

**ENVIRONMENTAL SERVICES COMMITTEE MEETING TUESDAY 6 JUNE  
2017**

**Table of Recommendations**

<b>No</b>	<b>Item</b>	<b>Summary of Key Recommendations</b>
<b>1</b>	Apologies	<b><i>Councillors Baird and Holmes</i></b>
<b>4</b>	Licensing Items for Decision	<b><i>Grant Items 4.1-4.5</i></b>
<b>5</b>	Occasional Entertainment Licences	<b><i>Grant Items 5.1-5.3</i></b>
<b>6</b>	Consultation on Regulations to require Online Display of Food Hygiene Ratings	<b><i>Endorse response</i></b>
<b>7</b>	Report on the Environmental Health NI response to Food Standards Agency Proposals to Review the Approval Process	<b><i>Adopt proposals and advise FSA</i></b>
<b>8</b>	Consultation on a Draft Revised UK Air Quality Plan for Tackling Nitrogen Dioxide May 2017	<b><i>Endorse response</i></b>
<b>9</b>	Partnership Agreement People at Risk NI Fire and Rescue Service and CC&GBC	<b><i>Sign</i></b>
<b>10</b>	Service Level Agreement with Drinking Water Inspectorate	<b><i>Sign and return</i></b>
<b>11</b>	Castlerock Railway Station Footbridge	<b><i>Defer to Council meeting; additional information to be brought to Council meeting</i></b>

<b>12</b>	Festive Light Upgrade, Limavady Area	<b>Option 1, approve scheme upgrade at a cost of £243,363</b>
<b>13</b>	Lough Foyle Ferry Service Update	<b>Approve permission</b>
	<b>For Information (Items 14 – 19)</b>	
<b>14</b>	Licensing Items for Information	
<b>15</b>	Sunbed Underage Sales Test Purchase Exercise	
<b>16</b>	Pavement Café Licensing Public Consultation on Guidance for Applicants	
<b>17</b>	Prohibition or Restriction of Use of Public Roads: Special Events	
<b>18</b>	Affordable Warmth Scheme Update	
<b>19</b>	Report on Food Sampling by District Council's in NI in 2015	
<b>20</b>	Matters for reporting to Partnership Panel	<b>Nil</b>
<b>22</b>	Portballintrae Harbour Infrastructure Improvements	<b>Approve progression to Stage 3; appoint Messrs BSG Civil Engineering Ltd to carry out works, sum of £553,274.49 (excluding VAT)</b>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE  
ENVIRONMENTAL SERVICES COMMITTEE  
IN CIVIC HEADQUARTERS, COLERAINE ON  
TUESDAY 6 JUNE 2017 AT 7:00 PM**

**In the Chair:** Councillor McLean

**Members Present:** Alderman Campbell, King  
Councillors, Chivers, Douglas, Fielding, Hunter,  
Loftus, McCaul, MA McKillop, Stevenson, Watton

**Officers Present:** A McPeake, Director of Environmental Services  
G Doyle, Head of Estates  
B Edgar, Head of Health and Built Environment  
J Richardson, Head of Capital Works, Energy and  
Infrastructure  
S Duggan, Committee and Member Services Officer

**In Attendance:** Press (3 No)

**1 APOLOGIES**

Apologies were recorded for Councillors Baird and Holmes.

**2 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**3 MINUTES OF ENVIRONMENTAL SERVICES COMMITTEE MEETING  
HELD ON 2 MAY 2017**

The Chair advised the Minutes of the meeting held Tuesday 2 May 2017 were adopted at the 23 May 2017 Council Meeting.

**4 LICENSING ITEMS FOR DECISION**

The Head of Health and Built Environment presented the report.

**4.1 Cinema (Northern Ireland) Order 1991 Grant of Cinema Licence**

The undernoted application for the Grant of a Cinema Licence has been received.

**Premises:** The Riverside Theatre  
**Application:** Grant of cinema licence for The Riverside Theatre, Ulster University, Cromore Road, Coleraine, BT52 1SA

The application has been made for one screen.

**It is recommended** to Grant a Cinema Licence subject to compliance with any recommendations of the Councils licensing section inclusive of the following special conditions.

- i) No representations from members of the Public
- ii) No objections from PSNI or NIFRS

#### **4.2 Marriage (NI) Order 2003 Temporary Approval of Place as a Venue For Civil Marriage**

**Premises:** Portbradden Cottage

**Application:** Application has been received for the Approval of Portbradden Cottage, White Park Bay, Co. Antrim as a Temporary place of Civil Marriage.

