique Reference Number</u> | <u>Name of Premises</u> |
|--------------------------------|------------------------------------------|
| EL326 | Alexander Arms Hotel |
| EL355 | St Aidan's Hall |
| EL097 | Ramore Wine Bar |
| EL018 | Captains Bar |
| EL024 | Coleraine Grammar School (Lodge Road) |
| EL304 | Fullerton Arms |
| EL021 | The Newbridege |
| EL191 | O'Connor's Bar |
| EL339 | Crossview Inn |
| EL033 | Cromore Halt |
| EL084 | Portstewart Town Hall |
| EL259 | Joey Dunlop Leisure Centre |
| EL238 | Rasharkin Community Centre |
| EL311 | Scotch House |
| EL250 | The Scenic Inn |
| EL228 | Blackwater Bar and Restaurant |
| EL014 | Boveedy Community Hall |
| EL057 | Kilrea Golf Club |
| EL341 | Owen's Bar |
| EL108 | Riverside Table Table |
| EL211 | The Corner House Bar |
| EL174 | Mary McBrides Ltd |
| EL089 | Portrush Memorial Services Club |
| EL096 | Riverside Theatre |
| EL034 | Diamond & Octagon |
| EL273 | Loughgiel Shamrocks GAC |
| EL216 | Finvoy Presbyterian Church Hall |
| EL231 | Manor Hotel |
| EL132 | The Bulls Eye |
| EL258 | St Patricks Parish Centre and Youth Hall |
| EL232 | McLaughlin's Corner |
| EL056 | Kilrea GAC Community Hall |
| EL343 | O'Connors Glack GFC |
| EL358 | RVCP |

19. LIQUOR LICENCES

4 applications for grant, renewal, transfer or grant of an occasional Intoxicating Liquor Licence have been received and acknowledged to Court Service during the report period.

20. PETROLEUM SPIRIT LICENCE RENEWALS

6 applications for renewal of petroleum spirit licences have been received acknowledged and processed during the report period.

21. SOCIETY LOTTERY REGISTRATIONS

10 applications for society lottery registrations have been received, acknowledged and processed during the report period.

22. ACUPUNCTURE / BUSINESS OF COSMETIC PIERCING / TATTOOING / SEMI-PERMANENT SKIN-COLOURING / ELECTROLYSIS REGISTRATIONS

2 applications for registrations have been received, acknowledged and processed during the report period.

23. AMUSEMENT PERMIT RENEWALS

2 applications for renewal of an amusement permit has been received and processed during the report period.

24. CINEMA LICENCE RENEWAL

1 application for a cinema licence was received, acknowledged and processed during the report period.

25. LICENCES ISSUES UNDER DELEGATED AUTHORITY

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

The following Prohibitions and Restrictions on Vehicular Traffic were authorised:

| Unique Reference Number | Applicant | Times | Approval Type |
|-------------------------|------------------------------------------------------------------------------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SEPR019 | BBC NI (Newslines) Filming on Bregagh Road, Ballymoney 29/30 November | 8.30am – | Restricting/prohibiting temporarily vehicles and pedestrians access other than resident access on 29 and 30 November 2018 between 8:30am to 2:30pm on the Bregagh |

| | | | |
|---------|-------------------------------------------------------------------------------------------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | 2018 | 2.30pm | Road, Ballymoney which was closed from the Ballinlea Road junction to the Ballykenver Road, Ballymoney. Filming event. |
| SEPR020 | Last Right Production DAC Filming on the Drones Road, Armoy 3 December 2018 | 12:00pm - 4.30pm | Restricting/prohibiting temporarily vehicles and pedestrians access other than resident access on the Drones Road, Armoy on 3 December 2018 between 12:00hrs to 16.30hrs which will be closed from its junction with Fivey Road for 300m in a southerly direction. Filming event. |

26. BROWN BIN UPDATE AND KERBSIDE COMMUNICATIONS

The Director of Environmental outlined that Council had completed the roll out of the fortnightly mixed food and garden waste recycling collection service to all households in autumn 2018. Each household received a wheelie bin (brown), kitchen food caddy and a supply of biodegradable caddy liners.

The weekly food waste only collection service is now discontinued. This service is only available to properties which cannot accommodate a brown bin (e.g. apartments).

During 2018, approximately 3500 tonnes of mixed food and garden waste from the kerbside was recycled. This is three times the organic kerbside tonnage collected in 2017. 100% of all food and garden waste collected by council is made into compost.

The Committee was advised that in March 2019, Operations will implement a behavioural change project. This project has been funded by DAERA and its purpose is to support assertive communications to effect behaviour change in recycling around the home and at council's network of household recycling centres.

The Council is currently sitting at 42% for their household recycling rate for year 2017/2018 and in order for Council to meet their 50% recycling target by 2020, the message to householders will use more direct

language to communicate the importance of everyone's collective contribution in utilising the blue and brown recycling bins to their maximum; therefore reducing recyclable materials being disposed of at landfill through the household black bin.

Stickers will be applied to both the blue and brown bins, which will outline exactly what can be put in the respective recycling bins and also highlighting types of contamination. It is anticipated that this will act as a quick and easy reference guide for the householder.

This direct messaging of maximising recycling materials will be complemented with an advertising campaign which will include social media, radio, officer outreach programme and a leaflet distributed to all households in the borough.

