



**ENVIRONMENTAL SERVICES COMMITTEE MEETING
THURSDAY 16 FEBRUARY 2023**

Table of Recommendations

| No | Item | Summary of key Recommendations |
|-----------|---|---|
| | Chair To Be Taken | <i>Councillor Wallace</i> |
| | | |
| 1. | Apologies | <i>Alderman Fielding, Councillors McAuley, McGlinchey, Wilson</i> |
| | | |
| 2. | Declarations of Interest | <i>Alderman Baird, Councillors Hunter, MA McKillop</i> |
| | | |
| 3. | Minutes of Environmental Services Committee meeting held 11 January 2022 | <i>Confirmed as a correct record</i> |
| | | |
| 4. | Entertainments Licensing Report | <i>To recommend that Council grant the Entertainments Licences (i-ii) as set out in the report</i> |
| | | |
| 5. | Consideration of proposed Dog Control Order excluding dogs from lands – findings of Public Consultation | <i>To recommend that Council approve Option 2 to progress with procedure to introduce an alternative Dog Control Order whereby dogs would not be excluded from the area but must be on a lead at all times whether livestock are present or not. This option would require the procedure detailed in paragraph 6.0 to be initiated including a further public consultation and write to the Department of Justice to</i> |

| No | Item | Summary of key Recommendations |
|-----|---|---|
| | | bring fines into line with modern day costs |
| 6. | Concessionary Trading Provision | to recommend that Council approve the service provision at each as described in detailed under 2.2 of this report, and Castlerock Trading Pitch subject to planning permission, and that Officers proceed to carry out a marketing campaign and public tendered auction, subject to the inclusion as set out in the minute below |
| 7. | Amusement Permit Renewals | Information |
| 8. | Cinema Licence Renewals | Information |
| 9. | Entertainment Licence Renewals | Information |
| 10 | Licences Issued Under Delegated Authority | Information |
| 11. | Pavement Café Licence Renewals | Information |
| 12. | Petroleum Spirit Licence Renewals | Information |
| 13. | Castlerock Footbridge Update | Information |
| 14. | Matters for Reporting to Partnership Panel | Nil |
| 15. | Consultations | Nil |
| 16. | Correspondence | Nil |
| | IN COMMITTEE (Items 17 – 23 inclusive) | |
| 17. | Strategic Waste Management | to recommend that Council - adopt in principle the recommendations of the SIB Project Business Case Report - approve a funding application with DfC and DAERA in relation to the |

| No | Item | Summary of key Recommendations |
|-----|---|--|
| | | <p align="center">Subvention Funding required as detailed in the report</p> <p align="center">- endorse the actions of Officers to date and to receive future reports in due course</p> |
| 18. | Building Conditions Survey | <i>to recommend that Council undertake the building condition surveys and going forward building surveys are completed on a 5-10 year basis</i> |
| 19. | Cemetery Administration Software Upgrade | <i>to recommend that Council upgrade software for cemetery administration and record keeping and bring back costs to include the surveying of closed graveyards.</i> |
| 20. | Ballintoy Harbour Drainage Collection System Upgrade | <i>to recommend that Council grant permission for officers to progress to Stage 2 of the procurement gateway at the expense listed above - which will allow detailed design and procurement to be undertaken</i> |
| 21. | Outcome of Appeal against Refusal to Grant a Mobile Street Trading Licence | <i>Information</i> |
| 22. | Street Trading Licence Renewals | <i>Information</i> |
| 23. | Period 9 – ES Management Accounts and Financial Position 2022/23 | <i>Information</i> |
| | 'In Public' (Item 24) | |
| 24. | Any Other Relevant Business (notified in accordance with Standing Order 12 (0)) | |
| (i) | Infrastructure on High St Ballymoney (Councillor Wilson) | <i>Deferred to next Environmental Services meeting</i> |

| No | Item | Summary of key Recommendations |
|-------------|---|--|
| (ii) | Electric Vehicles charging stations (Councillor Wallace) | <i>Report to be brought to Environmental Services Committee in due course</i> |