**Date of Temporary Approval:** 29<sup>th</sup> July 2017

**It is recommended** to Grant Approval for the above premises as a Temporary place of Civil Marriage subject to compliance with any recommendations of the Councils licensing section inclusive of the following special conditions

- 1. No representations from members of the public
- 2. No objections from PSNI or NIFRS

#### **4.3 Local Government (Miscellaneous Provisions) (NI) Order 1985 Grant of Annual Indoor Entertainments Licence**

The undernoted application for Grant of Annual Indoor Entertainments Licence has been received.

**Premises:** Me and Mrs Jones

**Application:** Grant of Annual indoor entertainments licence for Me and Mrs Jones, 1 – 7 The Diamond, Portstewart, BT55 7EA

Days and times on which it is applied to provide entertainment:  
Monday – Saturday 11:30 – 01:00  
Sunday 12:30 – 00:00

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

- i) No representations from members of the public
- ii) No objections from PSNI or NIFRS

#### 4.4 Local Government (Miscellaneous Provisions) (NI) Order 1985 Grant of Annual Indoor Entertainments Licence

The undernoted application for Grant of Annual Indoor Entertainments Licence has been received.

**Licence No:** EL234  
**Premises:** Pattons Bar  
**Application:** Grant of annual indoor entertainments licence for Pattons Bar, 18 Ballycregagh Road, Cloughmills, Ballymena, BT44 9LB.

Days and times on which it is applied to provide entertainment:  
 Monday – Saturday 1100hrs to 0100hrs  
 Sunday – 1200hrs to 0100hrs

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

- 1) No representations from members of the public
- 2) No objections from PSNI or NIFRS

#### 4.5 Street Trading (NI) Act 2001

The undernoted application for the grant of a mobile street trading licence has been received during the report period.

Type of Street Trading Licence	Unique Reference No	Commodities	Location
Mobile Street Trading Licence	MST 010	Ice Cream, Soft Drinks, Confectionary	Causeway Coast and Glens Borough Council Area

**It is recommended** to Grant the Mobile Street Trading Licence subject to compliance with any recommendations of the Councils licensing section and in compliance with Causeway Coast and Glens Borough Council's Street Trading Policy.

Proposed by Councillor Stevenson  
 Seconded by Councillor Loftus and

**AGREED** – to recommend that Council grant Items 4.1 - 4.5 inclusive and recommendations therein.

## 5 OCCASIONAL ENTERTAINMENT LICENCES

The Head of Health and Built Environment presented the report.

### 5.1 Local Government (Miscellaneous Provisions) (NI) Order 1985 Grant Of Occasional (14 Unspecified Days) Indoor Entertainments Licence

The undernoted application for Grant of Occasional (14 Unspecified Days) Indoor Entertainments Licence has been received.

**Licence No:** EL294  
**Premises:** Kilraughts Young Farmers Club  
**Application:** Grant of occasional (14 unspecified days) indoor entertainments licence for Kilraughts Young Farmers Club, 19 Kingariff Road, Armoy, Ballymoney, BT53 8JF.

Days and times on which it is applied to provide entertainment:  
Monday – Sunday 1200hrs to 0200hrs

**It is recommended** to Grant an Occasional (14 Unspecified Days) Indoor Entertainments Licence subject to compliance with any recommendations of the Councils licensing department inclusive of the following special conditions:

- 1) No representations from members of the public
- 2) No objections from PSNI or NIFRS

### 5.2 Local Government (Miscellaneous Provisions) (NI) Order 1985 Grant of Occasional Outdoor Entertainments Licence

The undernoted application for Grant of Occasional Outdoor Entertainments Licence has been received.

**Licence No:** EL149  
**Premises:** Party on the Pitch (Ballymoney Rugby Club)  
**Application:** Grant of occasional outdoor entertainments licence for Ballymoney Rugby Club, Kilraughts Road, Ballymoney

Days and times on which it is applied to provide entertainment:  
Friday 18<sup>th</sup> August 2017 from 1500hrs to 2300hrs  
19<sup>th</sup> August 2017 from 1330hrs to 2300hrs

**It is recommended** to Grant an Occasional Outdoor Entertainments Licence subject to compliance with any recommendations of the Councils licensing department inclusive of the following special conditions:

- i) No representations from members of the public
- ii) No objections from PSNI or NIFRS

### **5.3 Local Government (Miscellaneous Provisions) (NI) Order 1985 Grant of Occasional Entertainments Licence**

The undernoted application for Grant of an Occasional Entertainments Licence has been received.

