

**ENVIRONMENTAL SERVICES COMMITTEE MEETING
TUESDAY 4 SEPTEMBER 2018**

Table of Recommendations

No	Item	Summary of Key Recommendations
1	Apologies	<i>Cllrs K Muholland, McLaughlin and MA McKillop</i>
2	Declarations of Interest	<i>None</i>
3	Minutes of Environmental Services Committee Meeting held on 7 August 2018	<i>Approve</i>
20	Any Other Relevant Business <ul style="list-style-type: none"> Upgrade of existing or new build public toilet facilities as laid down in Changing Places guidelines – specifically in Limavady and if budgets were sufficient 	<i>Committee updated on recent and ongoing plans for toilet upgrades in Borough. Current budget of £100k not adequate to upgrade all facilities</i>
4	Grant of Entertainment Licence	<i>Approve</i>
5	Grant of Approval of a premises as a location for Civil Marriage	<i>Approve</i>
6	Dog Control Orders	<i>Approve</i>
7	Information Sharing Agreement with Department of Justice	<i>Approve</i>

8	Regulating Our Future – Consultation on Amendments to the Food Law Code of Practice (Northern Ireland) 2018	<i>Approve</i>
9	Standby Fixed Generator Installation – Cloonavin and Mobile Generator for Business Continuity & Emergency Response to Serve Other Council Facilities	<i>Approve</i>
10	Entertainment Licence Renewals	<i>For Information</i>
11	Liquor Licences	<i>For Information</i>
12	Petroleum Spirit Licence Renewals	<i>For Information</i>
13	Licences issued under Delegated Authority	<i>For Information</i>
14	Outcome of Legal Proceedings	<i>For Information</i>
15	Capital Projects Delivery Update	<i>For Information</i>
16	Service of Remembrance Following Erection of Memorial, Knock Road Cemetery, Ballymoney	<i>For Information</i>
17	Matters for Reporting to Partnership Panel	<i>None</i>
18	Correspondence - DfI, Proposed Waiting Restrictions, Strand Road, Coleraine - DfI, Proposed Waiting Restrictions, Mountsandel Road, Coleraine	<i>For Information</i>
19	Application for a Mobile Street Trading Licence	<i>Refuse</i>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE
ENVIRONMENTAL SERVICES COMMITTEE
IN CIVIC HEADQUARTERS, COLERAINE ON
TUESDAY 4 SEPTEMBER 2018 AT 7:00 PM**

- In the Chair:** Councillor Finlay
- Members Present:** Aldermen: Campbell, Cole and King
Councillors: Holmes, Hunter, Loftus, McGurk,
McLean, Watton and Wilson
- Officers Present:** A McPeake, Director of Environmental Services
B Edgar, Head of Health and Built Environment
P Caldwell Capital Projects Manager
E McCaul, Committee and Member Services Officer
- Non Committee
Members Present:** Alderman Robinson and Councillor Fielding
- In Attendance:** Press (1 No)

SUBSTITUTIONS

Councillor Fielding replaced Councillor McCorkell for the transaction of business for the evening.

1. APOLOGIES

Apologies were recorded for Councillors Mulholland, McLaughlin and McKillop MA.

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest recorded.

3. MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD TUESDAY 4 SEPTEMBER 2018

Summary minute previously circulated.

The Minutes of the above meeting were adopted at the Council Meeting held on Tuesday 28 August 2018.

20. ANY OTHER RELEVANT BUSINESS (NOTIFIED IN ACCORDANCE WITH STANDING ORDERS 12 (o))

AGREED – that Item 20, Any Other Relevant Business would be discussed at this point in the meeting.

In accordance with Standing Orders 12 (o)) the following Member gave notice of item too be considered:

- **Upgrade of Existing or new build public toilet facilities – Alderman Robinson**

To receive an update on Council plans to upgrade existing or new build public toilet facilities to meet criteria as laid down in “Changing Places” guidelines, and will the current allocated budget estimate of £100,000 be sufficient to cover these works across the Council area?

Alderman Robinson pointed out that the lack of public facilities in town centres for those with specific needs had gone viral in social media, specifically in Limavady town centre, where in one case a parent had to resort to changing a child in the back of a van.

