

**ENVIRONMENTAL SERVICES COMMITTEE MEETING
TUESDAY 12 SEPTEMBER 2023**

Table of Recommendations

No	Item	Summary of key Recommendations
1.	Apologies	<i>Councillor Callaghan</i>
2.	Declarations of Interest	<i>Alderman Hunter, S McKillop, Councillor Wallace</i>
3.	Minutes of previous meeting held Tuesday 13 June 2023	<i>Confirmed as a correct record</i>
4.	Entertainments Licensing Report	<i>To recommend that Council grant Entertainment Licences (i-iv) as set out in this report</i>
5.	Amusement Permit Report	<i>To recommend that Council grant Amusement Permit (i) as set out in this report</i>
6.	Local Government Resilience Update	<i>To recommend that Council agrees to act as the host for the Northern EPG; accepts the terms of the SLA and gives authority to the Chief Executive to sign on behalf of Council</i>
7.	Funding offer from Department of Business Energy & Industrial Strategy (BEIS) 2023-2024	<i>To recommend to Council the acceptance of this grant offer and authorises the Head of Health and Built Environment to sign and return the grant</i>

No	Item	Summary of key Recommendations
		<i>acceptance form on behalf of Council</i>
8.	Consideration of proposed Dog Control Order to keep Dogs on Leads on lands between Ballintoy and Whitepark Bay – Findings of Public Consultation	<i>To recommend that Council defers a decision on the introduction of a Dog Control Order requiring dogs to be kept on a lead at all times on lands between Ballintoy Harbour and Whitepark Bay until the next Council meeting</i>
9.	Operations Fleet Renewal 2023-24	<i>To recommend to Council that permission be given to procure vehicles identified in the Operations fleet renewal programme for 2023-24</i>
10.	Remedial Works and Repairs at Craigahulliar Landfill Site	<i>To recommend to Council that essential remedial works and repairs identified following an external review are carried out so as to ensure the site continues to meet its statutory obligations and health and safety is not compromised</i>
11.	Concessionary Trading Point – Payment Rebate	<i>To recommend that Members consider the findings of the NIPSO report and authorise officers to rebate the overpayments</i>
12.	Amusement Permit Renewals	<i>Information</i>
13.	Cinema Licence Renewals	<i>Information</i>
14.	Approval of Premises as a Venue for Civil Marriage	<i>Information</i>
15.	Approval of Premises as a Venue for Civil Partnership	<i>Information</i>

No	Item	Summary of key Recommendations
16.	Entertainment Licence Renewals	<i>Information</i>
17.	Licences Issued Under Delegated Authority	<i>Information</i>
18.	Petroleum Spirit Licence Renewals	<i>Information</i>
18.	Council Emergency Plan	<i>Information</i>
19.	Matters for Reporting to Partnership Panel	<i>None</i>
20.	Consultations	
	DAERA Climate Change Public Body Reporting Consultation	<i>Noted</i>
21.	Correspondence	
21.1	Keep Recycling Local, date 3 rd July 2023	<i>To recommend that Council invites a representative of Keep Recycling Local to present to the Environmental Services Committee, and to request that the presentation be attended by the Chief Finance Officer</i>
22.	Notice of Motion Proposed by Councillor McShane, Seconded by Councillor Watson referred from The Council meeting held Thursday 29 June 2023 (abbrev re Changing places Facility)	<i>To recommend to Council to support the Notice of Motion, as Amended.</i>
		<i>“That this Council explores options to build a Changing Places facility on Rathlin Island and further recognises the importance of Changing Places toilets in delivering our vision of an accessible and inclusive Causeway Coast and Glens. That this Council looks at ways to modify access to the beach on Rathlin Island to enhance accessibility, such as a</i>

No	Item	Summary of key Recommendations
		<p><i>boardwalk linking from the Changing Places facility. That this Council looks at the provision of portable hoists to give greater access for people with disabilities to use boats and pontoons.”</i></p>
23.	<p>Notice of Motion proposed by Councillor McCully, seconded by Alderman Stewart referred from Council meeting held Tuesday 5 September 2023 (abbrev re blue-green algae)</p>	<p><i>To recommend to Council to support the Notice of Motion, as Amended.</i></p> <p><i>“This Council is concerned by the recent blooms of blue-green algae in our waters; notes the detrimental impact these blooms have had on local businesses; asks the Department of Agriculture, Environment and Rural Affairs to swiftly convene a cross party meeting between affected Council areas involving all the relevant Departments and Agencies with responsibilities to discuss the issue & to develop an action plan to address it; and calls for the establishment of an independent Environmental Protection Agency in line with New Decade, New Approach commitments; and further calls for the NI Environment Agency to present to this Council</i></p>

No	Item	Summary of key Recommendations
		on its actions to respond to the occurrences of toxic algae.”
	‘In Committee’ (Items 24-37 inclusive)	
24.	Street Trading Report	To recommend that Council grants a mobile street trading licence subject to compliance with any recommendations of the Council’s Licensing Section
25.	Local Air Quality Management Grant 2023-2024	To recommend to Council to accept the grant offer and, due to time constraints for acceptance, authorises the Director of Environmental Services to sign and return the acceptance form pending Council approval
26.	Provision of Waste Services for the Collection and Recycling of Tyres and Rims	To recommend that Council considers the result of the evaluation and approves the awarding of the contract to PPP Group
27.	Harbours & Marina Capital Maintenance 10-Year Capital & Maintenance Implementation Plan Stage 1 & Stage 2 – Feasibility, Scoping, Detailed Design & Procurement	To recommend that Council grants permission to progress to Stage 1 & 2 of the procurement gateway, ‘Feasibility & Scoping’, and ‘Detailed Design & Procurement’, in respect of a, ‘10-Year Capital & Maintenance Implementation Plan – Harbours & Marinas’.

No	Item	Summary of key Recommendations
28.	Car Parks Re-Surfacing Essential H&S civil engineering works at a. Glenhead Road car park, Ballykelly, b. Bridge Street car park, Garvagh & c. Lansdowne Road car park, Portrush – Stage 3 progression	To recommend that Council grants officers permission to formally appoint and enter into contract with Messrs. Northstone Materials Limited at a tendered sum of £286, 628.36p + VAT, to deliver this project
29.	Harbours & Marinas – Minor Capital Infrastructure works to the ‘South Pier revetment at Portrush Harbour’ Progression to Stage 2 – ‘Detailed Design & Procurement’	To recommend that Council grants permission to progress to Stage 2 of the procurement gateway, ‘Detailed Design & Procurement’, (expense as listed on p.1 of previously circulated paper)
30.	Car Parks & Concessionary Trading Concessionary Trading site at Christie Park, Coleraine Planning Application submission, advertising and auctioning of the site.	To recommend that Council grants approval to conduct the following professional services/activities; - a. submits a planning application for the intended works to facilitate the concessionary trading site, and b. (subject to achieving planning permission), to conduct an advertising campaign plus an open auction to gain best value for our assets.
31.	Strategic Selection and / or Progression of Major Capital Project Red Bay Pier, Cushendall	Withdrawn from the Agenda
32.	Coleraine Marina Economic Appraisal	To recommend that Council defers consideration and holds a workshop for all

No	Item	Summary of key Recommendations
		<i>Councillors to consider the detail of this proposal</i>
33.	Animal Welfare Service Funding Update	<i>Noted</i>
34.	Street Trading Licence Renewals	<i>Noted</i>
35.	Affordable Warmth Scheme Update	<i>Noted</i>
36.	ES Management Accounts and Financial Position Period 4	<i>Noted</i>
37.	HSENI Investigation – Verbal Update	<i>Noted</i>
	<i>'In Public' (Item 38)</i>	
38.	Any Other Relevant Business (notified in accordance with Standing Order 12 (0))	
38.1	Update on additional trading pitch at Castlerock (Alderman Knight-McQuillan)	<i>Information</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 TUESDAY 12 SEPTEMBER 2023 AT 7:00 PM**

In the Chair: Alderman Fielding (Chair)

Members Present: Alderman Hunter (R), Knight-McQuillan (C), S McKillop (C); Councillors C Archibald (C), Bateson (R), Chivers (R), Kane (C), Jonathan McAuley (C), MA McKillop (C), McQuillan (R), Mairs (C), Stirling (C), Wallace (C)

Non-Committee

Members Present: Alderman Boyle (R), John McAuley (R), Stewart (R), Councillors Holmes (R), Huggins (R), Kyle (R), McCully (R), McShane (R), Watson (R).

Officers Present: A McPeake, Director of Environmental Services (C)
S McAfee, Temporary Head of Health and Built Environment (R)
J Richardson, Head of Capital Works, Energy and Infrastructure (R)
J Morton, Harbour Master (R)
U Harper, Committee & Member Services Officer (C)

In Attendance: J Clarke, Cogent NI (Item 32)

C Thompson, ICT Operations Officer (C)
J Winfield, ICT Operations Manager (C)

Press (2 no.) (R) (C)

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

Substitutions: Alderman Knight McQuillan substituted for Councillor Callaghan.

