

LISBURN & CASTLEREAGH CITY COUNCIL

Minutes of the Remote Meeting of the Environmental Services Committee held on Wednesday, 7 April, 2021 at 5:15 pm

PRESENT IN CHAMBER:

Councillor N Anderson (Chairman)

PRESENT IN REMOTE LOCATION:

The Right Worshipful the Mayor
Councillor N Trimble

Deputy Mayor
Councillor Jenny Palmer

Councillor R McLernon (Vice-Chairman)

Aldermen J Baird and M Henderson MBE

Councillors S Eastwood, A P Ewing, A Givan, M Gregg,
S Lee, S Lowry, C McCready, A McIntyre, T Mitchell and
S Skillen

OTHER MEMBERS:

In Remote Location

Alderman A G Ewart MBE, A Grehan and J Tinsley

IN ATTENDANCE:

In Chamber:

Director of Environmental Services
IT Officer
Technician
Member Services Officers

In Remote Location:

Chief Executive
Head of Service (Building Control)
Head of Service (Environmental Health)
Head of Service (Waste Management and Operational
Services)

Commencement of the Meeting

At the commencement of the meeting, the Chairman, Councillor N Anderson welcomed those present to the remote meeting of the Environmental Services Committee, which was being live streamed to enable members of the public to hear and see the proceedings.

At this point, the Member Services Officer read out the names of the Elected Members and Officers in attendance at the meeting.

The Chairman, Councillor N Anderson, stated that, whilst the meeting was being live streamed, unauthorised recording was not permitted, as per the Council's Standing Orders. He asked that mobile phones be put on silent or switched off for the duration of the meeting and proceeded to outline the evacuation procedures in the case of an emergency.

Alderman J Baird and Councillors C McCreedy and A P Ewing joined the meeting during the above (5.17 pm, 5.18 pm and 5.18 pm respectively).

At this point in the meeting, the Chairman, Councillor N Anderson, referred to the recent tragic passing of David Edwards, who had worked in the Council's Building Control Service for a number of years. Councillor Anderson extended the Council's deepest sympathies to Mr Edwards' family, friends and colleagues and those in attendance at the meeting stood and observed a 2 minute silence as a mark of respect.

Alderman J Tinsley and Councillor T Mitchell joined the meeting during the 2 minute silence (5.19 pm and 5.20 pm respectively).

1. Apologies

It was agreed to accept an apology for non-attendance at the meeting on behalf of Alderman S P Porter.

2. Declarations of Interest

The following declaration of interest was made at this point in the meeting:

- Chairman, Councillor N Anderson, in respect of item 5.1 'Let's Go Hydro Entertainment Licence Application', as he had called in the planning applications for Let's Go Hydro. He stated that he had no interest in the application but did not wish to give the perception that he was pre-determined in any way for this entertainment licence.

During the meeting, the following declarations of interest were made:

- Deputy Mayor, Councillor Jenny Palmer, Alderman J Baird and Councillor A P Ewing in respect of item 5.2 'Consultation on Proposals for Change for the Private Rental Sector in Northern Ireland (Fines and Penalties)', given that they were landlords.

3. Report from Director of Environmental Services

3.1 Performance Reports 2020/21 – Quarter 3 (October, November and December 2020)

The Right Worshipful the Mayor, Councillor N Trimble, joined the meeting during consideration of this item of business (5.25 pm).

3.1 Performance Reports 2020/21 – Quarter 3 (October, November and December 2020) (Contd)

Members were provided with a copy of Quarter 3 Performance Reports for the Environmental Services Directorate and noted an update in the Director's report particularly in respect of landfill and organic waste and the NI recycling target. It was proposed by Alderman J Baird, seconded by Councillor A P Ewing and agreed to recommend that the reports be scrutinised and noted.

Following comments by Councillors M Gregg and S Skillen, the Head of Service (Environmental Health) agreed to provide the Committee with a report containing the following:

- for benchmarking purposes, information on how other councils had performed in relation to issuing fixed penalty notices for dog fouling;
- information in relation to the possible reasons for the decrease in the number of stray dogs, the increase in complaints of dog fouling and the increase in the number of dog attacks, given that with people being at home more during the pandemic dogs would be accompanied more often;
- information on the number of stray dogs being returned to their owners or being re-homed.

3.2 Animal Cruelty – Notice of Motion in the Name of Councillor S Eastwood

Members were provided with a copy of the following Notice of Motion in the name of Councillor S Eastwood, which had been referred to this Committee by Council on 23 March, 2021 for consideration:

“This Council condemns animal cruelty in all its forms and acknowledges the work of numerous animal welfare organisations and of local councils, including ours, in tackling cruelty towards animals.