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF
THE ENVIRONMENTAL SERVICES COMMITTEE HELD
IN THE COUNCIL CHAMBER, CIVIC HEADQUARTERS AND VIA VIDEO CONFERENCE,
ON THURSDAY 16 FEBRUARY 2023 AT 7:00 PM**

In the Chair: Councillor Wallace (C)

Members Present: Alderman Baird (R), Knight McQuillan (C), McLean (C);
Councillors Beattie (R), Callaghan (C), Holmes (R/C),
Hunter (R), McGurk (R), MA McKillop (R), C McQuillan
(R), Nicholl (R)

Officers Present: A McPeake, Director of Environmental Services (C)
G Doyle, Head of Estates (R)
S McAfee, Temporary Head of Health and Built Environment (R)
J Keen, Committee & Member Services Officer (C)

**Non-Committee
Members in
Attendance:** Councillor A McQuillan (C), Councillor Callan (R)

In Attendance: C Thompson, ICT Officer (C)
C Ballentine, ICT Officer (C)

Public (2 no.) (R)

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

The Director of Environmental Services undertook a roll call.

Substitutions

Councillor McCaw ¹substituted for Alderman Boyle.
Alderman Knight McQuillan substituted for Alderman Fielding.
Alderman Baird substituted for Councillor Wilson.

Chair To Be Taken

The Director of Environmental Services advised that as an apology had been received from the Chair and Vice-Chair, the Committee was required to appoint a Chair for the meeting.

Proposed by Alderman McLean
Seconded by Councillor Callaghan and

¹ Councillor McCaw did not join the meeting.

AGREED - that Councillor Wallace take the position of Chair for the Environmental Services Committee meeting.

Councillor Wallace assumed The Chair and advised Committee of its obligations and protocol whilst the meeting was being audio recorded; and with the remote meetings protocol.

1. **APOLOGIES**

Apologies were recorded for Alderman Fielding, Councillor McAuley, Councillor McGlinchey, Councillor Wilson

2. **DECLARATIONS OF INTEREST**

Alderman Baird declared an interest in Item 6 Concessionary Trading Provision due to being a Member of the Planning Committee, having declared an interest Alderman Baird did not participate in the item.

Councillor Hunter declared an interest in Item 6 Concessionary Trading Provision due to being a Member of the Planning Committee, having declared an interest Councillor Hunter did not participate in the item.

Councillor MA McKillop declared an interest in Item 6 Concessionary Trading Provision due being a Member of the Planning Committee, having declared an interest Councillor MA McKillop did not participate in the item.

3. **MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD 11 JANUARY 2023**

Summary, previously circulated.

AGREED – to recommend that the Minutes of the Environmental Services Committee meeting held 11 January 2023 were confirmed as a correct record.

4. **ENTERTAINMENTS LICENSING REPORT**

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

ENTERTAINMENTS LICENCE

(i) GRANT OF INDOOR ENTERTAINMENTS LICENCE

Ref: EL362

Premises: St Anne's Hall, 51 Brisland Road, Eglinton BT47 3EA

Application: Grant of an annual indoor entertainments licence

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

Monday to Sunday: 09:30 hrs to 00:00 hrs

Representation: No objection following public consultation

PSNI and NIFRS: No objection from PSNI or NIFRS

Recommendation:

It is recommended to grant an annual entertainments licence subject to compliance with any recommendations of the Council's Licensing Section

(ii) GRANT OF INDOOR ENTERTAINMENTS LICENCE

Ref: EL272

Premises: Drumreagh Presbyterian Church Hall, Bendooragh

Application: Grant of an Occasional Indoor Entertainments Licence

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

Monday – Sunday 08:00hrs to 23:59hrs

PSNI & NIFRS: PSNI have no objections

NIFRS response to be received by 14 February 2023

Recommendation:

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

Proposed by Alderman McLean

Seconded by Councillor Callaghan and

AGREED – to recommend that Council grant the Entertainments Licences (i-ii) as set out in the report.