**Premises:** Stendhal Festival

**Application:** Grant of Occasional entertainments licence for Stendhal Festival,  
61 Ballyavelin Road, Limavady, BT49 0NQ  
Days and times on which it is applied to provide entertainment:

Friday 11<sup>th</sup> and Saturday 12<sup>th</sup> August 2017 11:30 – 01:00

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

- i) No representations from members of the public
- ii) No objections from PSNI or NIFRS

Proposed by Alderman Campbell  
Seconded by Councillor Stevenson and

**AGREED** – to recommend that Council grant Items 5.1 – 5.3 inclusive and recommendations therein.

## **6 CONSULTATION ON REGULATIONS TO REQUIRE ONLINE DISPLAY OF FOOD HYGIENE RATINGS**

The Head of Health and Built Environment presented the report.

The Food Standards Agency is seeking the views and comments of Council on the draft Food Hygiene Rating (Online Display) Regulations (Northern Ireland) 2017 and the potential impact on food business and district councils.

The proposed regulations will require food businesses that supply food to customers by means of an online order facility to display a valid food hygiene rating e.g. on their website.

Response circulated, prepared by Environmental Health Northern Ireland (EHNI). The full consultation paper can be found at [https://www.food.gov.uk/sites/default/files/consultation/pack/fhrs\\_online\\_reqs\\_consultation\\_pack\\_1.pdf](https://www.food.gov.uk/sites/default/files/consultation/pack/fhrs_online_reqs_consultation_pack_1.pdf)

The closing date for submission of responses to the Food Standards Agency is 14th July 2017.

**It is recommended** that Council endorse this response.

Proposed by Councillor Loftus  
Seconded by Alderman King and

**AGREED** – to recommend that Council endorse the response, circulated.

## **7 REPORT ON THE ENVIRONMENTAL HEALTH NI RESPONSE TO FOOD STANDARDS AGENCY PROPOSALS TO REVIEW THE APPROVAL PROCESS**

The Head of Health and Built Environment presented the report.

The FSA has produced a paper proposing that the system for approval in place for those establishments where FSA is the approving authority be replicated across all establishments currently approved by District Councils.

Under this proposal District Councils would remain as the enforcement authority in these establishments and be responsible for routine inspection, audit and enforcement functions but would no longer be the approving authority.

Options within the FSA paper were to change the current approvals process or provide an alternative proposal which provided at least the same benefits that implementation of the proposed change would allegedly deliver.

The response from EHNI was circulated and provides an alternative proposal which is to strengthen the current approval process with no change to the approval authorities and District Councils continuing to approve establishments within their current remit.

**It is recommended** that Causeway Coast and Glens Borough Council adopt the proposals suggested and advise the FSA accordingly.

Proposed by Alderman King  
Seconded by Councillor McCaul and

**AGREED** – to recommend that Council adopt the proposals suggested and advise the FSA accordingly.

- \* **Councillor McKillop arrived at the meeting at 7.10 PM during consideration of the above item.**



## 8 CONSULTATION ON A DRAFT REVISED UK AIR QUALITY PLAN FOR TACKLING NITROGEN DIOXIDE MAY 2017

The Head of Health and Built Environment presented the report.

DEFRA are seeking the views and comments of Council on the draft revised UK Air quality plan for tackling Nitrogen Dioxide.

The draft plan sets out proposed actions to meet air quality standards within the shortest possible time.

The consultation includes the following documents:

- draft UK Air Quality Plan for tackling nitrogen dioxide ('Improving air quality in the UK: tackling nitrogen dioxide in our towns and cities')
- technical report, including details of modelling techniques and assumptions used in the draft UK Air Quality Plan for tackling nitrogen dioxide

Circulated, response prepared by Environmental Health Northern Ireland (EHNI). The full consultation paper can be found at <https://consult.defra.gov.uk/airquality/air-quality-plan-for-tackling-nitrogen-dioxide/>

The closing date for submission of responses is 15<sup>th</sup> June 2017.

**It is recommended** that Council endorse this response.

Proposed by Alderman Campbell  
Seconded by Councillor Hunter and

**AGREED** – to recommend that Council endorse the response, circulated.

## 9 PARTNERSHIP AGREEMENT PEOPLE AT RISK NI FIRE AND RESCUE SERVICE AND CC&GBC

The Head of Health and Built Environment presented the report.