This Council notes that there is currently no register of those convicted of offences against animals and there is no public register of licensed dog breeders, allowing unlicensed puppy farms to proliferate.

This Council therefore resolves to write to the Department for Agriculture, Environment and Rural Affairs to ask for the introduction of:

- (a) a Register of Banned Animal Welfare Offenders for those convicted of animal cruelty; and
- (b) a publicly accessible list of licensed dog breeders”.

The Notice of Motion was proposed by Councillor S Eastwood and seconded by Councillor A McIntyre.

Councillor S Eastwood advised that the above Notice of Motion had been presented to a number of other councils and was supported by the Ulster Society

3.2 Animal Cruelty – Notice of Motion in the Name of Councillor S Eastwood (Contd)

for the Prevention of Cruelty to Animals (USPCA) and others. She stated that, particularly over the past year, people had been taking on animals, but in a number of cases, the animals were subsequently being neglected. Councillor Eastwood referred to a particular case of cruelty that had happened in Lurgan the previous day and commented on the ability of people to purchase animals online with no idea if those animals had been bred illegally, kept in squalid conditions, etc. She stated that the introduction of (a) and (b) above by the Department for Agriculture, Environment and Rural Affairs (DAERA) could help to address such issues.

In seconding the Notice of Motion, Councillor A McIntyre advised that he had been speaking to representatives from Cavaliers in Need NI, a local re-homing charity, who had confirmed that the demand for puppies during lockdown had increased. The average price of a pedigree dog was currently £2,000, so an average litter of puppies could generate income of £10,000. Many of these dogs were being sold from car boots, with those making the purchase having no idea of the horrendous conditions dogs were being kept in behind the scenes, what kind of veterinary care they had received, etc. Having a list of licensed dog breeders would give reassurance to those wishing to purchase a dog. Councillor McIntyre put on record his thanks for the work of Environmental Services staff involved in re-homing stray and unwanted dogs. He stated that Cavaliers in Need NI was also very impressed with the work of the Council in this regard.

Councillor S Skillen, having thanked Councillor S Eastwood for bringing forward this Notice of Motion, proposed by it be amended to include the following:

“This council recognises the successful campaign for the introduction of Lucy’s Law in England. The new legislation will ban the sale of puppies and kittens from third parties, ensuring that buyers deal directly with registered breeders. This council will write to Department of Agriculture, Environment and Rural Affairs to affirm council support for Lucy’s Law to be legislated for in Northern Ireland”.

This amendment was seconded by Councillor A P Ewing.

A number of Members spoke in support of the Notice of Motion and the amendment, namely Councillor A P Ewing, Alderman A G Ewart, Councillor T Mitchell and the Chairman, Councillor N Anderson. They acknowledged that animals were a source of love and affection for many people who did not have family/friends support and stated that it was important to write to DAERA along the lines outlined in the Notice of Motion to protect animals and their owners. They also expressed their thanks to Council staff for their work in dealing with stray dogs, etc.

Councillor S Eastwood having confirmed that she was content for the above amendment by Councillor S Skillen to be included in her Notice of Motion, it was unanimously agreed to recommend that the Notice of Motion, as amended, be approved.

4. Report from Head of Service (Building Control)

4.1 Street Naming – Off Woodbrook Avenue, Lisburn

The Head of Service (Building Control) reported that Alan Patterson Design LLP had proposed the names of Woodbrook Close, Woodbrook Grove, Woodbrook Manor and Woodbrook Meadows for a development of dwellings off Woodbrook Avenue, Lisburn. Members were provided with copy of the development layout and were advised that the request met the requirements of the Council's Street Naming Policy in that the names proposed were in keeping with the adjoining and existing approved name of Woodbrook.

Building Control Service having received no objections to the proposed names from Elected Members of the relevant District Electoral Area, nor the Royal Mail Address Management Team, it was proposed by the Deputy Mayor, Councillor Jenny Palmer, seconded by Councillor A Givan and agreed to recommend that the names Woodbrook Close, Woodbrook Grove, Woodbrook Manor and Woodbrook Meadows be approved for a development of dwellings off Woodbrook Avenue, Lisburn.

5. Report from Head of Service (Environmental Health)

5.1 Let's Go Hydro Entertainment Licence Application

The Chairman, Councillor N Anderson, having declared an interest in this item of business, left the meeting (5.47 pm). In his absence, the Vice-Chairman, Councillor R McLernon, took over the chair and conducted this item of business.