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

The Chair advised Elected Members that Agenda Item 31 was withdrawn, and that there is an item of AORB under Agenda Item 38 from Alderman Knight-McQuillan.

The Director of Environmental Services undertook a roll call.

- * **Alderman Hunter experienced technical difficulties connecting to the meeting remotely throughout the course of the meeting. Alderman Hunter left the meeting at 8.31pm.**

1. APOLOGIES

Apologies were recorded for Councillor Callaghan.

2. DECLARATIONS OF INTEREST

Alderman Hunter declared an Interest in Concessionary trading, Christie Park Coleraine, as a member of the Planning Committee. Alderman Hunter left the meeting prior to consideration of this Item.

Alderman S McKillop declared an Interest in Concessionary trading, Christie Park Coleraine, as a member of the Planning Committee. Alderman S McKillop left the meeting during consideration of this Item and did not vote.

Councillor Wallace declared an Interest in Concessionary trading, Christie Park Coleraine, as a member of the Planning Committee. Councillor Wallace left the meeting during consideration of this Item and did not vote.

3. MINUTES OF PREVIOUS MEETING HELD TUESDAY 13 JUNE 2023

Summary, previously circulated.

AGREED - The Minutes of the Environmental Services Committee meeting held Tuesday 13 June 2023 were confirmed as a correct record.

4. ENTERTAINMENTS LICENSING REPORT

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

ENTERTAINMENTS LICENCE

(i) GRANT OF ANNUAL INDOOR ENTERTAINMENTS LICENCE

Licence No:	EL430
Premises:	The Safehouse Café, Main St, Portrush
Application:	Grant of an Annual Indoor Entertainments Licence
	Days and times on which it is applied to provide entertainment:
	Monday – Sunday 09:00hrs to 01:00hrs
Representations:	Closing date 21 st September 2023
PSNI & NIFRS:	Closing Date 12 th September 2023

Recommendation

It is recommended to grant an Annual Indoor Entertainments Licence subject to compliance with any recommendations of the Council's Licensing

Department and no objections being received from representations, NIFRS or PSNI.

(ii) GRANT OF INDOOR ENTERTAINMENTS LICENCE

Licence No: EL429

Premises: The Clyde Tavern, 40 Railway Road, Coleraine

Application: Grant of an Annual Indoor Entertainments Licence for Dancing, Singing, music or any other entertainment of a like kind

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

Monday to Sunday: 18:00 hrs to 01:00 hrs

Representations: Closing date 14th September 2023

PSNI: No Objections

NIFRS: Closing date 6th September 2023

Recommendation:

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

(iii) GRANT OF INDOOR ENTERTAINMENTS LICENCE

Licence No: EL074

Premises: Portballintrae Village Hall 81 Beach Road, Portballintrae

Application: Grant of an Annual Indoor Entertainments Licence

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

Monday – Sunday 10:00 -01:00

Representations: No objections

PSNI & NIFRS: No objections

Recommendation:

It is recommended to grant an Annual Indoor Entertainments Licence subject to compliance with any recommendations of the Council's Licensing Department.

(iv) GRANT OF INDOOR ENTERTAINMENTS LICENCE

Licence No: EL237

Premises: Rafters Snooker Club, Seymour Street, Ballymoney

Application: Grant of an Annual Indoor Entertainments Licence

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

Monday – Saturday 11:00hrs to 23:00hrs
Sunday 14:00hrs to 23:00hrs

Representations: To be received by 28th September 2023

PSNI & NIFRS: To be received by 29th September 2023

Recommendation:

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

Proposed by Councillor MA McKillop
Seconded by Alderman Knight-McQuillan and

AGREED – to recommend that Council grant Entertainment Licences (i-iv) above as set out.

5. AMUSEMENT PERMIT REPORT

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

(i) GRANT OF AMUSEMENT PERMIT

Ref: AP014

Premises: Rafters Snooker Club, 18 Seymour St, Ballymoney

Application: Grant of an Amusement Permit

Days and times on which it is applied to be open:
Monday to Saturday 11:00hrs to 23:00hrs
Sunday 14:00hrs to 23:00hrs

Representations: To be received by 28th September 2023

PSNI: To be received by 29th September 2023

Recommendation:

It is recommended to grant an Amusement Permit subject to compliance with any recommendations of the Council's Licensing Section and no objections being received from representations or PSNI

Proposed by Councillor Wallace
Seconded by Councillor MA McKillop and

AGREED – to recommend that Council grant Amusement Permit (i) above as set out.

6. LOCAL GOVERNMENT RESILIENCE UPDATE

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

Purpose of Report

The purpose of this report is to:

- agree to Causeway Coast and Glens Borough Council continuing to act as the host for the Northern Emergency Preparedness Group (EPG).
- consider and agree an updated Service Level Agreement (SLA) between Armagh City, Banbridge and Craigavon Borough Council and 10 Councils.
- provide an update on key priorities of the Local Government Regional Resilience function.

Background

Article 29 of the Local Government (Northern Ireland) Order 2005 provides Local Authorities with discretionary powers to engage in emergency planning and assist other organisations in disaster recovery.

The Northern Ireland Civil Contingencies Framework was introduced in 2005, and refreshed in 2011, to ensure an adequate framework was in place to allow public service organisations to properly respond to emergencies. The DoE issued Guidance to Councils in Relation to Emergencies provided Councils with a policy and legislative framework in which to undertake emergency planning, set out their powers in relation to emergencies, and identified Chief Executives as responsible for their Council's emergency planning.

Due to an increased frequency of emergencies, the Northern Ireland Executive agreed, in 2014, to put in place enhanced civil contingency arrangements. A new structure of Emergency Preparedness Groups (the "EPGs") was put in place, with Councils playing an important role in supporting and facilitating the administrative function of three EPGs.

In May 2018, councils endorsed a new local government resourcing model for the civil contingencies function and a regional service, hosted by a single Council that would employ all Officers was agreed. Armagh City, Banbridge and

Craigavon Borough Council act as Lead Council on the basis of an agreed SLA with the 10 Councils.

Three other Councils act as host Councils for the function. Further to ES190205 and CM190226 Causeway Coast and Glens Borough Council, acts as host Council for the Northern EPG and agreement to clause 3.2 of the reviewed SLA is sought for this arrangement to continue.

The SLA, attached at appendix 1 to the previously circulated report, has been updated with the following substantive amendments.

- Clause 5.1 – clarifies the role of the Local Government Resilience Team as independent of each District Council and decision making lies with Councils.
- Clause 5.4 - The Department for Communities (DfC) agrees to fund the function and will give Councils at least 6 months' notice if funding is to be withdrawn. In the event funding is withdrawn, DfC will meet residual severance costs of staff employed.

Update on key priorities of the Local Government Regional Resilience Function

Covid-19 Inquiry - The regional team has worked with NILGA and legal services to prepare and collate local government responses for Module 1 and Module 2c of the Inquiry. The team have also worked with local government and PSNI preparing a submission on behalf of the NI Emergency Preparedness Groups and sub regional Emergency Preparedness groups.

Martyn's Law (formerly referred to as Protect Duty) has the aim of making the public safer at publicly accessible locations. Consultation took place in 2021 and the resultant Terrorism (Protection of Premises) Draft Bill entered pre-legislative scrutiny on 2nd May 2023. The draft bill is high level with the detail to be contained in secondary legislation and statutory guidance. No legislative approval will be required by the Devolved Administrations.

N.I. focused workshops on Martyn's Law took place in May 2023 and concerns were raised on the application of the approach in N.I. There is no indication regarding the regulation/enforcement model yet but suggestions include a new independent arm's length body. Implementation could be in 3-6 years. The Executive Office have agreed to convene a meeting with the Home Office, Department of Justice and local government to discuss the concerns raised from an N.I. perspective.

The following Regional Partnership Arrangements are due for update and will be brought before Councils in due course:

- Council and DAERA Epizootic Disease Memorandum: existing agreement to assist DAERA in the event of a large-scale epizootic outbreak.
- Local Government and NIHE Call Off Contract Arrangements: existing agreement where NIHE contractors can be utilised in the response of a large scale flooding or other weather event and expenditure incurred can be reimbursed via the DFC Scheme of Emergency Financial Assistance.

- Council Mutual Aid Arrangements: existing arrangements across all councils that allow certain staff to work across councils when responding to an emergency.

Recommendations

It is recommended that the Environmental Services Committee recommends Council agree to act as the host for the Northern EPG; accepts the terms of the SLA and gives authority to the Chief Executive to sign on behalf of Council.

Proposed by Councillor MA McKillop
Seconded by Alderman Hunter and

AGREED – to recommend that Council agrees to act as the host for the Northern EPG; accepts the terms of the SLA and gives authority to the Chief Executive to sign on behalf of Council.

7. FUNDING OFFER FROM DEPARTMENT OF BUSINESS ENERGY & INDUSTRIAL STRATEGY (BEIS) 2023-2024

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

Purpose of Report

(BEIS) up to the value of £55,000.