The purpose of this partnership agreement is to provide enhanced assistance to people at risk for the mutual benefit of both organisations.

The aims and objectives of the partnership are to:

- provide additional fire safety advice to people at risk for the mutual benefit of both organisations;
- reduce fire deaths, injuries and fires in the homes of people at risk; and
- to improve partnership working for the benefit of both organisations.

- contribute to an overall reduction in the number of accidental fire deaths and fire-related injuries in dwellings in Northern Ireland; and
- to provide a free Home Fire Safety Check (HFSC) to every referral from the partnership agency, within 28 days from the date of the referral.

A copy of the agreement was circulated. By entering into the agreement it will allow the sharing of data between each organisation where consent has been granted by an individual.

**It is recommended** that the Partnership agreement be signed on behalf of Causeway Coast and Glens Borough Council by the Head of Health and Built Environment and returned to the Northern Ireland Fire and Rescue Service.

Proposed by Alderman King  
Seconded by Councillor Stevenson and

**AGREED** – to recommend that the Partnership agreement be signed on behalf of Causeway Coast and Glens Borough Council by the Head of Health and Built Environment and returned to the Northern Ireland Fire and Rescue Service.

## 10 SERVICE LEVEL AGREEMENT WITH DRINKING WATER INSPECTORATE

The Head of Health and Built Environment presented the report.

This agreement outlines the arrangement between the Drinking Water Inspectorate for Northern Ireland and the Causeway Coast & Glens Council, appointed as a competent person, for the purposes of undertaking on behalf of the DWI risk assessments and sampling of private water supplies under The Private Water Supplies Regulations (Northern Ireland) 2009 (as amended). The Service Level Agreement was circulated.

The '*Drinking water and health: a guide for public and environmental health professionals and for those in the water industry in Northern Ireland*' document, produced by the Drinking Water and Health Liaison Group outlines the roles and responsibilities of the key partner organisations and provides the basis for this agreement.

With respect to Council this includes:

- Private Supplies Registration
- Private Supplies Risk Assessment
- Private Supplies Sampling
- Private Supplies Investigations
- Private Supplies Training / Competency

Annex A to the Service Level Agreement identifies the specific roles of Council and the Drinking Water Inspectorate, Annex B, a sample authorisation document, and Annex C, the fees to be paid by Drinking water Inspectorate to Council for the services provided.

The Agreement shall take effect from the date of signature by both parties and shall remain in force for a period of two years.

**It is recommended** that the Service Level agreement be signed on behalf of Causeway Coast and Glens Borough Council by the Head of Health and Built Environment and returned to the Drinking Water Inspectorate.

Proposed by Alderman Campbell  
Seconded by Councillor Hunter and

**AGREED** – to recommend that the Service Level agreement be signed on behalf of Causeway Coast and Glens Borough Council by the Head of Health and Built Environment and returned to the Drinking Water Inspectorate.

## 11 CASTLEROCK RAILWAY STATION FOOTBRIDGE

The Head of Estates presented the report.

In 1996 Coleraine Borough Council entered into a 10,000 year lease with NI Transport Holding Co. (NITHC) for the upkeep of the footbridge at Castlerock Railway Station. Terms of the lease put the onus on Council to restore the bridge and continue to maintain it throughout the period of the lease. The bridge was restored by Council in 1998 but since then has had minimal maintenance and is now showing signs of significant deterioration exacerbated by the repairs previously carried out. It is in a poor condition.

It was decided that the necessary restoration project would be broken down into two stages. Stage 1 would be the removal (with approval of NIEA) of the bridge to a workshop where it could be cleaned down. At this point a schedule of repair work could be established (should the bridge be deemed to be repairable). An estimate of cost to repair could then be brought to Council for consideration. Initial requests for quotations from specialist contractors resulted in only one response for Stage 1 of £55,260.

Further effort was made to attract quotations and 3 prices were received ranging from £18,135 to £57,360 for Stage 1 (remove to covered storage, clean down and apply mild protective coating).

Following approval of the lowest quotation a meeting was held with Translink to discuss and agree a weekend over which to carry out the proposed work. At this meeting (27 Oct 2016) Translink insisted that a temporary structure be put in place while the original bridge was

undergoing assessment and repairs. Up until this point no consideration had been given to the installation of a temporary footbridge.

