

**ENVIRONMENTAL SERVICES COMMITTEE MEETING
MONDAY 19 NOVEMBER 2018**

Table of Recommendations

No	Item	Summary of Key Recommendations
4	Grant of Entertainment Licences	<i>Approve</i>
5	Grant of Approval of a Premises as a Venue for Civil Marriage/Civil Partnership	<i>Approve</i>
6	Microchip Reader for Cats	<i>Approve</i>
7	Purchase of 7.5 Tonne Beavertail Lorry	<i>Approve</i>
8	Car Parking, Sunday Charging in December	<i>Option 1 – Provide free parking on Sundays in December with no enforcement</i>
	For Information (Items 9 – 15)	
9	Entertainments Licence Renewals	<i>Information</i>
10	Liquor Licences	
11	Petroleum Spirit Licence Renewals	
12	Licences Issued Under Delegated Authority	
13	Pavement Café Licensing	
14	Homelessness Awareness Week Event	
15	Report on Food Sampling by District Councils in Northern Ireland in 2017	
16	Health and Built Environment 2018/19 Business Plan Update	
	For Decision in Committee (18-19)	
18	Application for a Mobile Street Trading Licence	<i>Refuse</i>

19	Market Yard Multi-Use Space	<i>Approve with tariffs</i>
20	Negotiations with Trade Unions	<i>Support</i>

Unconfirmed

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE
ENVIRONMENTAL SERVICES COMMITTEE
IN CIVIC HEADQUARTERS, COLERAINE ON
MONDAY 19 NOVEMBER 2018 AT 7:00 PM**

In the Chair: Alderman Finlay

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

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

In Attendance: Press (1 No)

CONDOLENCES

Condolences was extended to the families of John Winton and Robert Anderson, Council Employees who had tragically passed away over the past few weeks. Members stood in silence as a mark of respect.

SUBSTITUTION

The Chair advised that Councillor Deighan was substituting for Councillor Loftus for the transaction of business for the evening.

1. APOLOGIES

Apologies were recorded for Councillors Loftus and Mulholland.

2. DECLARATIONS OF INTEREST

There were no declarations of Interest.

3. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD ON 2 OCTOBER 2018

AGREED – that the Minutes are confirmed as a correct record.

4. GRANT OF ENTERTAINMENT LICENCES

The Environmental Services received a report previously circulated outlining details of Entertainment Licences.

4.1 The Local Government Miscellaneous Provisions (NI) Order 1985 - Entertainment Licences

Licence No:	EL 188
Premises:	McBrides Bar, 241 Whitepark Road, Bushmills
Application:	Grant of annual indoor entertainments licence Days and times on which it is applied to provide entertainment: Monday – Saturday 11.30hrs to 01:00hrs Sunday 12:30hrs to midnight
Representations:	Closes on 6 th November 2018
PSNI and NIFRS:	Closes on 7 th November 2018

It is recommended – to Grant an Annual Entertainment Licence subject to compliance with any recommendations of the Councils licensing department inclusive of the following special conditions:

- 1) No representations
- 2) No objections from PSNI or NIFRS

4.2 Grant of Occasional Indoor Entertainments Licence

Licence No:	EL 287
Premises:	Dunluce School, 16 Dunluce Road, Bushmills
Application:	Grant of occasional indoor entertainments licence Days and times on which it is applied to provide entertainment: Monday – Saturday 09:00hrs to midnight
Representations:	None received
PSNI and NIFRS:	No objections

It is recommended - Grant of an Occasional Entertainment Licence subject to compliance with any recommendations of the Councils licensing department.

4.3 Grant of Occasional Indoor entertainments licence

Licence No:	EL 266
Premises:	Stranocum Community Centre
Application:	Grant of occasional indoor entertainments licence Days and times on which it is applied to provide entertainment: Monday – Sunday 08:00hrs to midnight
Representations:	None received
PSNI and NIFRS:	No objections

It is recommended - Grant of an Occasional Entertainment Licence subject to compliance with any recommendations of the Councils licensing department.

4.4 Grant of Annual Indoor Entertainments Licence

Licence No:	EL368
Premises:	Dungiven Sports Centre, 32 Curragh Road, Dungiven
Application:	Grant of annual indoor entertainment licence Days and times on which it is applied to provide entertainment: Monday – Sunday 09:00hrs – 01:00hrs
Representations:	Closing date 7 th November
PSNI and NIFRS	Closing date 7 th November

It is recommended - Grant an Entertainments Licence subject to compliance with any recommendations of the Councils licensing section inclusive of the following special conditions.