Background

The Office for Product Safety and Standards (OPSS) is the national regulator for product safety and is part of BEIS. It was established to lead and co-ordinate the UK product safety system to deliver improved protections for consumers and better support for industry across the UK. It is responsible for developing and building national capacity and capability for product safety that is consistent and applied uniformly across the UK.

Correspondence was received from BEIS on the 21st June 2023 offering a grant to support Council to build capacity and capability to ensure the safety of consumers. The grant is to fund targeted and prioritised regulatory activity on non-food consumer products as part of BEIS' approach to ensure robust market surveillance across the UK.

Council has been offered a grant of up to £55,000 for expenditure incurred between 1st April 2023 and 31st March 2024. A copy of the grant offer is attached as Appendix 1 to the previously circulated report.

Reporting Arrangements are expected to include inputs to relevant databases; quarterly submission of records of activity (format to be agreed); and a review meeting at the end of the grant funding year. OPSS may seek information about operational methods, activities, engagement with businesses and outcomes.

This funding would support Council's statutory responsibilities under Consumer Safety legislation.

Council accepted the 22/23 funding offer from BEIS for the same amount and purpose (ES230111 and CM230207).

Recommendation

It is recommended that the Environmental Services Committee recommends to Council the acceptance of this grant offer and authorises the Head of Health and Built Environment to sign and return the grant acceptance form on behalf of Council.

Proposed by Alderman Knight-McQuillan

Seconded by Alderman S McKillop

- to recommend to Council the acceptance of this grant offer and authorises the Head of Health and Built Environment to sign and return the grant acceptance form on behalf of Council.

Councillor Wallace requested a Recorded Vote.

The Mayor put the proposal to the Committee to Vote.

12 Members voted For; 2 Members voted Against.

The Mayor declared the Proposal carried.

Recorded Vote Table

For (12)	Alderman Fielding, Hunter, Knight-McQuillan, S McKillop
	Councillors C Archibald, Bateson, Chivers, Kane, MA McKillop, McQuillan, Mairs, Stirling
Against (2)	Councillors Jonathan McAuley, Wallace

AGREED – to recommend to Council the acceptance of this grant offer and authorises the Head of Health and Built Environment to sign and return the grant acceptance form on behalf of Council.

8. CONSIDERATION OF PROPOSED DOG CONTROL ORDER TO KEEP DOGS ON LEADS ON LANDS BETWEEN BALLINTOY AND WHITEPARK BAY – FINDINGS OF PUBLIC CONSULTATION

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

* **Councillor McCully joined the meeting remotely at 7.17pm.**

Purpose of Report

The purpose of this report is for members to consider the responses to a public consultation and make a decision on a proposed Dog Control Order requiring dogs to be kept on leads between Ballintoy Harbour and Whitepark Bay.

Background

Environmental Services received a request to impose a Dog Control Order on lands where an asserted Right of Way 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.

Further to CM220630 it was decided that Council would progress the procedure to introduce a Dog Control Order to exclude dogs from these lands which included a public consultation on the proposal.

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

Council considered the results of the public consultation and further to ES230216 and CM230307 decided to progress with the procedure to introduce an alternative Dog Control Order whereby dogs would not be excluded from the area but instead must be kept on a lead at all times whether livestock are present or not. In accordance with procedure this option required a further public consultation to be undertaken the results of which are detailed in 7.0.

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.

Outcome of Monitoring Visits

To assess the situation monitoring of the area was carried out by officers from the Enforcement team. 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.

Monitoring was carried during the week and at weekends between 31st January to 22nd February 2022 and found:

- 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

Monitoring was carried out on weekdays from 29th April 2022 to 27th May 2022 and found:

- 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

Monitoring was carried out from 16th January 2023 to 30th January 2023 and found:

- 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 dogs were noted off leash while livestock were present when a 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.

In total the Enforcement Team have carried out 57 monitoring visits since between January 2022 and January 2023 and on one occasion noted dogs off leash when livestock were present.

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

- 14th 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.
- 3rd 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.

Results of Public Consultation

Before making an Order the Dog Control Orders (Procedures) Regulations (N.I.) 2012 require a Council to publish a notice describing the proposed order on its website and in a local newspaper and invite representations on the proposal.

At the end of the consultation period Council must consider any representations made. If Council 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.

The public consultation on the proposal to introduce a Dog Control Order requiring dogs to be kept on a lead at all times whether livestock are present or not, on the lands between Ballintoy Harbour and Whitepark Bay, was launched on 28th June 2023.

A total of 5 responses were received, 3 letters of objection and 2 letters of support (Appendix 1, circulated).

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.
- 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 a relevant offence was detected on one occasion which was resolved by the dog owner following advice from the Environmental Warden.
- 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.

Options

Option 1 - Council does not proceed with the introduction of a Dog Control Order to require dogs to be kept on a lead at all times 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 – Proceed with introducing new legislation in the form of a Dog Control Order (Dogs on Leads) to require dogs to be kept on a lead at all times on the lands between Ballintoy Harbour and Whitepark Bay whether livestock are present or not.

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 requiring dogs to be kept on a lead at all times on lands between Ballintoy Harbour and Whitepark Bay and relies on existing legislative provisions (Option 1).

* **Councillor Huggins joined the meeting remotely at 7.23pm.**

Councillor MA McKillop queried whether the consultation response box had been collected from Sheskburn House, as she noticed it was still there last week. She expressed concern that some responses may not have been included in the report on this matter, as that would be the box where you would expect most responses.

The Director of Environmental Services stated that his understanding is that all consultation responses were collected and form part of what is included in the report.

The Temporary Head of Health and Built Environment advised that all forms should have been collected from Sheskburn, but that she would double-check that that is the case.

Councillor MA McKillop requested that this be double-checked in advance of the next Council meeting.

Alderman Hunter proposed that the Committee supports Option 2 rather than the recommendation made to the Council. She stated that a Dog Control Order should be introduced, as you cannot see the full field on entering the piece of land, therefore a dog owner cannot be sure that there is no livestock present.

Councillor Wallace suggested that, given the query around whether all consultation responses have been seen, the decision be deferred until the full Council meeting.

Alderman Hunter stated that she was happy to defer the decision.

Councillor Kane stated that he was happy to defer the decision. Councillor Kane requested more information on the thought process leading to the recommendation to Committee to not go ahead with the Dog Control Order. He asked what is in place to inform the public of the existing legislation.

The Director of Environmental Services referred Councillor Kane to paragraphs 3.1 and 3.2 of the report on this matter, which state:

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.

The Director of Environmental Services advised that signage is in place at Ballintoy and Whitepark Bay to advise of the legislation and, as such, dog

owners are advised to keep their dog on a leash when there is livestock present.

Proposed by Councillor Wallace
Seconded by Councillor MA McKillop and

AGREED – to recommend that Council defers a decision on the introduction of a Dog Control Order requiring dogs to be kept on a lead at all times on lands between Ballintoy Harbour and Whitepark Bay until the next Council meeting.

9. OPERATIONS FLEET RENEWAL 2023-24

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

Purpose of Report

The purpose of this report is to seek approval from members to procure assorted vehicles during the 2023-24 financial year in order to maintain the continuity of Operations services.

Background

The Operations function operate a range of vehicles for various purposes and at different facilities.

A number of vehicles have been identified for replacement due to age/cost to maintain or are presently on continuous hire.

Vehicles to be procured are as follows:-

Type	Location	Est. Value (£)
Green Machine Sweeper	Ballycastle Depot	20,775
Box Van (2020)	Coleraine Depot	21,750
16T 360 Track Excavator	Landfill	65,000
Telehandler	Limavady Depot	60,000
Telehandler	Aghanloo WTS	70,000
15T Mech Road Sweeper	Ballycastle Depot	185,285
15T Mech Road Sweeper	Coleraine Depot	185,285
Green Waste Shredder	Letterloan Compost site	70,000

Vehicles identified for replacement:-

Type	Vehicle to be replaced (Reg / Age)	Reason
Green Machine Sweeper	N/A	Additional sweeper
Box Van (2020)	SJ11 YMV / 2011	Out of service
16T 360 Track Excavator		Continuous hire
Telehandler		Continuous hire
Telehandler		Continuous hire
15T Mech Road Sweeper	BRZ 4048 / 2010	Replacement req'd
15T Mech Road Sweeper	NNZ 3242 / 2009	Out of Service
Green Waste Shredder	N/A	Replacement req'd

Estimated cost of Operations fleet renewal in 2023-24 is c£680,000.

Options

Do nothing. If no new vehicles are procured additional strain will be put on the existing fleet and increased and continuing hire costs will be incurred.

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

Recommendation:

It is recommended that the Environmental Services Committee recommends to Council that permission be given to procure vehicles identified in the Operations fleet renewal programme for 2023-24.

Councillor Bateson queried the impact of this proposed expenditure on the budget.

The Director of Environmental Services advised that it is in line with year-on-year spending.

Councillor MA McKillop queried whether the proposed expenditure is included in the current year estimates.