Council are expected to pay for the provision of the temporary bridge. Translink have also confirmed that they will not allow the original bridge to be removed unless a temporary structure is put in its place. Translink have a redundant footbridge but would expect Council to pay for its installation in Castlerock. Further work by officers have determined that it will cost approximately £30,000 for a temporary footbridge, which may need to stay in place for 9 - 12 months, while the original bridge is cleaned, assessed and repaired before returning to site. In the meantime NIEA have consented to allow the bridge to be removed for cleaning and assessment.

### **Key Issues**

Cost to remove, clean and assess	£18,135
Cost for temporary structure (approx.)	<u>£30,000</u>
<i>Cost to Council</i>	<i>£48,135</i>

Should the footbridge be deemed reparable then Council will be required to pay the repair costs which are yet unknown (a specialist contractor was asked to give an estimate of repair costs but, following inspection, declined to do so as there are too many unknowns at this stage). Any proposed Schedule of Work will need NIEA approval. Once repaired and put back in place Council will be required to budget for annual on-going maintenance to ensure the future of the footbridge.

**Option 1:** Do nothing. Bridge will continue to deteriorate to point that it needs to be removed for safety reasons. Council are not obliged under lease to replace bridge. (For information a new bridge cost is estimated at £350,000.)

**Option 2:** Spend approximately £48,135 to allow bridge to be removed and assessed. Further report to be brought to Council confirming a) can bridge be economically repaired and b) at what cost? Note NIEA will be actively involved in this decision process.

### **Recommendation**

Council are asked to discuss and recommend which is their preferred option.

The Director of Environmental Services and the Head of Estates responded at length to Elected Member queries.

Alderman King remarked on the new information, that Council was not required to replace the Bridge and queried its current lifespan. The Head of Estates advised the current lifespan of the Bridge was approximately 2-4 years.

Councillor Fielding stated further information was required before Council should consider spending any money – how much support was there in Castlerock to retain the Bridge? How many people use it? Is it needed?

Whilst understanding the historical aspect, Councillor Fielding stated his support for Option 1.

The Director of Environmental Services further advised, he deemed the removal, clean and assessment of the Bridge was reasonable, however he felt the stipulation for a temporary structure was not required.

Councillor Loftus considered Council had a responsibility for the Listed Building to investigate carrying out the work, however Councillor Loftus was not convinced Council should be spending money to provide a temporary bridge for Translink.

Proposed by Councillor Loftus  
Seconded by Councillor McKillop, MA

- to recommend that Council remove, clean and assess the Bridge at a cost of £18,135; invite Translink to pay for the provision of a temporary bridge, the cost of which, would not be borne by Council.

Alderman King suggested that consideration be deferred to allow an assessment of the footfall of the bridge over a 1 or 2 day period and the information is brought to the Council meeting, along with images.

#### Amendment

Proposed by Alderman King  
Seconded by Councillor Watton

- to recommend that Council defer consideration to the Council meeting.

Councillor Loftus, with the agreement of the seconder withdrew her proposal.

The Chair put Alderman King's substantive motion to the meeting.

**AGREED** - to recommend that Council defer consideration to the Council meeting.

## **12 FESTIVE LIGHT UPGRADE, LIMAVADY AREA**

The Head of Estates presented the report.

Since April 2015 Council has embarked on a programme of upgrades to existing festive lighting with major work carried out last year (refer report item 7 June 2016). This work has been necessary to improve the electrical infrastructure, replace lights no longer fit for purpose, provide modern LED lighting and comply with latest electrical legislation. Last year significant work was undertaken in Ballycastle along with improvements to Coleraine, Garvagh, Ballymoney, Portrush, Portstewart and Bushmills.

Benefits include:

Consistency in displays across the borough

LED lighting reduces running costs

Relocation to reduce maintenance

Compliance with legislation/TransportNI requirements

Reduction in maintenance costs during festive period

Reduction in lighting failures and resultant adverse publicity

As part of this on-going work it is proposed to carry out similar improvements to Limavady, Dungiven and Ballykelly this year. This work will conclude the need for further significant expenditure in the short to medium term but Council will need to budget for on-going maintenance of existing provision. A general theme has evolved which provides standard features on columns, LED 'strings' across streets, light ceilings and bespoke features to Council buildings. The proposal is to continue with this theme and also addresses points previously raised by residents, particularly in Limavady.