Alderman A Grehan joined the meeting during consideration of this item of business (5.49 pm). Alderman A G Ewart and Councillor A McIntyre left the meeting during consideration of this item of business (5.51 pm).

During representations made at the March meeting of the Committee from an objector and the applicant for the current application for an Outdoor Entertainment Licence at Let's Go Hydro, Carryduff, a number of questions had been raised. Answers to these questions were set out in the report of the Head of Service (Environmental Health). Members were provided with a copy of (i) a response from the PSNI confirming it had no objections to the Outdoor Cinema or the Entertainment Licence; and (ii) a Traffic Management Plan.

The current application was for an Outdoor Drive-Through Entertainment Licence and the screen to which the objector referred to throughout his presentation was not included in the application process. Due to the location of the car park and how close it was to the Saintfield Road and residential housing, this venue would not be suitable for a general Outdoor Entertainment Licence (open air music and entertainment).

The Head of Service reported that the Council had a number of standard conditions which were applied to all outdoor licences (copy of which Members were provided with) but, additionally, conditions were required to ensure mitigation of any potential nuisance from this new endeavour. These were:

5.1 Let's Go Hydro Entertainment Licence Application (Contd)

- (a) only persons in cars would be admitted to any entertainment on this area of the site. No-one should leave their vehicle except to use toilet facilities;
- (b) all sound from the entertainment must be relayed through car radio frequencies. Cars must not open their windows and no open top vehicles would be permitted. No horns to be sounded and entertainers should not encourage feedback/clapping/horn-sounding from the audience;
- (c) noise arising from the event on the premises should be controlled so that it prevented persons in the neighbourhood being unreasonably disturbed and it was not so audible as to cause a nuisance within a neighbouring residential property, as judged by an authorised Officer of the Council;
- (d) entertainment should be finished by 11.00 pm;
- (e) no extraneous light pollution was to emanate from the Let's Go Hydro site so as to cause light nuisance to any domestic properties, as per the Clean Neighbourhoods and Environment (Northern Ireland) Act 2011;
- (f) this licence did not grant permission to the holder to exceed 28 exhibitions in any year period, as per General Permitted Development Order 2015. It was the duty of the holder to therefore seek planning permission in order to exceed that number of exhibitions.

It was noted that the licence would only be granted for a drive-in experience as the area in question was a car park and serviced the waterpark as a whole. It would not be feasible to continue using this area as a drive-in venue if all other services resumed at Let's Go Hydro.

It was proposed by Alderman M Henderson, seconded by Councillor T Mitchell and agreed to recommend that an Entertainment Licence be granted for the car park area of Let's Go Hydro for a period of 6 months, with the addition of the conditions outlined above.

The Chairman, Councillor N Anderson, returned to the meeting at this point (5.52 pm), took the chair and conducted the remainder of business on the agenda.

The Chief Executive joined the meeting at this point (5.52 pm).

5.2 Consultation on Proposals for Change for the Private Rented Sector in Northern Ireland (Fines and Penalties)

The Head of Service (Environmental Health) reported receipt of the above consultation from the Department for Communities on 24 February, 2021. Members had been provided with a copy of a response to the consultation, which had been returned to the Department prior to the extended closing date of 31 March, 2021. It was agreed to recommend that retrospective approval be given to the response to the consultation.

5.3 Consultation on Legislative Options to Inform the Development of an Adult Protection Bill for Northern Ireland

The Head of Service (Environmental Health) reported receipt of the above consultation from the Department of Health. Members had been provided with a copy of a draft response to the consultation, the closing date for submission of which was 8 April, 2021.

Councillor S Eastwood stated that she had been contacted several times over the past year by residents reporting that they had had callers to their homes who did not have the correct identification. The callers had been genuine, but had been third parties employed by statutory agencies and, therefore, did not have any regulated role as such defined in law. Councillor Eastwood stated that such callers should be regulated and asked that reference to this be included in the response to the consultation document.

Councillor M Gregg pointed out that, in section 10 of the response, ADB should be amended to APB.

It was proposed by Councillor M Gregg, seconded by Councillor S Lee and agreed to recommend that the draft response to the consultation be approved and submitted by the closing date of 8 April, 2021, subject to the amendment in section 10 and inclusion of comments by Councillor Eastwood.

The Chairman, Councillor N Anderson, stated that 'Any Other Business' would be considered at this point in the meeting, prior to going into committee for confidential business.