* **Councillor Holmes attended in the Chamber at 7:08pm**

5. CONSIDERATION OF PROPOSED DOG CONTROL ORDER EXCLUDING DOGS FROM LANDS – FINDINGS OF PUBLIC CONSULTATION

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

Purpose of Report

The purpose of this report is for members to consider the responses to a public consultation for a Dog Control Order which would exclude dogs from lands between Ballintoy Harbour and Whitepark Bay and to reach a decision on how to proceed.

Background

A request was received from a landowner seeking a Dog Control Order to be imposed on his lands where an asserted Right of Way footpath is located. The path runs from Ballintoy Harbour to Whitepark Bay. The lands in question are private lands where livestock are kept however the public use the pathway for recreation and for walking dogs.

The landowner claims that members of the public do not exercise proper control of their dogs by keeping them on a leash and as such the landowner has suffered loss due to dogs worrying the livestock.

The request is that Council impose a Dog Control Order to exclude dogs from this land.

Further to CM220630 Council decided to progress the procedure to introduce a Dog Control Order to exclude dogs from these lands.

Existing Legislative Provisions

Legislative provisions to control dogs on land where livestock is kept exist within the Dogs (NI) Order 1983. Regulation 25 of this Order requires anyone with a dog on land where livestock is kept to keep that dog under control by means of a leash. Any person who contravenes this regulation shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £200.

Regulation 28 of the Dogs (NI) Order 1983 states that if a dog worries livestock, or attacks and injures any other animal owned by another person, the keeper of the dog and the person in charge of the dog shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 (£1,000) on the standard scale.

Power to make Dog Control Orders

Under Part 5 Article 40 of the Clean Neighbourhoods and Environment Act (NI) 2011 a district council may make an order providing for an offence or offences relating to the control of dogs in respect of any land in its district to which this Part applies. An order under this subsection shall be known as a “dog control order”.

Although the land in question here is private land used to keep livestock the power to make a Dog Control Order applies as it is land to which the public are entitled to access due to the asserted Right of Way path.

Considerations of imposing a Dog Control Order

The Department of the Environment (NI) produced guidance for District Councils to refer to when considering imposing Dog Control Orders called ‘Guidance on Part 5 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011’ which can be found at <https://www.daera-ni.gov.uk/sites/default/files/publications/doe/guidance-dog-control-orders.pdf>

The following excerpts are from that guidance on general principles:

- Paragraph 1.3 District councils may make dog control orders, provided that they are satisfied that an order is justified, and they have followed the necessary procedures.
- Paragraph 1.5 However, enforcement of the legislation is just one tool that is available to district councils to deal with dogs. Councils should bear in mind that the introduction of a dog control order may not always be the most appropriate course of action and that education also has an important part to play in promoting responsible dog ownership.

- Paragraph 2.2 The council needs to balance the interests of those in charge of dogs against the interests of those affected by the activities of dogs, bearing in mind the need for people, in particular children, to have access to dog-free areas and areas where dogs are kept under strict control, and the need for those in charge of dogs to have access to areas where they can exercise their dogs without undue restrictions. A failure to give due consideration to these factors could make any subsequent dog control order vulnerable to challenge in the Courts.
- Paragraph 2.3 District councils should also consider how easy a dog control order would be to enforce, since failure to enforce properly could undermine the effect of an order. This is particularly the case for orders that exclude dogs completely from areas of land.

Procedures for making a Dog Control Order

The 'Guidance on Part 5 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011' also sets out the procedures for making a dog control order. The following excerpts are from that guidance:

- Paragraph 2.5 The Procedures Regulations require that before it can make a dog control order, a district council must publish a notice describing the proposed order on the council's website and in a local newspaper circulating in the same area as the land to which the order would apply and invite representations on the proposal.

The notice must:

- (a) identify the land to which the order will apply;
- (b) summarise the order;
- (c) if the order will refer to a map, say where the map can be inspected. This must be at an address in the district council's area, be free of charge, and be available at all reasonable hours during the consultation period;
- (d) state that representations about the proposal may be made to the council and give the date by which they must be made. The final date for representation must be at least 28 days after the publication of the notice.