Limavady

Column features to be installed in Connell Street and car park, Irish Green Street, Linenhall Street, Catherine Street, Main Street, Central car park. Light ceiling to Market Street, new LED lights to Christmas tree and RGB light strings to Roe Valley Arts & Cultural Centre. LED lighting to trees (Estimate £190,225)

Dungiven

LED column features to Main Street and new strings to roadside trees. It is also proposed to move Christmas tree to entrance of car park c/w new LED strings. (Estimate £26,510)

Ballykelly

LED column features to Main Street, LED strings to existing roadside tree and new strings to Christmas tree. (Estimate £10,150)

Installation of power supplies, mini pillars and miscellaneous electrical infrastructure. Provided by Transport NI (estimate £16,478)

Total Cost £243,363

Examples of the proposed lighting were circulated for information.

Earlier this year DfC intimated that they may be in a position to offer some funding for a lighting scheme. Unfortunately, due to there being no Executive in place, DfC are not currently in a position to offer this support but have intimated that they will consider an application once their budget for 2017/18 has been confirmed. Should members wish to

proceed with the above proposals it should be on the understanding that Council will 100% fund the scheme but officers will continue to explore the potential for external funding which subsequently might be used to off-set cost to Council. Note any funding would apply only to Limavady and not to Dungiven or Ballykelly.

Option 1. Approve lighting scheme upgrade as outlined at a cost of £243,363. Officers to continue to seek external funding to help off-set cost.

Option 2. Continue with lighting scheme as erected in previous years. Note there will be a cost of up to £20,000 to improve electrical infrastructure, comply with current legislation and replace some existing lights which can't be repaired.

### **Recommendation**

Council are asked to discuss and recommend which is their preferred option.

Proposed by Councillor Stevenson  
Seconded by Councillor Douglas and

**AGREED** – to recommend that Council approve Option 1. Approve lighting scheme upgrade as outlined at a cost of £243,363. Officers to continue to seek external funding to help off-set cost.

The Director, in response to a comment from Councillor Loftus, agreed to review the Christmas lighting provision on Bridge Street, Kilrea.

## **13 LOUGH FOYLE FERRY SERVICE UPDATE**

The Head of Capital Works, Energy and Infrastructure presented the report.

Previously in Dec 2016, Members were informed that the previous operator (Rooskey Frazer & Co Ltd) had given notice not to continue with the service and will no longer be providing the ferry service hence forth due to limited usage and the associated limited revenue needed to sustain the service.

It was agreed that a new expression of interest would be sought in conjunction with Donegal County Council (DCC) via public tender during December 2016 to verify the market position. No expressions of interest were returned at that time.

Officers met with Donegal County Council to discuss solutions to the nil tender response from ferry operators - It was agreed (subject to

Members approval) to investigate a possible subvention to encourage an operator to submit a tender to assist with the economic viability.

Councils Leisure & Development directorate brought a report to committee in March, requesting permission from Members to authorise officers in principal to investigate merits of subvention. Members decided not to authorise this avenue of investigation.

Donegal County Council did investigate subvention and retendered the service on this basis. At the time of the report, members were advised negotiations were still ongoing between an operator and Donegal County Council.

The Director of Environmental Services further advised that Donegal County Council had now reached agreement with Frazer Foyle Holdings Ltd for the provision of a ferry service over the next three years.

Donegal County Council have requested access to Councils slipway at Magilligan point, to facilitate the service. Officers are drafting a lease to provide the asset to a potential new operator to ensure they can avail of the facility for a limited period of 3 years and that all operational management with associated costs would be borne by the new operator. Crown Estate costs would be borne by Causeway Coast & Glens Borough Council – estimated at between £3500 & £4500 per annum. The Appendix circulated identified the area needed by the new operator.

**It is recommended** that Members approve permission to allow a new ferry operator to avail of Council's available slipway at Magilligan and associated infrastructure in order that an operator can deliver a ferry service between Magilligan point and Greencastle in Donegal.

Committee welcomed the establishment of the Ferry service over the next 3 years.

Proposed by Alderman King  
Seconded by Councillor Loftus and

**AGREED** – to recommend that Council approve permission to allow a new ferry operator to avail of Council's available slipway at Magilligan and associated infrastructure in order that an operator can deliver a ferry service between Magilligan point and Greencastle in Donegal.

## 14 LICENSING ITEMS

The Chair presented the Information Report Items 14 – 19 inclusive, no questions were posed.



#### **14.1 Local Government (Miscellaneous Provisions) (NI) Order 1985 Entertainment Licences**

16 no. renewal applications for entertainment licences have been received, acknowledged and processed during the report period.

#### **14.2 Licensing (Northern Ireland) Order 1996 Liquor Licence**

10 no. notice of applications for liquor licences have been received and reviewed during the report period.