The Director of Environmental Services advised that it is included in the current year estimates.

Proposed by Councillor Bateson
Seconded by Councillor MA McKillop and

AGREED – to recommend to Council that permission be given to procure vehicles identified in the Operations fleet renewal programme for 2023-24.

10. REMEDIAL WORKS AND REPAIRS AT CRAIGAHULLIAR LANDFILL SITE

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

Purpose of Report

The purpose of this report is to seek approval from members to carry out essential remedial works and repairs at Craigahulliar landfill site.

Background

Craigahulliar Landfill Site occupies a quarry, which operated until 1989, and is located on Ballymacrea Road, approximately 2.75km to southeast of Portrush, Co. Antrim.

The site operates as a non-hazardous landfill and is permitted to accept up to 90,000 tonnes of waste per year. The site covers an area of approximately 176,000 square metres.

The site operates under a PPC Permit and is inspected by the Northern Ireland Environmental Agency (NIEA) to ensure compliance with applicable statutory obligations and requirements.

Council submits an annual Craigahulliar Landfill Environment Report to the NIEA.

Proposal

Following an external review of current site operations, a number of works have been identified to bring the site within the terms of its NIEA Permit. Works identified are also to ensure that the appropriate site health and safety requirements are adhered to and enhanced where necessary.

Works identified as needing completed can be found in appendix 1 to the previously circulated report.

Options

Do nothing. If repair works identified are not expedited the site will not comply with NIEA Permit. As a consequence, the site may be temporarily closed until the appropriate remedial actions are taken.

Carry out remedial works and repairs as identified to ensure continued compliance with NIEA Permit, maintain appropriate health and safety standards and avoid disruption to day-to-day operations at site.

Recommendation

It is recommended that the Environmental Services Committee recommends to Council that essential remedial works and repairs identified following an external review are carried out so as to ensure the site

continues to meet its statutory obligations and health and safety is not compromised.

The Director of Environmental Services drew Members' attention in particular to the tank replacement that is required. He advised that the existing tank is not fit for purpose and may need imminent intervention.

Councillor Wallace stated that there did not appear to be many options, and that the work needs to go ahead to ensure the health and safety of the public and of Council staff. He also queried the status of remedial work at Crosstagherty.

The Director of Environmental Services advised that a proposal would be coming in the October meeting regarding the remedial works at Crosstagherty.

Proposed by Councillor Wallace
Seconded by Councillor Bateson and

AGREED – to recommend to Council that essential remedial works and repairs identified following an external review are carried out so as to ensure the site continues to meet its statutory obligations and health and safety is not compromised.

* **Councillor Kyle joined the meeting remotely at 7.40pm.**

11. CONCESSIONARY TRADING POINT – PAYMENT REBATE

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

Purpose of Report

To allow members to consider a recommendation of the NI Public Sector Ombudsman (NIPSO) to rebate the licensee on Councils concessionary trading site at West Bay Portrush and to provide authorisation to make such a payment - see appendix 1 recommendation 59 (i) (circulated).

Background

Following an auction of Councils concessionary trading sites (March 2021) A complaint was made by the successful bidder of the concessionary trading site at West Bay.

Having exhausted Councils complaint process the complainant subsequently referred the complaint to the NIPSO.

The new licensee / successful bidder raised a complaint that Council removed the application criteria requirements originally stipulated in the application form to participate in an online auction to tender for licences to trade on Council concessionary sites and that this was altered after the process had commenced, without informing existing registrants. As a result, the complainant said the application process was unfair and disadvantaged them and those who did meet all the original application criteria.

To provide some context, officers received a plethora of enquiries from members of the public who wished to be able to participate in the auction for an outdoor concessionary trading site but currently did not have a trading receptacle. They wished to attempt to enter the outdoor catering market during a period of uncertainty due to covid restrictions which impacted indoor venues and felt they were being discriminated against and the auction was a 'closed shop.' They wished to secure a site from which to trade from first before purchasing a receptacle.

A decision was therefore taken within the department to open the auction up to those who did not have a trading receptacle. This decision was taken in an attempt to achieve best value for our assets in line with NI Audit guidelines. Due to time constraints/deadlines to ensure continuity of trading, a notice could not be placed in local media outlets prior to the date of the auction. Note: this only affected one trading site.

The findings and recommendations from NIPSO are attached at Appendix A of the previously circulated report.

Proposals

1. To accept the recommendation 59 (i) within the NIPSO report and refund the overpayments to date over and above the yearly licence fee of £7,800 plus vat and to charge the remainder of the licence period at this amount. This equates to £6,700 plus vat per annum for year 1 (2021/22) and year 2 (2022/23). Year 3 (2023/24) is £550 plus vat based on payments already made. Total refund of £13,950 plus VAT.
2. Commission and independent review of the approach taken in the procurement exercise as recommendation 59 (ii)
3. Note all other recommendations within the NIPSO report shall be addressed by officers – items 58 to 61)

Recommendation

It is recommended Members consider the findings of the NIPSO report and authorise officers to rebate the overpayments.

*** Councillor McShane joined the meeting remotely at 7.43pm.**

The Director of Environmental Services advised Elected Members that the Council's Chief Executive has already accepted the findings of the report and has issued an apology to the complainant on behalf of the Council.

Councillor Kane queried whether the recommendations from the NIPSO report regarding the commissioning of a review and undertaking recommended training have been implemented.

The Director of Environmental Services advised that this was in process. He advised that the internal auditor is carrying out an internal review, and there will be an external investigation. He advised that a Procurement Officer is now in post. The Procurement Officer is sourcing the relevant training. He advised that all future matters relating to concessionary trading tender will go through the Procurement Officer.

Councillor Wallace said that he was sorry that it has come to this, as it was all completely avoidable. Councillor Wallace said he has sat on the Environmental Services Committee for five years, and that concessionary trading has been a shamble from day one. He stated that he hopes that lessons have been learned and that the same mistakes do not recur.

Proposed by Councillor Kane
Seconded by Councillor Wallace and

AGREED – to recommend that Council consider the findings of the NIPSO report and authorise officers to rebate the overpayments.

12. AMUSEMENT PERMIT RENEWALS

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

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

RENEWAL OF AN AMUSEMENT PERMIT

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

<u>Licence No:</u>	<u>Name of Premises</u>
AP017	Bentley Leisure Casino

Committee NOTED the report.

13. 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.

<u>Unique Reference Number:</u>	<u>Name of Premises</u>
CL004	Riverside Theatre

Committee NOTED the report.

14. APPROVAL OF PREMISES AS A VENUE FOR CIVIL MARRIAGE

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

MARRIAGE REGULATIONS (NI) 2003

THE MARRIAGE (NI) ORDER 2003

Approval of premises as a venue for Civil Marriage.

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

<u>Unique Reference Number</u>	<u>Premises Name</u>	<u>Approval Type</u>
MA035	Portrush Atlantic Hotel	Civil Marriage
MA026	Kilmore Country House	Civil Marriage

Committee NOTED the report.

15. APPROVAL OF PREMISES AS A VENUE FOR CIVIL PARTNERSHIP

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

THE CIVIL PARTNERSHIP REGULATION (NI) 2005

THE CIVIL PARTNERSHIP ACT 2004

Approval of premises as a venue for Civil Partnership.

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

<u>Unique Reference Number</u>	<u>Premises Name</u>	<u>Approval Type</u>
CP035	Portrush Atlantic Hotel	Civil Partnership
CP026	Kilmore Country House	Civil Partnership

Committee NOTED the report.

16. 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.

<u>Unique Reference Number</u>	<u>Name of Premises</u>
EL222	Ballymoney Rugby Football Club
EL055	Kilrea Town Hall
CIRCUS 001	Tom Duffy's Circus
EL271	Bushvale Presbyterian Church Hall
EL269	Dervock Presbyterian Church Hall
EL147	The Old Courthouse, Coleraine
EL319	The Dolphin Bar
EL185	Halo Niteclub and Bar
EL030	Coleraine West Community Centre
EL066	Millburn Community Centre
EL011	Ballysally Community Centre
EL241	The Bush Tavern
EL373	Limavady Masonic Hall
EL339	Crossview Inn
EL003	Aghadowey Presbyterian Church Hall
EL254	The Village Inn
EL086	Portrush Atlantic Hotel
EL263	Topp Orange Hall
EL077	Portrush Town Hall
EL027	Coleraine Bowling Club
EL324	The Drummond Hotel
EL099	Sperrin Sports and Social Club
EL388	The Well Bar & Grill
EL302	Cushendall Sailing and Boating Club
EL113	Village Tavern

<u>Unique Reference Number</u>	<u>Name of Premises</u>
EL099	Sperrin Sports & Social Club
EL403	Finvoy YFC
EL080	Portstewart Arms
EL318	Chasers
EL129	The Tides
EL058	Kilrea Orange Hall
EL400	The Manor House
EL153	Bush House
EL160	Ballinlea Orange Hall
EL176	Marine Hotel
EL345	Drummond Cricket Club
EL081	Portstewart Football & Community Club
EL275	Loughgiel Millennium Centre
EL245	Lissanoure Castle & Public House
EL246	Lissanoure Castle Concourse Centre
EL356	St Finlough's Parochial Centre
EL391	The Salthouse Hotel
EL052	Inn on the Coast
EL108	Riverside Hotel
EL050	Harpurs Hill Community Centre
EL259	Joey Dunlop Leisure Centre
EL378	Bushmills Community Centre
EL332	St Peter's Hall
EL351	Limavady Cricket & Rugby Club
EL416	Kilraughts YFC - Armoy Livestock Mart
EL071	Peter Thompson Hall
EL127	Jim Watt Sports Centre
EL377	Mosside Community Centre
EL412	The Station
EL413	Elephant Rock Hotel

<u>Unique Reference Number</u>	<u>Name of Premises</u>
EL348	The Coach House Brasserie
EL130	The Shed
EL192	Armoy Orange Hall
EL088	Coleraine Royal British Legion
EL008	Bayview Hotel
EL154	Billy Church Hall
EL095	The Villa
EL342	Limavady United Football and Athletic Club
EL023	Coleraine FC Social Club
EL261	Cloughmills Community Centre
EL040	Flowerfield Arts Centre
EL243	The Glen Bar

Committee NOTED the report.