The Director of Environmental Services advised that the Council have already installed a Changing Places Facility at Flowerfields as part of the new Diversity Park Project. The new toilets at Dunluce have also had a Changing Places facility incorporated into them. Officers were currently looking at other areas with high footfall and where upgrade of existing facilities would be beneficial.

Coleraine and Limavady Leisure Centres have been assessed and proposed for upgrade in the New Year, however the current budget of £100,000 would not be sufficient to cover other upgrade projects.

Alderman Robinson pointed out that Limavady Leisure Centre was a mile from the town centre and not convenient. He requested that priority be given to upgrades of public facilities in Main Street and Catherine Street, Limavady.

* Alderman Robinson left the meeting at 7:12 pm.

4. GRANT OF ENTERTAINMENT LICENCE

Report previously circulated.

4.1 The Local Government Miscellaneous Provisions (NI) Order 1985 - Grant of Annual Entertainments Licence

Premises:	Ballymaconnelly Hall
Application:	Grant of annual entertainments licence for dancing singing, music or any other entertainment of a like kind and darts. Days and times on which it is applied to provide entertainment: Monday – Sunday 00:00hrs to midnight

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

Proposed by Alderman King
Seconded by Seconded by Councillor Hunter and

AGREED – to recommend that Council grant an Annual Entertainment Licence subject to compliance with any recommendations of the Councils licensing department.

5. GRANT OF APPROVAL OF A PREMISES AS A LOCATION FOR CIVIL MARRIAGE

Report previously circulated.

5.1 Marriage Regulations (NI) 2003 – The Marriage (NI) Order 2003

Premises:	Mount Fair, 183 Drumsurn Road, Limavady
Application:	Application received for the approval of Mount Fair as a place of Civil Marriage.

It is recommended – that the premises be approved as a venue for Civil Marriage subject to compliance with any recommendation of the Councils licensing section inclusive of the following special condition:

- *No representation from members of the public.*

Proposed by Alderman King
Seconded by Councillor Hunter and

AGREED – to recommend to Council that the premises be approved as a venue for Civil Marriage subject to compliance with any recommendation of the Councils licensing section inclusive of the following special condition:

- No representation from members of the public.

6. DOG CONTROL ORDERS

Further to Committee report ES180411 (Item 4) the public consultation on this draft order has been completed (14 May - 19 June 2018) and no representations have been received.

This Order attached at Appendix 1 of the report will ensure consistency in the enforcement approach to dog fouling in the legacy Limavady, Ballymoney and Moyle Council areas; in addition to remaking and replacing the existing The Fouling of Lands by Dogs (Coleraine Borough Council) Order 2014.

It is recommended that:

- (i) In accordance with The Dog Control Orders (Procedures) Regulations (Northern Ireland) 2012 it is recommended that Council proceed with this Order to come into effect across the Borough on 1 November 2018.
- (ii) In accordance with the Dog Control Orders (Procedures) Regulations (Northern Ireland) 2012 it is recommended that Council proceed to publish notice of its intention to revoke the Fouling of Lands by Dogs (Coleraine Borough Council) Order 2014.

Officers addressed a number of queries from Members on signage and promotion to advise the public of the Order.

Proposed by Alderman King
Seconded by Councillor McLean and

AGREED – to recommend to Council that the recommendations set out above be approved.

7. INFORMATION SHARING AGREEMENT WITH DEPARTMENT OF JUSTICE

Environmental Health Officers of the Council's licensing and emergency planning team act as "warranted officers" on behalf of the Department of Justice to enforce provisions related to:

- (a) The Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006 (as amended) and;
- (b) The Explosive (Fireworks) Regulations (Northern Ireland) 2002 in relation to the licencing of fireworks displays.

As a consequence of the Data Protection Act 2018 an agreement between Council and the Department of Justice is necessary to facilitate the legitimate and secure disclosure of relevant and proportionate information including personal data. This will be used for the purposes of conducting the necessary health and safety prosecution checks, Manufacture and Storage of Explosives Regulations related inspections, licencing fireworks displays and other relevant explosive-related matters of mutual interest with the intention of preventing serious risk to the public. An information sharing agreement is necessary to ensure that information is handled and disposed of in accordance with legislative requirements and agreed policy.