#### **14.3 Petroleum (Regulation) Acts (NI) 1929 and 1937 Petroleum Spirit Licence**

1 no. application for petroleum spirit licence has been received, acknowledged and processed during the report period.

#### **14.4 Cinema (Northern Ireland) Order 1991 Renewal of Cinema Licence**

1 no. application for the renewal of a Cinema Licence has been received, acknowledged and processed during the report period.

### **15 SUNBED UNDERAGE SALES TEST PURCHASE EXERCISE**

Information report circulated.

District Councils have a statutory duty to enforce the provisions of The Sunbeds Act (Northern Ireland) 2011 which came into effect in May 2012. The Act prohibits the use/ sale and/or hire of sunbeds to persons under the age of 18. The aim of the legislation is to reduce the likelihood of the use/ sale and or hire of sunbeds being made to children.

Research on sun exposure has shown that sunburn in childhood can greatly increase the risk of developing skin cancer later in life. The Young Persons Behaviour and Attitudes Survey (YPBAS) 2013 revealed that 10% of young persons under the age of 16, although aware of the dangers of sunbeds, still used sunbeds and some of these were in commercial sunbed premises.

To raise awareness of the above legislation and assess compliance by sunbed premises across the Borough a test purchases exercise was conducted on 31<sup>st</sup> March 2017 by Council Environmental Health Officers.

The test purchase guideline document is based on the procedures used by Councils to carry out similar exercises in relation to tobacco products and volatile substances. All test purchase exercises are therefore carried out in accordance with Local Government Regulation (formerly LACORS) "Code of Best Practice" on test purchasing as endorsed by the Home Office. The test purchase involved sending a young person under 18 years of age, on this occasion a 16 year old child, into a sunbed premises to ask to buy a sunbed session.

Council's Environmental Health Officers have been working with sunbed premises in the Borough since the legislation was introduced to make them all aware of the new legislation and its implications for them. This included personal visits, written information and prevention visits to the premises.

All sunbed premises were written to prior to the test exercise taking place reminding them of their legal responsibilities with guidance on how to prevent a sale to an underage child. Within said letter the sunbed premises owner was also informed that a test purchase exercise was going to be carried out. This letter was hand delivered to all premises during further advisory visits during February 2016.

### **Outcome**

The test purchase exercise was carried out across the Borough on the evening of Friday 31<sup>st</sup> March 2017. A total of 8 premises were selected that had not had been subject the first test purchase exercise in 2016. 4 of the premises had closed for the evening and as a result 4 premises were tested.

All sunbed premises tested refused to sell a sunbed session to the child and therefore represented a 100% compliance rate on this occasion.

### **Discussion**

This was the second test purchase exercise of sunbeds within the Borough. It is reassuring that a high compliance rate is being maintained which can be attributed to the diligence shown by sunbed premises owners in applying the legislation, working closely with Environmental Health Officers and the ongoing commitment shown by Council in this education and enforcement programme.

## **16 PAVEMENT CAFÉ LICENSING PUBLIC CONSULTATION ON GUIDANCE FOR APPLICANTS**

Information report circulated.

At Environmental Services Committee of April 2017 ES170404 Item5 members were advised that the Health and Built Environment section were launching a public consultation on its Guidance for Applicants on Licensing of Pavements cafes and its Equality and Screening Policy documentation on this Guidance. Three consultations responses were received from Guide Dogs NI, Royal National Institute of Blind People Northern Ireland and Causeway and Glens Active Network Branch.

Each of these organisations have made representation with respect to the fact that the 2011 Census reported that *"30862 people experience some type of long term condition relating to blindness or partial sight representing 1.7% of the population. In the Causeway Coast and Glens*

*Council area it has been identified that there are 2206 people who or blind or partially sighted”.*

In general concerns were raised that the creation of Pavement cafes shall not add further barriers to inclusion for those with sight loss. Officers are currently considering each of these organisations responses in relation to the Guidance Document with an aim to provide clarity in relation to the issues identified. Individual responses will be prepared to the correspondence received and a copy of the final Guidance for Applicants on the Licensing of Pavement Cafes will be provided for member’s consideration at the next Environmental Services Committee.

## **17 PROHIBITION OR RESTRICTION OF USE OF PUBLIC ROADS: SPECIAL EVENTS**

Information report circulated.