17. LICENCES ISSUED UNDER DELEGATED AUTHORITY

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

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

The Local Government (Miscellaneous Provisions) (NI) Order 1985

Reference No	Premises:	Licence
EL255	Trinity Presbyterian Church Hall Rodeing Foot Ballymoney	Grant of an Occasional Entertainments Licence Days and times on which it is applied to provide entertainment: Monday to Friday: 13:00 to 00:00 Saturday: 09:00 to 00:00 Sunday: 13:00 to 00:00
EL273	Loughgiel Shamrock GAC 17 Lough Road, Loughgiel	Grant of annual indoor entertainments licence. Days and times on which it is applied to provide entertainment: Monday to Thursday 10:00 to 00:00 Friday to Saturday 10:00 to 02:00 Sunday 10:00 to 01:00

EL359	St Joseph's Fincairn Hall Altinure Road Feeny	Grant of annual indoor entertainments licence. Days and times on which it is applied to provide entertainment: Monday to Thursday: 10:00 to 21:00 Friday to Saturday: 10:00 to 23:00 Sunday: 10:00 to 21:00
EL375	Sheskburn Recreation Centre 7 Mary Street, Ballycastle	Grant of annual indoor entertainments licence. Days and times on which it is applied to provide entertainment: Monday to Saturday 07:00 to 01:30 Sunday 07:00 to 23:00
EL403	Finvoy YFC 94 Bendooragh Road, Ballymoney	Grant of Occasional Entertainments Licence Days and times on which it is applied to provide entertainment: Saturday 17 th June 2023 20:00 to 01:30
EL415	Moycraig YFC Armoy Rugby Club Grounds	Grant of Occasional Entertainments Licence Days and times on which it is applied to provide entertainment: Saturday 8 th July 2023 21:00 to 01:00
EL424	Glenariffe Community and Recreation Centre 208 Garron Rd Glenariffe	Grant of annual indoor entertainments licence. Days and times on which it is applied to provide entertainment: Saturday 8 th July 2023 10:30 to 22:30
EL427	Hillcrest Farm, 10 Ballyportery Rd Dunloy	Grant of occasional entertainments licence Days and times on which it is applied to provide entertainment: Saturday 15 th July 2023 19:30hrs to 01:00hrs
Reference No	Premises:	Licence
EL428	The Lookout Salthouse Hotel Ballycastle	Grant of annual indoor entertainments licence. Days and times on which it is applied to provide entertainment: Monday to Sunday from 12:00hrs to 01:00hrs

Consultations with PSNI and NIFRS regarding the above applications resulted in no objections being received.

Delegated authority was used to issue licences for the above applicants due to time constraints and to enable the premises to provide entertainment.

Decisions to grant or vary entertainment licences will continue to be brought before Council with delegated authority used only in exceptional circumstances.

Street Trading (NI) Act 2001

Reference No	Street Trading License	Location
TSTM 008/2023	Temporary Street Trading	25 Railway Road, Coleraine
TSTM 009/2023	Temporary Street Trading	Bridge Street and Mill Street, Cushendall

Local Government (Miscellaneous Provisions) (NI) Order 1985

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

<u>Reference Number:</u>	<u>Name of Premises</u>	<u>Type of Registration</u>
CP/04/2023	Bond Jewellers 31 Market Street Limavady	Cosmetic Piercing
AP/02/2023	Sea Haven Therapy 18 Bayview Road Ballycastle	Acupuncture
T/02/2023	Anchored Ink Ltd 106 Main Street Portrush	Tattooing
CP/02/2023	Ultraviolet Ink 47a Catherine Street Limavady	Cosmetic Piercing
<u>Reference Number:</u>	<u>Name of Premises</u>	<u>Type of Registration</u>
T/01/2023	Ultraviolet Ink 47a Catherine Street Limavady	Tattooing
CP/03/2023	Bond Jewellers 24 Church Street Coleraine	Cosmetic Piercing

The Licensing of Pavement Cafés Act (Northern Ireland) 2014

<u>Reference Number:</u>	<u>Name of Premises</u>	<u>License</u>
PC27	Lime Ice Cream Bar	Grant of a pavement café licence

	1 High Street, Ballymoney	Days and times applied for to operate a pavement café: Monday to Wednesday: 08:30hrs to 17:30hrs Thursday to Friday: 08:30hrs to 20:30hrs Saturday to Sunday: 08:30hrs to 17:30hrs
PC26	CeCe Cakes and Bakes 16 Kingsgate Street, Coleraine	Grant of a pavement café licence Days and times applied for to operate a pavement café: Monday to Sunday: 09:00 to 18:00
PC42	The Corner Bar 41-43 Main Street Limavady	Grant of a pavement café licence Days and times applied for to operate a pavement café: Monday to Sunday: 11:30 to 23:30
PC40	New Society Café 54 New Row Coleraine	Grant of a pavement café licence Days and times applied for to operate a pavement café: Monday to Saturday: 08:00 to 17:00

The Road Traffic Regulation (Northern Ireland) Order 1997

<u>Reference Number</u>	<u>Special Event on Road</u>	<u>Prohibition/restriction of use of public roads</u>
EH826682	Heart of the Glens	Application to to hold a Special Event on 8 th August 2023, 11 th August 2023 , 12 th August 2023 and 13 th August 2023.
EH826682	Lammas Fair	Application to to hold a Special Event on 27 th August 2023, 28 th August 2023 and 29 th June 2023
EH827097	Salmon & Whiskey Festival	Application to to hold a Special Event on 8 th October 2023

Committee NOTED the report.

18. PETROLEUM SPIRIT LICENCE RENEWALS

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

PETROLEUM (REGULATION) ACTS 1929 AND 1937

PETROLEUM SPIRIT LICENCES

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

<u>Licence No:</u>	<u>Name of Premises</u>
PL001	Ballyness Service Station
PL017	Sainsburys Petrol Station, Coleraine
PL035	Spar Milltown
PL007	Exorna Filling Station
PL004	Spar Castlerock Road
PL003	Bush Filling Station
PL039	McCools Supervalu
PL047	Nicholl Auto 365 (Limavady)
PL071	Nicholl Auto 365 (Ballymoney)
PL018	Ivan Wilson Filling Station

Committee NOTED the report.

19. MATTERS FOR REPORTING TO PARTNERSHIP PANEL

There were no matters for reporting to Partnership Panel.

20. CONSULTATIONS

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

Purpose of Report

This Council report is for information only and provides Members with a copy of the Consultation that was submitted to DAERA on request back in 29th June 2023. The Consultation Response for information only is attached below.

Background

The Department for Agriculture, Environment and Rural Affairs (DAERA) sought Local Authority views to help inform the development of new regulations that will place climate change reporting duties on specified public bodies such as local Councils. Councils have been identified as a public body who may potentially be impacted by these future regulations, and it is an organisation which has been mentioned in the consultation. Local Council views regarding this consultation are therefore very important to DAERA.

Recommendation

For information only.

Committee NOTED the report.

21. CORRESPONDENCE

Purpose of Report

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

The following correspondence has been received:

21.1 **Keep Recycling Local, date 3rd July 2023** (copy available to Members on request)

Summary

Keep Recycling Local (KRL) consultant is seeking an opportunity to present to the Environmental Services Committee.

KRL is a recently launched campaign group created to help raise awareness about recycling in Northern Ireland. Their aim is to ensure that the recyclable materials collected here are also processed in Northern Ireland, to aid the circular economy and benefit our environment.

With the upcoming statutory guidance changes expected to have an impact on how collections are managed, and ahead of the upcoming DAERA consultation, they would appreciate the opportunity to present to members of the Council's Environment Committee at the earliest convenience (post July) to outline the benefits associated with keeping recycling local.