The Director of Environmental Services outlined that the Environmental Resource Officer Team would continue their community outreach programme under the LiveSmart banner. He provided an overview of programmes on recycling which would be launched in Spring 2019.

27. CORRESPONDENCE

27.1 Ards & North Down Borough Council – Call for Action by Large Supermarket Retailers on Single Use Plastics

The Director of Environmental Services reported that Ards and North Down Borough Council have recently written to the main large supermarket retailers that operate in Northern Ireland (Tesco, Sainsburys, Asda, M&S, Lidl, Iceland and Co-Op) in a call for urgent action on single use plastics.

The Council has also written to the Secretary of State for Environment advising of their petition to large supermarket retail companies and asking that the measures requested of them be incorporated as part of any future UK wide legislation governing waste and recycling obligations for producers and retailers of consumer products. Furthermore, Ards and North Down Borough Council have requested that specific legally binding targets be established for these plastics management controls.

Causeway Coast and Glens Borough Council is asked to consider joining forces to provide a more effective, co-ordinated call upon large supermarket retailers – writing in similar terms to these companies and encouraging your member authorities to do like-wise.

It is recommended that Environmental Services Committee consider the request.

Proposed by Councillor McCorkell
Seconded by Councillor MA McKillop

- *to recommend that Council join forces and write to large supermarkets for action on single use plastics.*

The Chair put the motion to the Committee to vote which was carried unanimously.

- * Councillor Mulholland joined the meeting at 7:24 pm.

27.2 Keep Northern Ireland Beautiful – Live Here Love Here

The Keep Northern Ireland Beautiful are hoping to discuss Causeway Coast and Glens Borough Council's possible engagement with the Live Here Love Here programme.

The Live Here Love Here partnership includes Keep Northern Ireland Beautiful, The Department of Agriculture, Environment and Rural Affairs, the Housing Executive, Choice Housing, ten Councils, McDonald's and Coca-Cola. There are three main elements; media campaign, volunteering support programme and a small grants scheme.

The opportunities remain for Causeway Coast and Glens to consider financially contributing to Live Here Love Here, in particular the small grants scheme and Keep Northern Ireland Beautiful would welcome understanding better how they can meet the needs of the Council through this community engagement activity.

It is recommended that Environmental Services Committee consider the request.

The Director of Environmental Services explained that it would cost £21k to buy into the programme and that the funding would be used on signs, litter campaigns and media campaigns.

Proposed by Councillor K Mulholland
Seconded by Councillor McLaughlin

- *that Council provide financial contribution to Live Here Love Here programme.*

Amendment proposed by Councillor Watton
Seconded by Councillor MA McKillop

- *that decision be deferred until after the rates was struck.*

The Chair put the amendment to the Committee to vote, 10 Members voted for, 2 Members voted against and 2 Members abstained from the vote.

The Chair declared the amendment carried.

28. MATTERS FOR REPORTING TO PARTNERSHIP PANEL

There were no matters for reporting to the Partnership Panel.

29. CONSULTATION DOCUMENTS

There were no consultation documents.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Alderman Campbell
Seconded by Alderman Cole and

AGREED - that the Committee proceed to conduct the following business 'In Committee'.

* Press left the meeting at 7:40 pm.

30. BIN COLLECTION

Alderman Cole highlighted that he had received a number of complaints about bins not being emptied for weeks in Garvagh and Aghadowey areas and that communication was needed to inform the public on when the bin contents would be collected. He said this problem seemed to have started when task and finish had been phased out. He also queried if residents had been consulted if they wanted or needed a brown bin.

The Director of Environmental Services advised that the problem with bin collections was being addressed. Members agreed to the supply of 240l brown bins to all households in the Borough and almost all households have now received their brown bin. A small number of flats and apartments will still retain the smaller caddie system. Generally, all households have food waste which should be recycled in order to achieve the Council's recycling targets.

31. PROPOSED MAINTENANCE OF SLIPWAYS, QUAY WALLS AND WATER ACCESS POINTS AT PORTSTEWART, DUNSEVERICK AND DALRIADA HARBOURS

The Environmental Services Committee received a confidential report to request permission to progress the above project to Stage 3 of the Capital Programme Management System (Appointment of a Contractor and Construction of the Works).

The report detailed background information, design proposals and procurement of a contractor. A stage two tender process was carried out in November 2018. On completion, the most economically advantageous tender was assessed, which incorporated a quality and price evaluation methodology.

Subject to Members approval the works can be scheduled to commence in March 2019 with completion in May 2019 in advance of peak season. The works will be phased to allow continued use of the facilities where possible.

It is recommended - that the Environmental Services Committee approve progression of this project to Stage 3 of the Capital Programme Management System and appoint W&H Alexander Ltd. to carry out the works for the submitted Tendered Sum of £133,741.61.

Proposed by Councillor MA McKillop
Seconded by Councillor Hunter and

AGREED – to recommend that Council approve progression of this project to Stage 3 of the Capital Programme Management System and appoint W&H Alexander Ltd. to carry out the works for the submitted Tendered Sum of £133,741.61.

MOTION TO PROCEED 'IN PUBLIC'

Proposed by Alderman King
Seconded by Alderman Cole and

AGREED - that the Committee proceed to conduct the following business 'In Public'.

There being no further business the Chair thanked everyone for their attendance and the meeting concluded at 7:45 pm.

Chair