Further to Environmental Services Committee 161206 Item 13, members will recall that the proposed commencement date of this legislation was to be 1<sup>st</sup> January 2017. Following representations made to the Department for Infrastructure this was subsequently deferred with the commencement order made on the 25<sup>th</sup> January with an operational date of the 4<sup>th</sup> September 2017.

The special events on Public Roads provisions in the Act provides District Councils to be the relevant authority for administering the holding of special events on all roads other than special roads (motorways) where the authority would be the Department for Infrastructure.

A special event is defined as:

- (a) Any sporting event, social event or entertainment which is held on a public road; or
- (b) The making of a film on a public road.

The following are not special events:

- (a) A public procession;
- (b) A motor race falling within the Road Races (Northern Ireland) Order 1986;
- (c) A race or trial falling within Article 45 of the Road Traffic (Northern Ireland) Order 1995 (cycle races).

A working group to agree a consistent approach to the implementation of the legislation has been convened by SOLACE and is due to report early summer. The role of the Council would be an administrative one, with the authority requiring to publicly advertise the application received (21 day representation period), and comments from the statutory consultees (PSNI, NIFRS, NIAS and the Department for Infrastructure) being taken into consideration before an order may be made. Enforcement of the

Order will rest with the PSNI. It is proposed that a full report be brought for member's consideration in August 2017 prior to the commencement of the legislation.

## **18 AFFORDABLE WARMTH SCHEME UPDATE**

Information report circulated.

Members will recall that during the 2016/17 financial year all Councils were asked to refer 506 clients through to the Northern Ireland Housing Executive for the Affordable Warmth Scheme energy efficiency grant.

We are pleased to inform you that this target was achieved with the Affordable Warmth Team referring 507 clients for energy efficiency measures. Breakdown of District Electoral Area and Ward to follow. An additional 2 were completed on behalf of Derry City and Strabane District Council. Details furnished by the Department of Communities indicate that during this time the value of approvals issued within Causeway Coast and Glens Borough Council area equated to £2,345,705.27, this was the highest throughout Northern Ireland.

The same financial year saw the establishment of a signposting referral system which was developed to refer clients to other agencies, community groups or Council services to avail of additional support or advice. This is an important aspect of the work the team undertake and has been valued by the clients. House visits resulted in 696 referrals being made to agencies, circulated.

## **19 REPORT ON FOOD SAMPLING BY DISTRICT COUNCIL'S IN NI IN 2015**

Information report circulated.

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

Between 1st January 2015 and 31st December 2015 there were 8149 sample details entered onto the United Kingdom Food Surveillance System (UKFSS) database from Northern Ireland and includes samples taken by Causeway Coast and Glens Borough Council and the legacy councils prior to LGR.

The sampling work outlined in the report is targeted towards key priority areas to protect the public and make best use of resources. It is therefore not typical of food generally and it is encouraging to see that 57% of all samples taken were satisfactory.

Of the 43% that uncovered problems, action was taken to address the issues that came to light, ranging from advice to prosecution.

## **20 MATTERS FOR REPORTING TO PARTNERSHIP PANEL (LOCAL GOVERNMENT SIDE)**

There were no matters for reporting to the Partnership Panel.

## **21 CORRESPONDENCE**

There were no items of correspondence.

### **MOTION TO PROCEED 'IN COMMITTEE'**

Proposed by Councillor Hunter  
Seconded by Councillor Chivers

**RESOLVED** – that Council proceed to conduct the following business 'In Committee'.

\* **Press left the meeting at 8.25 PM.**

## **22 PORTBALLINRAE HARBOUR INFRASTRUCTURE IMPROVEMENTS**

The Head of Capital Works Energy and Infrastructure delivered the confidential report.

Based on the above noted, **it is recommended** that Members approve progression of this project to Stage 3 of the Capital Programme Management System and the appointment of Messrs. BSG Civil Engineering Limited to carry out the said works for the Tendered Sum of £ 553, 274.49 (excl. VAT).

Proposed by Alderman Campbell  
Seconded by Councillor Hunter and

**AGREED** – to recommend that Council approve progression of this project to Stage 3 of the Capital Programme Management System and the appointment of Messrs. BSG Civil Engineering Limited to carry out the said works for the Tendered Sum of £ 553, 274.49 (excl. VAT).

**MOTION TO PROCEED 'IN PUBLIC'**

Proposed by Councillor McCaul  
Seconded by Councillor Chivers and

**RESOLVED** – that Council proceed to conduct the following business 'In Public'.

There being no further business the Chair thanked everyone for their attendance and the meeting concluded at 8.40 PM.

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Chair