Paragraph 2.6 At the end of the consultation period the council must consider any representations that have been made. If it then decides to proceed with the order, it must decide when the order will come into force. This must be at least 14 days from the date on which it was made.

A Public Consultation was launched on 3 January 2023 with a public notice being placed in the Coleraine Chronicle and the documentation was uploaded to the Council website. Copies of the documentation were also displayed in reception areas of the Council Offices at Sheksburn, Cloonavin, Riada House and Limavady (See Appendix 1 (circulated)).

Outcome of Further Monitoring and Assessment of Current Situation

Further recent monitoring was carried out by officers from the Enforcement team from 16 January 2023 to 30 January 2023. In order for an offence to be committed under Regulation 25 of the Dogs (NI) Order 1983 livestock must be

present on the land in question and dogs must be off leash and not under control. In summary the findings are:

- Of the 10 visits livestock were present 8 times.
- Of the 10 visits dogs were noted 6 times when livestock was present.
- On one occasion an offence was detected when dogs were noted off leash when livestock were present. The dog owner was observed entering the area from Whitepark Bay with 2 retriever dogs off leash. When approached by the Environmental Warden and advised of the presence of livestock the owner leashed the dogs.

Monitoring by officers from the Enforcement Team was previously carried out on weekdays from 29th April 2022 to 27th May 2022. In total 10 monitoring visits were carried out at the lands in question.

- Of the 10 visits livestock was present once.
- Of the 10 visits dogs were observed not under control once.
- Of the 10 visits no offences were detected whereby livestock was present and dogs were off leash.

A monitoring exercise was also carried out by officers from the Enforcement Team and the Senior Environmental Health Officer for Enforcement during the week and at weekends from 31st January to 22nd February 2022. In summary the findings were:

- Of the 37 visits livestock was present 5 times
- Of the 37 visits dogs were observed not under control 6 times
- Of the 37 visits no offences were detected whereby livestock was present and dogs were off leash

An elected member visited the area on two occasions and reported the following:

- 14 April 2022 - 3 walkers with dogs off leads and livestock present. 1 dog observed making an attempt to chase but was restrained by the owner.
- 3 May 2022 – No dog walkers observed.

Environmental Services engaged with the person who made the request for the Dog Control Order to provide a written witness statement indicating the extent of the problem in their experience and to provide supplementary evidence to support any losses incurred such as veterinary records.

The complainant provided a witness statement confirming their general complaint of the land being used by dog owners but there are no specific details of number of incidents of dogs attacking livestock, no details of numbers of livestock lost and no veterinary evidence of treatment of livestock following dog attacks.

Considerations for Council

- There already exists legislation whereby dogs must be under control by means of a leash on lands where livestock is present.
- The relevant guidance requires that the introduction of any Dog Control Order must be justified.
- Councils must take into account the interests of dog owners to be able to exercise their dogs without undue restrictions.
- Any proposed Dog Control Order must have a public consultation and the responses from this consultation such as objections to the Dog Control Order must be considered however there is no duty to adopt the views of consultees.
- The introduction of any Dog Control Order is subject to legal challenge and may fail if Council cannot demonstrate that such an Order is required and justified.
- The Environmental Health Department have no recorded complaints of any incidents of dogs worrying livestock on these lands.
- From the total of 57 monitoring visits undertaken by the Enforcement Team and one relevant offence was detected.
- From 2 visits undertaken by an elected member, 3 dogs were observed off lead while livestock present.
- The witness statement by the complainant does not provide any supporting evidence in relation to the complaint.

Results of Public Consultation

A public consultation was launched on 3rd January 2023. A total of 151 responses were received with 147 letters of objection (Appendix 2 circulated) and 4 letters of support (Appendix 3 (circulated)).

Options

Option 1 - Council does not proceed with introduction of a Dog Control Order to exclude dogs from these lands and continues to rely on enforcement of existing legislative provisions under the Dogs (NI) Order 1983 which require dogs to be kept under control by means of a leash where livestock are present.