The draft agreement has been considered by the Council's Information Governance Officer who has no objections to its contents.

It is recommended - that the Head of Health & Built Environment is authorised to sign and return the agreement on Council's behalf to facilitate the continuation of this normal business.

Proposed by Councillor Hunter
Seconded by Alderman Cole and

AGREED – that the Head of Health & Built Environment is authorised to sign and return the agreement on Council's behalf to facilitate the continuation of this normal business.

8. REGULATING OUR FUTURE - CONSULTATION ON AMENDMENTS TO THE FOOD LAW CODE OF PRACTICE (NORTHERN IRELAND) 2018 AMUSEMENT PERMIT RENEWALS

Report previously circulated.

The Regulating our Future (ROF) Programme aims to modernise how food business in Northern Ireland, England and Wales are regulated in relation to food law requirements. The Food Standards Agency is seeking the views and comments on its proposals to amend the Food Law Code of Practice (Northern Ireland) as part of the first phase of changes related to the ROF programme.

These changes will:

- enable a new digital approach to the process of registration for new business

- make amendments to the Food Establishment Intervention Rating Scheme
- recognise national inspection strategies, creating better alignment between the Code and Primary Authority. also invites views to help inform the future development of local authority (LA) performance measures so more meaningful and real-time assessment of a LAs delivery of its obligations are possible.

The full consultation paper can be found at:

<https://www.food.gov.uk/news-alerts/consultations/regulating-our-future-amendments-to-the-food-law-code-of-practice-northern-ireland>

A suggested response to the consultation was circulated. The closing date for submission of responses to the Food Standards Agency is 27 September 2018.

It is recommended – that Council endorse the response.

Proposed by Councillor Loftus
Seconded by Councillor McGurk and

AGREED – to recommend that Council endorse the response

9. **AGREED** – that Agenda Item 9 would be discussed at the end of the meeting **IN COMMITTEE**.

10. **ENTERTAINMENT LICENCE RENEWALS – Local Government (Miscellaneous Provisions) (NI) Order 1985 Entertainment Licences**

Information report previously circulated.

The undernoted applications for an entertainment licence had been received, acknowledged and process during the report period.

<u>nique Reference Number</u>	<u>Name of Premises</u>
EL120	Crusoes Coffee Shop
EL146	Rubys
EL057	Kilrea Golf Club
EL157	Armoy Motorcycle Road Racing Club Marquee
EL203	St Joseph's Hall
EL129	The Tides
EL016	Bushfoot Golf Club
EL187	McAllister Hall
EL202	St Mary's Parish Centre
EL239	Rasharkin Presbyterian Church Hall
EL052	Inn On The Coast
EL318	Banters
EL130	The Shed Macosquin
EL104	St Mary's Star of The Sea Parish Centre
EL366	The Ponderosa Bar & Restaurant
EL058	Kilrea Orange Hall
EL005	Anchor Bar Complex
EL161	Central Bar
EL056	Kilrea GAC Community Hall

**11. LIQUOR LICENCES - Licensing (Northern Ireland) Order 1996
Liquor Licence**

Information report circulated.

7 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.

The information report was **NOTED**.

12. PETROLEUM SPIRIT LICENCE RENEWALS - Petroleum (Regulation) Acts 1929 and 193, Petroleum Spirit Licences

Information report circulated.

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

The information report was **NOTED**.

13. LICENCES ISSUED UNDER DELEGATED AUTHORITY

Information report circulated.

13.1 Street Trading (NI) Act 2001

1 premises was given an authorised grant for Temporary Street Trading.

13.2 Roads (Miscellaneous Provisions) Act (Northern Ireland 2010

2 organisations were authorised during the report period with regard to vehicular traffic to facilitate festival events.

The information report was **NOTED**.

14. OUTCOME OF LEGAL PROCEEDINGS

The Environmental Committee received an information report to advise of outcome of legal proceedings delegated to staff, nature of offences and the result of proceedings

The information report was **NOTED**.

15. CAPITAL PROJECTS DELIVERY UPDATE

The Environmental Committee received a report to provide a quarterly update in relation to the current status of the delivery of Capital Projects in accordance with the Capital Programme Management System.