Given the potential savings for Councils, and that this is a core Council service provision, it might also be helpful for officials from the Chief Executive's Office and Finance Directorate to attend. Equally, they would be more than happy to speak with them separately.

Recommendation

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

Alderman S McKillop stated that this is a very important issue and that recycling locally has the potential for great savings. Alderman S McKillop proposed that a representative of Keep Recycling Local should present to the Environmental Services Committee, and that the Chief Finance Officer be present for the presentation.

Proposed by Alderman S McKillop
Seconded by Alderman Knight-McQuillan and

AGREED - to recommend that Council invites a representative of Keep Recycling Local to present to the Environmental Services Committee, and to request that the presentation be attended by the Chief Finance Officer.

22. NOTICE OF MOTION PROPOSED BY COUNCILLOR MCSHANE, SECONDED BY COUNCILLOR WATSON REFERRED FROM THE COUNCIL MEETING HELD THURSDAY 29 JUNE 2023

“That this Council explores options to build a Changing Places facility on Rathlin Island and further recognises the importance of Changing Places toilets in delivering our vision of an accessible and inclusive Causeway Coast and Glens.”

Councillor McShane spoke to her proposal. She stated that if the Committee were content to support the motion, it could be possible to apply to the Department for Communities Access and Inclusion Programme for funding. The 2023/24 programme opens in November 2023 and closes in December 2023, so it is a short window for application.

Councillor McShane stated that the existing harbour toilets are a potential location for the proposed Changing Places facility.

Councillor McShane also proposed that the Council could look at ways to modify access to the beach on Rathlin Island to enhance accessibility, similar to the boardwalk access in Ballycastle. This could link from the Changing Places facility.

Councillor McShane stated that, as Council’s Diversity Champion, she welcomes the various positive initiatives that the Council has been involved in to date, including partnership working with other bodies such as Mae Murray Foundation to enhance access to our beaches such as Benone.

Councillor McShane proposed that the Council could look at the provision of portable hoists to give greater access for people with disabilities to use boats and pontoons. She stated that such an initiative could allow the Rathlin Sound Maritime Festival to become more inclusive and allow Sailability Foyle to run events.

Councillor McShane stated that she wished to amend the motion to include these additional points, with the amended motion to read as follows:

- *“That this Council explores options to build a Changing Places facility on Rathlin Island and further recognises the importance of Changing Places toilets in delivering our vision of an accessible and inclusive Causeway Coast and Glens. **That this Council looks at ways to modify access to the beach on Rathlin Island to enhance accessibility, such as a boardwalk linking from the Changing Places facility. That this Council looks at the provision of portable hoists to give greater access for people with disabilities to use boats and pontoons.**”*

* **Councillor Kyle left the meeting remotely at 8.00pm.**

Councillor Watson stated that she wished to second the motion proposed by Councillor McShane. She stated that Council need to ensure that Rathlin Island is as accessible as possible and caters for people with additional requirements.

Councillor Watson referred to the recent announcement of almost £5 million for a project on the island, involving a consortium led by Ulster University, in partnership with Queen's University Belfast, for one of four new 'Green Transition Ecosystems'. She stated that with more visitors to the island, it is important that the Council supports the sustainability and accessibility of the island.

Councillor Watson stated that Changing Places Facilities are located across many council areas, but there is currently no adequate accessible toilet/changing facilities for our only island community.

Proposed by Councillor MA McKillop
Seconded by Councillor Bateson

- *“That this Council explores options to build a Changing Places facility on Rathlin Island and further recognises the importance of Changing Places toilets in delivering our vision of an accessible and inclusive Causeway Coast and Glens. That this Council looks at ways to modify access to the beach on Rathlin Island to enhance accessibility, such as a boardwalk linking from the Changing Places facility. That this Council looks at the provision of portable hoists to give greater access for people with disabilities to use boats and pontoons.”*

The Chair put the Notice of Motion, as Amended, to the Committee to Vote. The Committee voted unanimously in favour of the Notice of Motion, as Amended.

The Chair declared the Notice of Motion, as Amended, Passed.

AGREED – to recommend to Council to support the Notice of Motion, as amended.

* **Councillor McShane left the meeting remotely at 8.07pm.**

23. NOTICE OF MOTION PROPOSED BY COUNCILLOR MCCULLY, SECONDED BY ALDERMAN STEWART REFERRED FROM COUNCIL MEETING HELD TUESDAY 5 SEPTEMBER 2023

“This Council is concerned by the recent blooms of blue-green algae in our waters; notes the detrimental impact these blooms have had on local businesses; asks the Department of Agriculture, Environment and Rural Affairs to swiftly convene a cross party meeting between affected Council areas to discuss the issue & to develop an action plan to address it; and calls for the establishment of an independent Environmental Protection Agency in line with New Decade, New Approach commitments.”

Councillor McCully spoke to his motion, stating:

- Anyone who has been paying attention to the news this summer will know just how severe the blue-green algal blooms are in Lough Neagh & other local water bodies.

- The algae bloom is so bad that the water is effectively sludge in places. This is having a severe impact on the Lough's biodiversity, with reports of birds dying; fish kills & the disappearance of the Lough Neagh fly.
- The problem of blue-green algae is not confined to Lough Neagh. Blue-green algae has been confirmed to be present in a range of different water bodies this summer – this is why the Department of Agriculture, Environment and Rural Affairs (DAERA) action plan is required to address it.
- The quality of the water in the River Bann has been badly affected. Blooms have been reported all along the river. A watersports business in Kilrea has been forced to close. Algae detected near to our beaches has forced them to close until levels reduce.
- The problem is out of control and the response from DAERA and the Northern Ireland Environment Agency has not been sufficient.
- This is a complex problem with many causes. DAERA has confirmed that the algae blooms are mostly the result of invasive species altering the local biodiversity; in addition to agricultural run-off, and climate change raising the temperature of the waters.
- The ownership of the Lough further complicates matters, as DAERA or DfI currently do not own the water. The question of whether the Lough should be brought into public ownership could take years to resolve. However, we need immediate action to prevent a repeat of the disruption experienced this summer.
- The blue-green algae has resulted in disruption to businesses: a watersports business in Kilrea has had to close due to the blooms making it impossible to trade; in Coleraine, another watersports business has had to ban customers from using their own wetsuits. In Causeway, we have had to close beaches during the high season. This has a knock-on impact on businesses reliant on customers visiting the beach.
- Our Council spends a significant amount of resource and time promoting our seaside towns to visitors. These algal blooms and wider water quality issues threaten to undermine all this positive work.
- The information provided to Councillors from DAERA & the Northern Ireland Environment Agency has not been sufficient. We need a direct line of communication between elected representatives and department officials.
- Many of the problems we are currently seeing in Lough Neagh and further afield could be addressed by establishing a truly Independent Environment Protection Agency (EPA). Currently, the NIEA does not have strong enough enforcement powers to hold DAERA, NI Water and private entities

to account. This disaster unfolding in front of us is a clear example of why an Independent EPA is so badly needed. Northern Ireland remains the only area in the UK & Europe without one.

- Commitments to establish an Independent EPA were included in the New Decade, New Approach deal which was signed by the 5 main parties. It is long past time that DAERA makes moves to establish this body.

Alderman Stewart stated that he is happy to second the motion. He stated that this is a worrying situation that is having a devastating impact on Lough Neagh and its surrounding wildlife, as well as businesses.

Alderman S McKillop stated that she would not disagree with what has been said, but she would not support the creation of an Independent Environment Protection Agency, as we already have multiple layers of government, including departments, agencies and councils.

Alderman S McKillop stated that Council need to tackle pollution in the hotspot areas using targeted policies, capital support and more meaningful enforcement action. She stated that Council need to focus on actions and outcomes rather than wasting time on setting up new structures and governance.

Amendment

Proposed by Alderman S McKillop

Seconded by Alderman Knight-McQuillan

- *“This Council is concerned by the recent blooms of blue-green algae in our waters; notes the detrimental impact these blooms have had on local businesses; asks the Department of Agriculture, Environment and Rural Affairs to swiftly convene a cross party meeting between affected Council areas to discuss the issue & to develop an action plan to address it; ~~and calls for the establishment of an independent Environmental Protection Agency in line with New Decade, New Approach commitments.~~”*

Councillor Bateson stated that he had asked to speak prior to Alderman S McKillop and that he wished to propose an amendment.

The Chairperson advised that he was not aware of that. The Chair ruled that there would be a vote on Alderman S McKillop’s amendment, and that Councillor Bateson could propose a further amendment should Alderman S McKillop’s not pass.

Councillor Bateson stated:

- Sinn Féin has been in repeated contact with the NIEA on the occurrences of toxic algae including in the sea at Castlerock, Portstewart, Benone and Downhill as well as the significant issues that have occurred recently in Lough Neagh.
- The occurrences of toxic algae this summer are obviously very concerning from an environmental perspective.