Option 2 – Progress with procedure to introduce an alternative Dog Control Order whereby dogs would not be excluded from the area but must be on a lead at all times whether livestock are present or not. This option would require the procedure detailed in paragraph 6.0 to be initiated including a further public consultation.

Option 3 – Proceed with the introducing new legislation in the form of a Dog Control Order to exclude dogs from lands between Ballintoy Harbour and Whitepark Bay.

Recommendation

It is recommended that members of the Environmental Services Committee make a recommendation to Council that Council does not introduce a Dog Control Order excluding dogs from between Ballintoy Harbour and Whitepark Bay and relies on existing legislative provisions (Option 1).

Alderman McLean stated that enforcement was in place, it can be seen from the visits that have taken place by Enforcement Officers, no serious incidents have occurred and that the public are showing no desire for a Dog Control Order. Alderman McLean considered that it would be difficult to prove why the Dog Control Order was required.

Proposed by Alderman McLean
Seconded by Alderman Knight McQuillan

- To recommend that Council approve Option 1 and does not proceed with introduction of a Dog Control Order to exclude dogs from these lands and continues to rely on enforcement of existing legislative provisions under the Dogs (NI) Order 1983 which require dogs to be kept under control by means of a leash where livestock are present.

In response to questions, the Director of Environmental Services advised that there was a small team of Enforcement Officers who would complete random patrols if Council went forward with the Dog Control Order. The Director of Environmental Services advised that fencing was not currently in place; the path splits the land, fencing would be required on both sides of the path which would cause difficulties with moving livestock from one side to the other.

Interim Head of Health and Built Environment advised that any option would be required to be monitored, as far as resources would allow.

Alderman Baird spoke about livestock worrying being a concern; there being a right to extend walkways and the responsibility on Council to protect farmers, livestock and land.

Amendment

Proposed by Alderman Baird
Seconded by Councillor MA McKillop

- To recommend that Council approve Option 2 to progress with procedure to introduce an alternative Dog Control Order whereby dogs would not be excluded from the area but must be on a lead at all times whether livestock are present or not. This option would require the procedure detailed in paragraph 6.0 to be initiated including a further public consultation and write to the Department of Justice to bring fines into line with modern day costs

The Chair put the Amendment to the Committee to vote.

8 Members voted For; 4 Members voted Against; 0 Members Abstained.

The Chair declared the Amendment carried.

6. CONCESSIONARY TRADING PROVISION

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

Purpose of Report

The purpose of this Report Item is to seek Members approval to proceed with a public tendered auction for each of the site as contained within 2.2 of this report, and to confirm the service provision to be sold from each respective site.

Background

Members identified sites as listed under 2.2 of this report, for which planning permission has now been achieved.

For approval and clarity, the sites and there service provision(s), is as follows:-

- **Riverside Park, Ballymoney**
 - *Goods to be sold:-*
 - Hot and Cold food;
 - Hot and Cold drinks;
 - NB:- with the exclusion of alcohol.

- **Accessible Play Park, Limavady**
 - *Goods to be sold:-*
 - Hot and Cold food;
 - Hot and Cold drinks;
 - NB:- with the exclusion of alcohol.

- **Lansdowne Car Park, Portrush**
 - *Goods to be sold:-*
 - Tea & Coffee.
 - Traybakes
 - Hot Confectionary**.

**confectionary is defined as sweet foods that feature flour as a main ingredient and are baked, i.e., traybakes, sweet pastries, doughnuts, scones, cookies, muffins, buns, waffles and crepes.

Lansdowne:- To alleviate any ambiguity and on-site disputes between traders on this specific site it is important that this provision will not include confectionery, i.e., sweets and chocolate as these items are sold by the Ice Cream traders on site and not include hot food items such as burgers, chips, sausages, sausage rolls, hot dogs, fish, etc. as these items are sold by the hot food trader on site. Note The proposed licence on site will ensure this clarify.

Proposal

It is proposed that Officers now conduct a marketing campaign, and subsequently carryout a tendered public auction for the sites listed under 2.2, including an additional concessionary trading site at Castlerock, (subject to planning/statutory approval), for the service provision of Tea, Coffee & Traybakes.