- i) No representations*
- ii) No objections from PSNI or NIFRS*

4.5 Grant of Annual Indoor Entertainments Licence

Licence No:	EL 335
Premises:	Harkins Bar, 26 Linenhall Street, Limavady
Application:	Grant of annual indoor entertainments licence Days and times on which it is applied to provide entertainment: Monday – Saturday 11:30 hrs to 01:00hrs Sunday - 11:30 to midnight

Representations:	Closing date 15 th November
PSNI and NIFRS:	Closing date 19 th November

It is recommended - Grant of an Annual Entertainment Licence subject to compliance with any recommendations of the Councils licensing department inclusive of the following special conditions:

- 1) *No representations*
- 2) *No objections from PSNI or NIFRS*

4.6 Grant of Annual Indoor Entertainments Licence

Licence No:	EL358
Premises:	RVCP, Old Roe Valley Hospital, Benevenagh Drive Limavady
Application:	Grant of annual indoor entertainments licence Days and times on which it is applied to provide entertainment: Friday – Saturday 18:00 hrs to midnight
Representations:	Closing date 19 th November
PSNI and NIFRS:	Closing date 19 th November

It is recommended - Grant of an Annual Entertainment Licence subject to compliance with any recommendations of the Councils licensing department inclusive of the following special conditions:

- 1) *No representations*
- 2) *No objections from PSNI or NIFRS*

Proposed by Councillor M A McKillop
Seconded by Councillor Hunter and

AGREED – to recommend that Council grant the recommendations therein from Item 4.1 – 4.6 above.

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

Report previously circulated

5.1 The Marriage (NI) order 2003 and the Civil Partnership Regulations (NI) 2005

Reference Number:	MA 031 / CP 031
Premises:	RVCP, Old Roe Valley Hospital, Benevenagh Drive, Limavady

Application:	Application has been received for the Grant of Approval as a place of Civil Marriage and Civil Partnership.
Representations:	Closing date 12 th November 2018
PSNI and NIFRS:	Closing date 19 th November 2018

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, inclusive of the following special conditions:

- *No representations*
- *No objections from PSNI or NIFRS*

Proposed by Councillor McLaughlin
Seconded by Alderman Campbell and

AGREED – to recommend to Council 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 representations*
- *No objections from PSNI or NIFRS*

6. MICROCHIP READER FOR CATS

At Environmental Services Committee of September 2018 a motion was brought to establish the costs and requirements for the purchase of microchip readers for cats. This would enable Council staff at depots to scan cats found on roadways throughout the Borough during the course of their duties. If chipped, then the cat's owners could be contacted and informed that their cat had been found.

The cost to purchase 4 Microchip readers, which would be held in each of the 4 main depots, would be £150 each. Training for staff would be completed inhouse by staff already using this device for scanning dogs.

There is no statutory requirement to chip cats and therefore there are no records available to determine the number of cats who are likely to be found with a chip.

Therefore, it is proposed to monitor the usage of the microchip readers for 1 year to establish the cost benefit analysis of continuing with this service.

It is recommended - that 4 no. Microchip readers are purchased and placed in the 4 main Council depots. Usage of the scheme will be monitored for 1 year to establish the benefit of the service.

Proposed by Alderman Cole
Seconded by Councillor Holmes and

AGREED – to recommend to Council that 4 no. Microchip readers are purchased and placed in the 4 main Council depots. Usage of the scheme will be monitored for 1 year to establish the benefit of the service.

7. PURCHASE OF 7.5T BEAVERTAIL LORRY REPLACEMENT

The Environmental Services Committee considered a report on the purchase of a 7.5 Tonne Beavertail Lorry Replacement.

To ensure the continued effective grounds maintenance regime, it is necessary to replace a twin axle van in service since 1998 (20 years old) which had reached the end of its useful life. The van has been sent to auction (receipt £800) as it could not be repaired as the chassis was severely rusted through and had holes in the floor of the cab. A hired-in beavertail lorry is being used as a temporary replacement. The lorry has proved to be more versatile as it can carry a larger payload and from a safety perspective eliminates the need for towing a trailer. The lorry also provides more flexibility during the 'off season' when compared to a van with its unenclosed pay load area and greater load capacity.

The cost to purchase is provided for in the 2018/19 Estates Capital expenditure budget and is estimated to cost £46,000 plus VAT.

It is recommended - that Council approve to proceed to tender for the purchase of a 7.5t Beavertail Lorry to replace the existing van.

Proposed by Councillor Holmes
Seconded by Councillor Watton and

AGREED – to recommend that Council approve to proceed to tender for the purchase of a 5.5t Beavertail Lorry to replace the existing van.