- Additionally, the algal blooms occurred on the north coast at the busiest time of the year for tourism, which is when many local businesses make the most of their annual income, and therefore has had a detrimental impact on local businesses.
- Dealing with the toxic algae requires all the agencies with responsibilities to cooperate to address the issues causing it.
- The occurrence of the toxic algae in the River Bann and along the north coast are believed to have originated from Lough Neagh and travelled along the river, therefore tackling it at that source is key.
- Sinn Féin has long advocated for Lough Neagh to be brought into public ownership; long before this latest algae bloom, we had brought motions to both the Assembly and councils calling for just this.
- Given that Lough Neagh provides more than 40% of the north's drinking water, the recent proliferation of blue-green algae is rapidly making management of the lough a public health issue.
- The lough should be brought under public ownership so that a clear management structure can be developed and long-term plans made for dealing with the numerous issues that face the lough, from biodiversity and sustainability to navigational markers and promotional marketing.
- In developing a management structure, it would also be prudent to include the views and expertise of those who know and love the lough best; the communities that live beside it and those who make their living on it.
- In addition to undoing the damage that has been done to the lough, there is tremendous environmental, economic and tourism potential in the lough, if it is managed properly.

Councillor Kane stated that he wished to propose the substantive motion. He said that this matter needs urgent action. He advised that the creation of an Independent Environmental Protection Agency is not a new proposal, as it was agreed to over three years ago but has not yet been implemented. He stated that we need a body that is independent and has the power to take action when required to prevent this recurring.

Councillor Mairs stated that she wished to second Councillor Kane's proposal of the substantive motion.

* **Alderman Hunter left the meeting remotely at 8.31pm.**

The Chair put the Amendment by Alderman S McKillop, seconded by Alderman Knight-McQuillan to the Committee to Vote.
6 Members voted For; 7 Members voted Against.
The Chair declared the Amendment Lost.

Amendment

Proposed by Councillor Bateson

Seconded by Councillor C Archibald

- *“This Council is concerned by the recent blooms of blue-green algae in our waters; notes the detrimental impact these blooms have had on local businesses; asks the Department of Agriculture, Environment and Rural Affairs to swiftly convene a cross party meeting between affected Council areas **involving all the relevant Departments and Agencies with responsibilities** to discuss the issue & to develop an action plan to address it; and calls for the establishment of an independent Environmental Protection Agency in line with New Decade, New Approach commitments; **and further calls for the NI Environment Agency to present to this Council on its actions to respond to the occurrences of toxic algae.**”*

Alderman S McKillop asked the Director of Environmental Services how long he thought it would take to establish the agencies proposed in the Motion as Amended.

The Director of Environmental Services advised that this would be external to the Council, as it would involve asking DAERA to set it up. He suggested that it might take from 4 to 6 weeks to establish a working group, but that setting up an Independent Environment Protection Agency would follow.

Alderman S McKillop asked how long it would take for NIEA to present to Council.

The Director of Environmental Services advised that the NIEA could present to Council on what has been done so far and their current plans at the next Council meeting, depending on their availability.

Councillor McCully advised that the motion was intended for immediate action, with the establishment of the Independent Environment Protection Agency proposed as per the New Decade, New Approach commitments that all five main parties signed up for in 2020. He stated that he was content with the wording of Councillor Bateson’s proposed amendment.

The Chair put the Amendment by Councillor Bateson, seconded by Councillor C Archibald to the Committee to Vote.

7 Members voted For; 6 Members voted Against.

The Chair declared the Notice of Motion, as Amended, passed.

AGREED – to recommend to Council to support the Notice of Motion, as Amended.

- *“This Council is concerned by the recent blooms of blue-green algae in our waters; notes the detrimental impact these blooms have had on local businesses; asks the Department of Agriculture, Environment and Rural Affairs to swiftly convene a cross party meeting between affected Council areas **involving all the relevant Departments and Agencies with responsibilities** to discuss the issue & to develop an action plan to address it; and calls for the*

establishment of an independent Environmental Protection Agency in line with New Decade, New Approach commitments; and further calls for the NI Environment Agency to present to this Council on its actions to respond to the occurrences of toxic algae.”

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Alderman Knight-McQuillan
Seconded by Alderman S McKillop and

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

- * **The Chair declared a recess at 8.38pm**
- * **Press left the meeting at 8.38pm.**
- * **Councillor McCully left the meeting remotely at 8.38pm.**
- * **Alderman Stewart left the meeting remotely at 8.38pm.**
- * **Alderman Boyle left the meeting remotely at 8.39pm.**
- * **The Representative from Cogent NI left the meeting remotely at 8.39pm**
- * **Councillor Watson left the meeting remotely at 8.40pm.**
- * **Councillor Holmes joined the meeting remotely at 8.42pm.**
- * **The meeting resumed at 8.53pm following a comfort break.**

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.

24. STREET TRADING REPORT

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

Grant of a Street Trading Licence

Ref: MST 021

Application: Grant of a Mobile Street Trading Licence to trade throughout Causeway Coast and Glens Borough Council

Days and times on which it is applied to trade:

Monday to Saturday: 11:00 to 22:00
Sunday: 12:00 to 21:00

Description of goods to be sold: Ice cream, ice lollies, slushies, soft drinks and confectionary.

Recommendation

It is recommended that Council grants a mobile street trading licence subject to compliance with any recommendations of the Council’s Licensing Section.

Proposed by Councillor MA McKillop
Seconded by Councillor C Archibald and

AGREED – to recommend that Council grants a mobile street trading licence subject to compliance with any recommendations of the Council's Licensing Section.

25. LOCAL AIR QUALITY MANAGEMENT GRANT 2023-2024

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

Purpose of Report

The purpose of this report is to seek approval to accept Local Air Quality Management grant monies from the Department of Agriculture and Rural Affairs (DAERA) up to the value of £74,600.

Recommendation

It is recommended that the Environmental Services Committee recommend to Council to accept the grant offer and, due to time constraints for acceptance, authorises the Director of Environmental Services to sign and return the acceptance form pending Council approval.

Proposed by Councillor MA McKillop
Seconded by Councillor Kane and

AGREED – to recommend to Council to accept the grant offer and, due to time constraints for acceptance, authorises the Director of Environmental Services to sign and return the acceptance form pending Council approval.

26. PROVISION OF WASTE SERVICES FOR THE COLLECTION AND RECYCLING OF TYRES AND RIMS

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

Purpose of Report

The purpose of this report is to present a recommendation for consideration and approval based on the results of the tender evaluation carried out on the response(s) received to the invitation to tender for the provision of waste services for the collection and recycling of tyres and rims.

Invitation to tender issued by the North West Region Waste Management Group (NWRWVG) on behalf of member councils.

The purpose of the procurement was to ensure that suitably qualified providers were invited to tender to meet the requirements of the NWRWVG and its constituent councils.

NWRWMG tender evaluation report, dated June 2023, is included in appendix 1 (circulated).

Recommendation

It is recommended that the Environmental Services Committee consider the result of the evaluation and approves the awarding of the contract to PPP Group.

Proposed by Councillor Wallace
Seconded by Councillor C Archibald and

AGREED – to recommend that Council considers the result of the evaluation and approves the awarding of the contract to PPP Group.

- * **At this point in the meeting the IT Officer stated in the chat facility that Alderman Hunter sent apologies as she had to leave the meeting due to technical and broadband issues.**

27. HARBOURS & MARINA CAPITAL MAINTENANCE

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

Purpose of Report

To request Members consideration and approval to authorise officers to proceed to stage 1 & 2 of the procurement gateway to, **a.** formulate required tender / procurement documentation, and **b.** conduct, manage and conclude a public tender exercise to obtain best value monetary bids for carrying out the following professional service, herein noted/referred to as, *'10-Year Capital & Maintenance Implementation Plan – Harbours & Marinas'*.

Recommendation

It is recommended that Members grant permission to progress to Stage 1 & 2 of the procurement gateway, *'Feasibility & Scoping'*, and *'Detailed Design & Procurement'*, in respect of a, *'10-Year Capital & Maintenance Implementation Plan – Harbours & Marinas'*.

Proposed by Councillor Kane
Seconded by Councillor MA McKillop and

AGREED – to recommend that Council grants permission to progress to Stage 1 & 2 of the procurement gateway, *'Feasibility & Scoping'*, and *'Detailed Design & Procurement'*, in respect of a, *'10-Year Capital & Maintenance Implementation Plan – Harbours & Marinas'*.

28. CAR PARKS RE-SURFACING

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

Purpose of Report

To request Members consideration and approval to progress the three identified car parks refurbishment to Stage 3 of the capital procurement gateway, 'Construction phase', following a competitive public tender campaign in which officers have identified the most economically advantageous tenderer to carry out the required works at each car park location herein noted.

Recommendation

It is recommended that Members grant officers permission to formally appoint and enter into contract with Messrs. Northstone Materials Limited at a tendered sum of £286, 628.36p + VAT, to deliver this project. (delivering / completing stage 3 of the procurement gateway)

Alderman Knight-McQuillan asked what will be the expected timeframe for the works. She specifically mentioned the carpark in Garvagh, which flooded last year, stating that the repairs are overdue.