Recommendation

That Members approve the service provision at each as described in detailed under 2.2 of this report, and that Officers proceed to carryout a marketing campaign and public tendered auction.

In response to questions, the Director of Environmental Services provided clarity on what could be sold at each of the sites.

In response to questions, the Director of Environmental Services provided an update on the concessionary trading site proposed at Castlerock and confirmed that the site will be auctioned, subject to planning permission. The Director of Environmental Services confirmed that the auction summary of what was being put out to auction can be issued to Elected Members before the auction takes place.

Proposed by Councillor Holmes
Seconded by Alderman McLean and

AGREED – to recommend that Council approve the service provision at each as described in detailed under 2.2 of this report and Castlerock Trading Pitch subject to planning permission, and that Officers proceed to carryout a marketing campaign and public tendered auction;

- Subject to the inclusion of **confectionary** is defined as sweet foods that feature flour as a main ingredient and are baked, i.e., traybakes, sweet pastries, doughnuts, scones, cookies, muffins, buns, waffles and crepes.
- **Lansdowne:-** To alleviate any ambiguity and on-site disputes between traders on this specific site it is important that this provision will not include **confectionery**, i.e., sweets and chocolate as these items are sold by the Ice Cream traders on site and not include hot food items such as burgers, chips, sausages, sausage rolls, hot dogs, fish, etc. as these items are sold by the hot food trader on site. Note The proposed licence on site will ensure this clarify.

The Chair advised that Items 7-13 were for information.

7. AMUSEMENT PERMIT RENEWALS

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

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

RENEWAL OF AN AMUSEMENT PERMIT

The undernoted applications for renewal of an amusement permit have been received and processed during the report period.

| <u>Licence No:</u> | <u>Name of Premises</u> |
|--------------------|-------------------------|
| AP006 | Oasis Gaming Centre |

| <u>Licence No:</u> | <u>Name of Premises</u> |
|--------------------|----------------------------|
| AP016 | Horseshoe Amusement Centre |
| AP018 | Regal Bingo |
| AP010 | The Jet Centre |

8. CINEMA LICENCE RENEWALS

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

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985 CINEMAS (NORTHERN IRELAND) ORDER 1991

The undernoted application for a cinema licence has been received, acknowledged and processed during the report period.

| Unique Reference Number: | Name of Premises |
|---------------------------------|-------------------------|
| CL003 | Bushmills Inn |
| CL001 | Movie House Coleraine |

9. ENTERTAINMENT LICENCE RENEWALS

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

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985

ENTERTAINMENT LICENCES

The undernoted applications for an entertainments licence have been received, acknowledged and processed during the report period.

| Unique Reference Number | Name of Premises |
|--------------------------------|----------------------------------|
| EL020 | Castlerock Golf Club |
| EL082 | Portstewart Golf Club |
| EL057 | Kilrea Golf Club |
| EL161 | Central Bar |
| EL335 | Harkins Bar |
| EL001 | 55 Degrees North |
| EL177 | Lurig Bar |
| EL250 | The Scenic Inn |
| EL056 | Kilrea GAC Community Hall |
| EL231 | Manor Hotel |
| EL324 | The Drummond Hotel |
| EL212 | Cloughmills Memorial Orange Hall |
| EL369 | Central Bar Limited |

10. LICENCES ISSUED UNDER DELEGATED AUTHORITY

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

ENTERTAINMENTS LICENCE GRANT OF INDOOR ENTERTAINMENTS LICENCE UNDER DELEGATED AUTHORITY

The following application was granted an Entertainments Licence under delegated authority due to the need to obtain a licence urgently and prior to this Committee Meeting:

Ref: EL308

Applicant: Jennifer Craig

Premises: Donegal Charlies, 84-86 Main Street, Dungiven BT47 4JY

Application: Grant of an annual indoor entertainments licence

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

Monday to Saturday: 11:30 hrs to 01:00 hrs

Sunday: 12:30 hrs to 00:00 hrs

Representations: No objections

PSNI and NIFRS: PSNI and NIFRS response received – no objections

11. PAVEMENT CAFÉ LICENCE RENEWALS

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

LICENSING OF PAVEMENT CAFES ACT (NORTHERN IRELAND) 2014

The undernoted applications for a pavement café licence have been received, acknowledged and processed during the report period.