8. CAR PARKING – SUNDAY CHARGING IN DECEMBER

Report previously circulated

As part of Local Government Reform, the Northern Ireland Executive agreed that the ownership of off-street car parks, their management and enforcement should transfer from the DRD to Councils on 1st April 2015.

As part of the transfer Council also inherited the authority to charge in The Mall and Abbey Street Car Parks on Sundays during November and December between 1pm – 6pm which is detailed within the Off Street Parking Order (N.I.) 2000.

Historically, from 2006, DRD (now Department for Infrastructure) charged for parking in The Mall and Abbey Street during the month of December in the run up to Christmas and enforcement was in place via kiosk/barriers 2006-2012 and Traffic Attendants 2012-2014.

Council also received numerous complaints during December 2015 and 2016 about vehicles parked out of bay causing obstruction in both Abbey Street and The Mall car parks.

In light of these complaints, a decision was taken to implement charging on the 3rd, 10th, 17th and 24th December 2017 and our agency partners DFI were contacted and enforcement was requested.

The aim of charging was to encourage vibrancy at locations closest to the retail core of the town centre (The Mall & Abbey Street) and long stay parking at the peripheral locations. Free parking on a Sunday remains available in the other Coleraine Car Parks, Long Commons, Railway Road, Railway Place, Waterside, and Millburn Road.

Enforcement was also required to ensure the disabled bays were being used by valid disabled badge holders.

Revenue collected via all 9 P&D machines in The Mall and Abbey Street on Sundays during December 2017 is detailed in the table below.

Date	Revenue collected all 9 P&D Machines
Sunday 3 rd December	£710.00
Sunday 10 th December	£910.00
Sunday 17 th December	£990.00
Sunday 24 th December	£995.00
	£3,605.00

The cost for providing enforcement via 2 x Traffic Attendants for three Sundays in December is detailed in the table below. Deployment was removed on 24th December.

Enforcement	Total
Additional deployment for 3 consecutive Sundays in December, 3 rd , 10 th and 17 th for The Mall and Abbey Street from 1pm – 6pm.	£1,187.95
Fuel, mileage based on staff deployed from Ballymena	£37.98
	£1,225.93

Options to consider;

- Option 1.** Provide free parking on Sundays in November and December with no enforcement.
- Option 2.** Charge for parking on Sundays in December only and provide enforcement.

Sundays in December 2018			
Option 1		Option 2	
The Mall	Free	The Mall	Charge
Abbey Street	Free	Abbey Street	Charge
Long Commons	Free	Long Commons	Free
Railway Road	Free	Railway Road	Free
Railway Place	Free	Railway Place	Free
Waterside	Free	Waterside	Free
Millburn Road	Free	Millburn Road	Free

Note: The above does not include private operators in town centre locations who charge a 70p per hour tariff on Sundays during December.

It is recommended - that Members select an option above for implementation in December 2018.

Proposed by Alderman King
Seconded by Councillor Watton and

AGREED – to recommend that Council approve Option 1 – provide free parking on Sundays in December 2018 with no enforcement.

9. ENTERTAINMENTS LICENCE RENEWALS - Local Government (Miscellaneous Provisions) (NI) Order 1985

The Environmental Services Committee received an Information Report, previously circulated on Entertainment Licence Renewals.

27 applications for entertainment licence have been received, acknowledged and processed during the report period.

The Information Report was **NOTED**.

10. LIQUOR LICENCES – Licensing (Northern Ireland) Order 1996 Liquor Licence

The Environmental Services Committee received an Information Report, previously circulated on Liquor Licences.

3 applications for grant, renewal, transfer or grant of an Occasional intoxicating Liquor Licence were received and acknowledged to Court Service during the report period.

The Information Report was **NOTED**.

11. PETROLEUM SPIRIT LICENCE RENEWALS – Petroleum (Regulations) Acts 1929 and 1937, Petroleum Spirit Licences

The Environmental Services received an Information Report, previously circulated on Petroleum Spirit Licences.

8 applications for renewals of Petroleum Spirit Licences have been received, acknowledged and processed during the report period.

The Information Report was **NOTED**.

12. LICENCES ISSUED UNDER DELEGATED AUTHORITY

The Environmental Received an Information Report, previously circulated to inform Members of licences issued under Delegated Authority during the last report as follows:

12.1 The Marriage (NI) Order 2003 and the Civil Partnership Regulations (NI) 2005

4 applications were received, acknowledged, processed during the report period.

12.2 Betting, Gaming, Lotteries and Amusements (NI) Order 1985

1 application was received, acknowledged and processed during the report period.