The Director of Environmental Services advised that the work should commence within the next month or so. He advised that they are aware of the flooding issue and this was taken into account in the specification for the new carpark surface.

Proposed by Alderman Knight-McQuillan
Seconded by Alderman S McKillop and

AGREED – to recommend that Council grants officers permission to formally appoint and enter into contract with Messrs. Northstone Materials Limited at a tendered sum of £286, 628.36p + VAT, to deliver this project.

29. HARBOURS & MARINAS – MINOR CAPITAL INFRASTRUCTURE WORKS TO THE 'SOUTH PIER REVETMENT AT PORTRUSH HARBOUR' PROGRESSION TO STAGE 2 – 'DETAILED DESIGN & PROCUREMENT'

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

Purpose of Report

To present the findings from Stage 1 of the capital procurement gateway, 'Feasibility & Scoping', to Members and to request further consideration and approval to progress Stage 2 of the capital procurement gateway (Detailed Design & Procurement), to carry out the works identified on the South Pier, Portrush.

Recommendation

It is recommended that Members grant permission to progress to Stage 2 of the procurement gateway, 'Detailed Design & Procurement', (expense as listed on p.1 of previously circulated paper)

Proposed by Councillor C Archibald

Seconded by Councillor Mairs and

AGREED – to recommend that Council grants permission to progress to Stage 2 of the procurement gateway, '*Detailed Design & Procurement*', (expense as listed on p.1 of previously circulated paper)

30. CAR PARKS & CONCESSIONARY TRADING CONCESSIONARY TRADING SITE AT CHRISTIE PARK, COLERAINE PLANNING APPLICATION SUBMISSION, ADVERTISING AND AUCTIONING OF THE SITE

* **Councillor Wallace left the Chamber at 9.13pm.**

* **Alderman S McKillop left the Chamber at 9.14pm.**

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

Purpose of Report

To request Members consideration and approval to;-

- a.** submit a Planning Application for required works to facilitate a concessionary trading site as shown in the photos below and
- b.** upon receipt of planning permission to conduct an advertising campaign and a public auction.

Recommendation

It is recommended that Members grant approval to conduct the following professional services/activities; -

- a.** submits a planning application for the intended works to facilitate the concessionary trading site, and
- b.** (subject to achieving planning permission), to conduct an advertising campaign plus an open auction to gain best value for our assets.

Proposed by Councillor Stirling
Seconded by Alderman Knight-McQuillan and

AGREED – to recommend that Council grants approval to conduct the following professional services/activities; -

- a.** submits a planning application for the intended works to facilitate the concessionary trading site, and
- b.** (subject to achieving planning permission), to conduct an advertising campaign plus an open auction to gain best value for our assets.

* **Councillor Wallace returned to the Chamber at 9.19pm.**

* **Alderman S McKillop returned to the Chamber at 9.19pm.**

31. STRATEGIC SELECTION AND / OR PROGRESSION OF MAJOR CAPITAL PROJECT RED BAY PIER, CUSHENDALL – *WITHDRAWN*

The Chair earlier advised this Item had been withdrawn from the Agenda.

32. COLERAINE MARINA ECONOMIC APPRAISAL

*** Representative from Cogent NI joined the meeting remotely at 9.19pm**

Confidential report, previously circulated, was presented by the Director of Environmental Services. The Director of Environmental Services advised Members that there had been a formal expression of interest from a public body in purchasing Coleraine marina as a going concern.

Mr John Clarke of Cogent NI delivered a presentation to Members based on his research.

Purpose of Report

To report the findings and conclusions of the recently completed economic appraisal (EA) of Coleraine marina.

Proposal

The economic appraisal (previously circulated), has examined the socio economic, tourism destination and financial merits of Councils ownership of the marina.

Identification of Options

In line with Treasury guidance, potential options were identified and considered within the appraisal. *TWO* eventual options were short listed, namely to:

1. Maintaining the Status Quo – That is, the Council would continue to own and manage Coleraine Marina in the same or similar manner as it has done in recent years;
2. The Council sells the Marina/Marina site for maximum realisation purposes.

Recommendation:

It is recommended that Members consider both options and advise officers on which option to progress.

*** Councillor Holmes left the meeting remotely at 9.34pm.**

Councillor Bateson stated that while it seemed financially advantageous to dispose of this asset, he felt that the Committee have not had the chance to consider the detail of the report. He proposed deferring a decision until the next Council meeting to allow time to consider the information.

Alderman Knight-McQuillan queried how the wording of the proposal fits with the Land and Property Policy.

The Director of Environmental Services advised that if a sale was the preferred option, the matter would divert to the Land & Property Sub Committee to go through due process.

* **Councillor Holmes joined the meeting remotely at 9.37pm.**

Alderman Knight-McQuillan stated that there is a lot of detail to consider. She proposed holding a workshop to allow other members to examine the detail of the proposal.

Proposed by Alderman Knight-McQuillan
Seconded by Councillor Stirling and

AGREED – to recommend that Council defers consideration and holds a workshop for all Councillors to consider the detail of this proposal.

* **The Cogent NI representative left the meeting remotely at 9.44pm**

33. ANIMAL WELFARE SERVICE FUNDING UPDATE

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

Purpose of Report

The purpose of this report is to inform Elected Members of correspondence received from the Department of Agriculture and Rural Affairs (DAERA) confirming withdrawal of funding for delivery of animal welfare services.

Recommendation

It is recommended that Council notes the correspondence.

The Director of Environmental Services advised Members that DAERA is looking at funding to cover expenditure already made this year, and consideration is also being given to how Council can continue to deliver this service.

Councillor Bateson stated that the withdrawal of funding will have a significant impact.

Councillor Kane stated that this decision by DAERA is concerning and unacceptable. He asked whether the Council is continuing to meet its statutory duties.

The Director of Environmental Services advised that the Council is continuing to provide the service but that this could result in an adverse funding position.

Committee NOTED the correspondence.

34. STREET TRADING LICENCE RENEWALS

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

STREET TRADING (NI) ACT 2001

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

<u>Unique Reference Number</u>	<u>Type of Licence</u>	<u>Commodity</u>	<u>Location</u>
MST 014	Mobile Street Trading	Ice cream, confectionery and minerals	Borough of Causeway Coast & Glens
MST 006	Mobile Street Trading	Ice Cream, confectionery, slush, desserts, soft drinks, crisps	Borough of Causeway Coast & Glens
SST 020	Stationary Street Trading	Hot and cold food and drinks	Car Park at Shops, Daneshill Road, Ballysally,
MST 020	Mobile Street Trading	Ice cream, soft drinks, sweets, snacks and confectionery	Borough of Causeway Coast and Glens

Committee NOTED the report.

* **The Harbour Master left the meeting remotely at 9.49pm.**

35. AFFORDABLE WARMTH SCHEME UPDATE

Confidential 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 cessation of Council's involvement in the delivery of the Affordable Warmth Scheme.

Recommendation

It is recommended that Council notes this report.

Alderman Knight-McQuillan stated that it is disappointing that the service is being taken from the Council and that while it is some consolation that the Housing Executive is continuing to provide the service, it has a limited clientele and she is concerned about the impact on the wider community.

Councillor Bateson stated that he understood that people who had been on the waiting list for the service have had to reapply and that he would appreciate an update on the impact of the change in service provider.

The Director of Environmental Services advised that since the change in service provider only occurred at the start of this month, it is too early to have feedback on the impact but he can provide information on that when it becomes available.

Committee NOTED the report.

36. PERIOD 4 ES MANAGEMENT ACCOUNTS AND FINANCIAL POSITIONS 2023/24

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 4.

Recommendation

Members are requested to note the paper.

Committee NOTED the paper.

37. HSENI INVESTIGATION – VERBAL UPDATE

The Director of Environmental Services provided a verbal update on the HSENI investigation and the court hearing that took place on Wednesday 6 September regarding the death of John Winton.

He advised that the Council has responded “not guilty” to two charges and “to lodge a no bill application” regarding the risk assessment charge. The judge is aiming for the trial to take place in April, May or June 2024.

Committee NOTED the update.

MOTION TO PROCEED ‘IN PUBLIC’

Proposed by Councillor Kane
Seconded by Councillor MA McKillop and

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

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

38.1 Update on additional trading pitch at Castlerock (Alderman Knight-McQuillan)

“Can I request an update on the current status of the additional trading pitch at Castlerock”

The Director of Environmental Services advised that the planning application has been submitted and is now with the planners, with an estimate of November for it to be considered by the Planning Committee. He advised that

the Council is awaiting consultation responses, specifically responses from the Department for Infrastructure's Roads service.

Alderman Knight-McQuillan queried whether there had been any objections to the proposal.

The Director of Environmental Services advised that there had been a considerable number of objections. He advised that the matter will return to the Environmental Services Committee following this process.

There being no further business the Chair thanked everyone for their attendance. The meeting concluded at 10.00pm.

Chair