| Unique Reference Number | Name of Premises |
|-------------------------|--------------------------|
| PC23 | Ground Coffee Ballymoney |
| PC24 | Ground Coffee Coleraine |

12. PETROLEUM SPIRIT LICENCE RENEWALS

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

PETROLEUM (REGULATION) ACTS 1929 AND 1937 PETROLEUM SPIRIT LICENCES

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

| Licence No: | Name of Premises |
|-------------|-------------------------------|
| PL041 | Golden Plough Filling Station |
| PL048 | Bush Fuels |
| PL055 | Tesco PFS |
| PL065 | Ulster Gliding Club |
| PL068 | Nicholls 24 |
| PL034 | Kennedy's Nisa |

13. CASTLEROCK FOOTBRIDGE UPDATE

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

Purpose of Report

The purpose of this report is to update members on the status of Castlerock Footbridge.

Background

In 1996 Coleraine Borough Council entered into a 10,000 year lease with NI Transport Holding Co. (NITHC) for the upkeep of the footbridge at Castlerock Railway Station. In 2017 Council approved the contract for the removal and assessment of the bridge with a view to ascertaining can it be restored and at what cost.

Update since last meeting

Council's structural consultants have submitted an outline programme for the work required to get the bridge back into its' original location over the railway line in Castlerock. It is summarised below:

| Activity | Completion by |
|--|---------------|
| Review structural report, prepare repair schedule and tender documents | 3 March |

| | |
|--|-------------|
| Prepare estimate for council consideration | 3 March |
| Finalise & issue tender package | 24 March |
| Tender period | 21 April |
| Assess tenders and issue tender report | 5 May |
| Council approval & appoint contractor | 19 May |
| Contract period | 1 September |

The cost estimate will be brought back to committee in March for a decision.

Recommendation

Committee are asked to note the above information.

14. MATTERS FOR REPORTING TO PARTNERSHIP PANEL

There were no matters to report to the Partnership Panel

15. CONSULTATIONS

There were no consultations

16. CORRESPONDENCE

There was no correspondence

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Alderman Knight McQuillan
 Seconded by Alderman McLean and

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

* **Press were disconnected from the meeting at 7:38pm.**

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

17. STRATEGIC WASTE MANAGEMENT

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

Purpose of Report

The purpose of this report is to update Members on the progress being made in relation to Joint Working between Councils in relation to Waste Management and to seek permission to move to the next stage of the process.

Recommendation(s)

Members are requested to adopt in principle the recommendations of the SIB Project Business Case Report.

Members are further requested to approve a funding application with DfC and DAERA in relation to the Subvention Funding required as detailed in the report.

Members are requested to endorse the actions of Officers to date and to receive future reports in due course.

Proposed by Councillor Nicholl
Proposed by Councillor McGurk and

AGREED – to recommend that Council

- adopt in principle the recommendations of the SIB Project Business Case Report
- approve a funding application with DfC and DAERA in relation to the Subvention Funding required as detailed in the report
- endorse the actions of Officers to date and to receive future reports in due course

18. BUILDING CONDITIONS SURVEY

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

Purpose of Report

To request approval to carry out building condition surveys to Council's main assets (civic buildings, leisure facilities, community centres etc)

Recommendation

It is recommended that the Environmental Services Committee recommends to Council the undertaking of building condition surveys

In response to questions the Director of Environmental Services confirmed when building surveys had last been completed, how work will be budgeted for and that this proposed building survey will provide a baseline; regular surveys and maintenance work can be completed going forward.

Proposed by Alderman McLean
Seconded by Alderman Knight McQuillan and

AGREED – to recommend that Council undertake the building condition surveys and going forward building surveys are completed on a 5-10 year basis.