The information report was **NOTED**.

16. SERVICE OF REMEMBRANCE FOLLOWING THE ERECTION OF MEMORIAL, KNOCK ROAD CEMETERY, BALLYMONEY

In October 2017 Council accepted a proposal from local Funeral Director, James McMullan & Son to provide a memorial in memory of those who died in unfortunate circumstances and were buried in unmarked graves in Ballymoney Cemetery. This memorial has now been erected.

It is now proposed that a short inter-denominational service will be held on the morning of 3rd October involving the Clergy from the Presbyterian, Church of Ireland and Catholic Churches in remembrance. A short background narrative will also be given by local historian, Keith Beattie, on the history of those who are buried in this section of the cemetery. Given the local interest expressed since the erection of the memorial, this service will be publicised to allow attendance by the wider community.

The information report was **NOTED**.

17. MATTERS FOR REPORTING TO PARTNERSHIP PANEL (LOCAL GOVERNMENT SIDE)

There were no matters to report.

18. CORRESPONDENCE

The Environmental Services was advised of the following items of correspondence:

- Department for Infrastructure – Proposed Waiting Restrictions, Strand Road, Coleraine
- Department for Infrastructure – Proposed Waiting Restrictions, Mountsandel Road, Coleraine.

The items of correspondence was **NOTED**.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Councillor Wilson
Seconded by Alderman Cole and

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

* Press left the meeting at 7.30 pm.

9. STANDBY FIXED GENERATOR INSTALLATION - CLOONAVIN AND MOBILE GENERATOR FOR BUSINESS CONTINUITY & EMERGENCY RESPONSE TO SERVE OTHER COUNCIL FACILITIES

Further to Council Minute CM 171128 7.1, the purpose of this report is to consider the tender returns with respect to the above. The recommendation approved at that time was to progress the purchase of a static stand-by generator for Cloonavin and to include the investigation of connection tails at a number of key locations and that the council explore the opportunity that exists to sell generator capacity to third parties and to feed into the grid as and when required.

The original estimate for this work based on two locations (Cloonavin & Riada House) was £130,000.00.

A successful application was made via the Northern Emergency Planning Group for the purchase of a mobile generator which can be

deployed at various locations should the need arise and where suitable connections have been provided in advance and a permanent generator.

The grant award covered the purchase price of both generators and a trailer.

A tendering process was conducted in relation to the mechanical, electrical and Civil Engineering works to facilitate a mobile generator and permanent fixed position generator at a number of council sites.

A copy of the tender procedure and analysis report was circulated.

It is recommended that the submitted tendered total of the prices figure of £94,620.00 as submitted be approved.

Proposed by Councillor Hunter
Seconded by Alderman Cole and

AGREED – that the submitted tendered total of the prices figure of £94,620.00 as submitted be approved.

19. APPLICATION FOR A MOBILE STREET TRADING LICENCE

The Committee received a confidential report which outlined details of an application for a mobile street trading licence. In accordance with Council policy, the applicant produced a Basic Access (NI) certificate on 31 July 2018. This was clear except for a conviction for driving without due care and attention on 13 March 2017.

The report detailed that the applicant was prosecuted by Council on 6 October 2017 for Illegal Street trading in an ice-cream van in Kilrea. The applicant did not appear in court but was fined £250 plus legal; court costs and an offenders levy imposed. The committee was asked to consider whether this conviction represents a relevant conviction or not.

The report outlined details of procedure if application was to be refused, grounds for decision and right of appeal by the applicant.

The following two options are available to the Committee:

- a) If the Committee are of a mind to approve this application, no further action is necessary. A full report will be taken to Council and the street trading licence issued.
- b) The Committee may recommend to Council that the application be refused.

It is recommended – that Council consider the refusal of a mobile street trading licence to the applicant and offer the applicant the opportunity to address Council at the next available meeting.

Proposed by Alderman Cole
Seconded by Councillor Loftus and

AGREED – to recommend to Council refusal of a mobile street trading licence to the applicant and offer the applicant the opportunity to address Council at the next available meeting.

MOTION TO PROCEED ‘IN PUBLIC’

Proposed by Councillor Wilson
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 **7:40 pm.**

Chair