The Information Report was **NOTED**.

13. PAVEMENT CAFÉ LICENSING

At Environmental Services Committee of September 2017 (ES170509 item 7) members were advised with respect to Pavement Café Licensing and the approval of Council Guidance for Applicants wishing to consider applying to the Council for a Pavement Café Licence.

The Legislation (Licensing of Pavement Cafes Act (Northern Ireland) 2014) came into effect on the 1 October 2016. The legislation specifically requires District Councils to consult with the Department for Regional Development (now Department for Infrastructure) as to its functions in respect of roads and the regulation of road traffic.

Arising from Council Equality Screening and Impact Assessment of its document "Licensing of Pavement Cafes Act (NI) 2014, Guidance for Applicants" Council received multiple responses from organisations representing disabled groups concerned as to how the safety of pedestrians utilising pavements will be maintained should a pavement café be established.

These concerns were also echoed by a letter to Council from the Northern Ireland Assembly All Party Group on Visual Impairment in respect to its implementation of the pavement café legislation.

Officers have been awaiting the finalisation of guidance from the Department for Infrastructure on the highway and road traffic considerations it considers relevant before advising businesses operating or considering operating pavement cafes of these. Such considerations include:

- The minimum maintained footway width to be maintained
- Considerations on the placing of A boards and menu boards to not impact pedestrians
- Considerations as to the impact of the establishment of pavement cafes on street parking, access to bus stops, cash points, Pedestrian crossing areas etc. and maintenance of safe pavement widths
- Considerations on the obstruction of tactile pavings
- Pavement cafes remote from premises

It is Officers understanding that the Department of Infrastructure are shortly to commence an Equality Impact Assessment on the guidance they have been developing.

The licensing section of the Environmental Services Department have written to the Department of Infrastructure seeking information as to when its guidance will be available in order to assist local businesses. Officers have concluded preparatory work for the successful implementation of the legislation by identifying existing pavement cafes throughout the borough.

Depending on the circumstances of the proposed pavement café on a public area, a planning application may also be required for some existing pavement cafes in addition to a pavement café licence. Officers

from the Licensing section are currently working with Councils Planning section to provide advice for potential applicants on whether planning permission is required or not.

Officers have also worked with the Councils Equality and Diversity Officer and the local Campaigners Active Network (a local group representing the Partially sighted) to acknowledge the potential negative impact that the installation of structures such as tables, chairs and menu boards on pavements can have on blind or partially sighted individuals who access Town centres across the borough.

In order to ensure the smooth implementation of the licencing of pavement cafes to assist local businesses promote town centres without impacting negatively on any vulnerable group it is planned that a series of seminars will be undertaken in conjunction with Council Town Centre and Village section and members of the Campaigners Active Network.

The Information Report was **NOTED**.

14. HOMELESSNESS AWARENESS WEEK EVENT

The Environmental Services Committee received an Information Report, previously circulated to advise Members of Homelessness Awareness week event.

A key action within the Northern Ireland Housing Executive Homelessness Strategy 2017-22 has been the creation of Homelessness Local Area Groups aligned to Housing Executive areas. The Causeway group is chaired by Housing Executive Area Manager and contains representation from statutory and voluntary groups across the Causeway area. The work of the group is guided by an inter-agency Action Plan that was launched in June 2018. The inter-agency nature of the group and the Action Plan is reflective of the complexity of homelessness as an issue that goes beyond the provision of accommodation.

As part of this Action Plan the group have committed to an event in Homelessness Awareness Week which will outline what agencies within the area provide in an effort to prevent and address homelessness for those households who find themselves homeless or threatened with homelessness. The event, hosted by Vineyard Social Compassion, is scheduled for Friday 7th December 2018 and will have a range of speakers for the statutory and voluntary sectors.

The Information Report was **NOTED**.

15. REPORT ON FOOD SAMPLING BY DISTRICT COUNCILS IN NORTHERN IRELAND

The Environmental Services Committee received an Information Report on Food Sampling by District Councils in Northern Ireland.

Those who make and sell food must ensure that it is safe, of good quality, and honestly labelled. Sampling of food by Council's Food Team for microbiological examination at the NI Public Health Laboratory and chemical analysis by the Public Analyst is essential in protecting consumers from harm and being misled.

Between 1st January 2017 and 31st December 2017 there were 8160 sample details entered onto the United Kingdom Food Surveillance System (UKFSS) database from Northern Ireland and includes samples taken by Causeway Coast and Glens Borough Council.

A report on Food Sampling by District Councils in Northern Ireland 2017 has recently been published and was attached to the report.