19. CEMETERY ADMINISTRATION SOFTWARE UPGRADE

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

Purpose of Report

To improve cemetery administration, record keeping, reduce risk, improve customer service and open up income opportunity.

Recommendation

It is recommended that the Environmental Services Committee consider the above proposal and recommends to Council the upgrade of software for cemetery administration and record keeping.

In response to questions, the Head of Estates confirmed what the software package entailed, the lifespan of the software and other locations where the software was used.

In response to questions, the Director of Environmental Services confirmed that costs could be sought in relation to adding the detail from graveyards that were now closed.

Proposed by Alderman Knight McQuillan
Seconded by Alderman Baird and

AGREED – to recommend that Council upgrade of software for cemetery administration and record keeping and bring back costs to include the surveying of closed graveyards.

20. BALLINTOY HARBOUR DRAINAGE COLLECTION SYSTEM UPGRADE

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

Purpose of Report

The purpose of this report is to request Members approval to grant officers permission to carry out '*Detailed Design and Procurement*', following the comprehensive completion of Stage 1, (*Feasibility & Scoping*) - (*to now advance to stage 2 of the procurement gateway*).

Recommendation

It is recommended that Members grant permission for officers to progress to Stage 2 of the procurement gateway at the expense listed above - which will allow detailed design and procurement to be undertaken.

Note.

The results following completion of Stage 2 (detailed design and procurement) shall be brought back to Members for consideration thereafter and to seek approval to proceed to stage 3 of the procurement gateway at that point.

In response to questions, the Director of Environmental Services confirmed that a new drainage system was required as the current one at the end of its useful life and that exacts costs of the current system could be provided to Members.

Proposed by Alderman Baird

Seconded by Councillor MA McKillop and

AGREED - to recommend that Council grant permission for officers to progress to Stage 2 of the procurement gateway at the expense listed above - which will allow detailed design and procurement to be undertaken.

21. OUTCOME OF APPEAL AGAINST REFUSAL TO GRANT A MOBILE STREET TRADING LICENCE

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

Purpose of Report

The purpose of this report is to update members on the outcome of an appeal against a Council decision to refuse to grant a mobile street trading licence.

Recommendation

It is recommended that the above information is noted.

In response to questions, the Director of Environmental Services provided clarity on the contents of the report and how Council should proceed going forward. The Director of Environmental Services advised the Street Trading policy was being reviewed.

AGREED – to recommend that the report is noted.

22. STREET TRADING LICENCE RENEWALS

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

| <u>Unique Reference Number</u> | <u>Type of Licence</u> | <u>Commodity</u> | <u>Location</u> |
|--------------------------------|------------------------|--|-------------------------------------|
| MST 001 | Mobile | Ice cream, confectionery, crisps, cold drinks and desserts | Borough of Causeway Coast and Glens |
| SST 011 | Stationary | Fresh Fish | 28-38 Catherine Street, Limavady |

23. PERIOD 9 – ES MANAGEMENT ACCOUNTS AND FINANCIAL POSITION 2022/23

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

Purpose of Report

The purpose of this report to provide Members with information on the current financial position of Environmental Services Directorate at the end of Period 9.

Recommendation

Members are requested to note the paper.

AGREED – to recommend that the report is noted.

MOTION TO PROCEED ‘IN PUBLIC’

Proposed by Alderman McLean

Seconded by Alderman Knight McQuillan

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

24. Any Other Relevant Business (notified in accordance with Standing Order 12 (0))

(i) Infrastructure on High St Ballymoney (Councillor Wilson)

To ask the director/relevant HoS about adapting current infrastructure on High St Ballymoney (used for Christmas lights) for other projects throughout the year?

The Chair agreed that this item of Any Other Relevant Business would be considered next month due to Councillor Wilson not being in attendance at this meeting.

(ii) Electric Vehicles charging stations (Councillor Wallace)

With Electric Vehicles becoming more popular do council have any plans to increase the number of charging stations in our public carparks or staff car parks?

The Director of Environmental Services advised a report would be brought to Environmental Services Committee in due course.

There being no further business the Chair thanked everyone for their attendance and the meeting concluded at 8:28pm

Chair