The sampling work outlined in the report is targeted towards key priority areas to protect the public and make best use of resources. It is therefore not typical of food generally and it is encouraging to see that 60% of all samples taken were satisfactory. Unsatisfactory samples results are followed up by Council that collected the sample and action can range from advice to prosecution as appropriate.

The Information Report was **NOTED**.

16. HEALTH AND BUILT ENVIRONMENT 2018/19 BUSINESS PLAN UPDATE

The Environmental Services Committee received an Information Report previously circulated to update Members as to progress on delivery of the Health & Built Environment Business Plan.

Further to Environmental Services Committee Minute of 180501 - Item 8 and the approval of the Annual Business Plan, an update was provided as to progress against each of the strategic objectives identified. The update was attached as an appendix to the report.

The Information Report was **NOTED**.

17. MATTERS FOR REPORTING TO PARTNERSHIP PANEL

There were no matters for reporting to the Partnership Panel.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Alderman Cole
Seconded by Councillor McGurk and

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

Press left meeting at 7:50 pm.

18. APPLICATION FOR A MOBILE STREET TRADING LICENCE

The Environmental Services Committee considered a confidential report previously circulated which advised with respect to an application for a mobile street trading licence.

As a result of Council decision and in compliance with Section 12 of the Street Trading Act (NI) 2001 the applicant was advised in writing that it was the intention of Council to refuse the grant of a licence on the following ground:

“that the applicant is on account of misconduct or some other reason relating to trading activities, unsuitable to hold a street trading licence”

The applicant was informed of their right to submit a written appeal within a stated time scale for Council consideration. A written submission was received within the stipulated period from the applicant and was previously circulated with the confidential report.

Recommendation:

1. It is recommended that Council consider the request of an appeal
2. It was recommended that in the first instance the applicant should be given an opportunity to address the Environmental Services Committee at its December meeting before Council decides how to proceed with this matter.
3. Thereafter it is recommended that Committee make a recommendation to Council on whether to approve the applicants licence application, following a presentation by the applicant in support of his application.

Following questions from members, Alderman Cole asked officers if Members could refuse the application based on officer recommendations following review of the letter of appeal. Alderman Cole was informed by the Head of Health & Built Environment that Members could refuse the

application if they so wished. He also advised that the applicant would have a further right of appeal to the Magistrates Court.

Proposed by Alderman Cole
Seconded by Councillor Wilson

- ***that the Committee recommend to Council refusal of the applicants licence application.***

The Chair put the motion to the Committee to vote, with 11 Members voting for and 3 abstentions.

The Chair declared the motion **CARRIED**.

19. MARKET YARD MULTI USE SPACE

The Environmental Services Committee received a confidential report to provide Members with an update regarding the progression of the Market Yard Multi Use Space project and to seek a decision on the next step.

By way of background, Members were reminded of previous decision of Council on development of the Market Yard from 2016; associated costs; unsuccessful grant funding application and ongoing planning application process.

Planning has confirmed that the application will be recommended for approval and are targeting presenting this at the November Planning Committee meeting.

The Committee were advised that a combined 2 stage process was conducted comprising pass/fail on procurement of a contractor. Following public advert, of the 17 companies who requested the information, five tenders were received all of which passed the quality assessments.

Members was informed of the most advantageous tender and a detailed tender evaluation process was circulated.

It was noted that the tender would not awarded until confirmation of the outcome of the Planning Application decision and Member decision.

Subject to Members approval to proceed, the construction works could now commence with completion scheduled for April 2019.

In September 2016, Council agreed to develop the Market Yard as a multi-use space including a pay and display car park. Being consistent

with other tariffs in Council and private car parks in the area, it is recommended that the tariff would be set at 50p per hour with an incentive rate of £1 for 3 hour parking. Charging times Monday – Saturday 8.30 am to 6.30 pm.

It is recommended - that Members approve to proceed to stage 3 of the procurement process, subject to the above statutory approvals and apply the tariff as noted in the report.

Proposed by Alderman Cole
Seconded by Alderman King

- ***to recommend to Council approval to proceed to stage 3 of the procurement process, subject to the above statutory approvals and apply the tariff as noted in the report.***

The Chair put the motion to the Committee to vote, with 11 Members voting for and 1 against.

The Chair declared the motion **CARRIED**.

20. NEGOTIATIONS WITH TRADE UNIONS

The Director of Environmental Services informed the Committee that management were entering into negotiations with Trade Unions on the removal of Task and Finish Practices.

The Committee supported the course of action outlined.

MOTION TO PROCEED 'IN PUBLIC'

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 8:07 pm.

Chair