6. Any Other Business

6.1 Mullaghglass Landfill Site
Councillor S Eastwood

Councillor S Eastwood having sought an update in relation to ongoing issues at Mullaghglass Landfill Site, the Chairman, Councillor N Anderson, advised that a verbal update on this matter would be provided later in the meeting during confidential business.

6.2 Extended Producer Responsibility and Refill Store/Coffee House/Fixing Hub
Councillor S Eastwood

Councillor S Eastwood welcomed the current consultation on Extended Producer Responsibility. The Director of Environmental Services stated that this consultation was running parallel with a consultation on a Deposit Return Scheme. A response to these consultations was currently being prepared in consultation with arc21 and the Northern Ireland Local Government Association (NILGA).

6.2 Extended Producer Responsibility and Refill Store/Coffee House/Fixing Hub (Contd)
Councillor S Eastwood

Councillor S Eastwood asked if consideration could be given to setting up a Refill Store/Coffee House/Fixing Hub in the Council area (similar to Repair Cafés) like others currently running in Portadown, Banbridge and East Belfast, the aim of which was to reduce plastic waste. The Director of Environmental Services agreed that this matter could be considered, once Covid-19 restrictions allowed.

6.3 Household Recycling Centres
The Right Worshipful the Mayor, Councillor N Trimble

Alderman A Grehan left the meeting during consideration of this item of business (6.02 pm).

The Right Worshipful the Mayor, Councillor N Trimble, referred to the queues earlier today at the Household Recycling Centre (HRC) at The Cutts, with traffic blocking the already-dangerous junction at McKinsty Road. The Head of Service (Waste Management and Operational Services) confirmed that all HRC sites had experienced a high volume of customers today, having been closed for 2 days previously. There were limitations on the number of cars that could be accommodated in the site. PSNI Officers had been in attendance at The Cutts in an attempt to manage cars and direct them towards the roundabout. The Head of Service pointed out that the police did have sole responsibility for this matter – outside the entrance of the HRC, Council Officers had no legal responsibility and there was no insurance indemnity for any damage to cars or staff. The Council had placed signage at the site, but this was advisory only. The PSNI had confirmed that there was nothing further the Council could do and they should be called to assist when necessary. The Head of Service pointed out that traffic issues would be taken into consideration as part of the wider scope of HRC provision in the Council area.

6.4 Drive-Through Church Mission at Benson Street Car Park
Councillor C McCready

Councillor C McCready advised that he had been contacted by a Church seeking permission to hold a Drive-Through Mission at the Council-owned car park at Benson Street, Lisburn, in May 2021. It was agreed that the request was supported in principle and that a report on this matter would be brought to the April meeting of Council for consideration and final approval.

6.5 Antisocial Behaviour at Beanstown Road/Pond Park Road, Lisburn
Councillor R McLernon

Councillor R McLernon referred to antisocial behaviour taking place at Beanstown Road/Pond Park Road, Lisburn. Issues were arising at derelict premises owned by the Department for Infrastructure (DFI) and the road in the vicinity of this was littered with rubble and broken glass. The Director of Environmental Services confirmed that Environmental Health Officers would investigate this matter, take action where they could and work with the DFI where necessary.

6.6 Safety Rating Scheme for Cafés, Restaurants and Other Retail Outlets Re-Opening after Covid-19
Alderman M Henderson

Alderman M Henderson stated that he had attended a meeting with Lisburn Chamber of Commerce when discussion had taken place regarding the possibility of implementing a scheme (similar to 'Scores on the Doors') for premises re-opening after Covid-19 restrictions had lifted showing it was safe for customers to return. The Director of Environmental Health advised that this matter had been raised by other Members and was to be considered by Corporate Management Team as it was cross-cutting in respect of the service units concerned. Whilst the Council could not explicitly confirm premises were Covid-19 safe, there may be an opportunity to promote the message that the Council was working with that sector.

7. Confidential Business

The matters contained in the confidential report would be dealt with "In Committee" due to containing information relating to the financial or business affairs of any particular person (including the Council holding that information).

"In Committee"

It was proposed by the Deputy Mayor, Councillor Jenny Palmer, seconded by Councillor M Gregg and agreed that the following matters be considered "in committee", in the absence of members of the press and public being present.

The Chairman, Councillor N Anderson, thanked anyone who had been following the meeting on the live-stream, which was terminated at this point.

7.1 Materials Recovery & Sort Facility (MRSF) Expression of Interest in Opportunity

The Director of Environmental Services set out in her report information in relation to the above matter and Members were provided with links to several pieces of documentation. It was proposed by Councillor S Lee, seconded by Alderman M Henderson and agreed to recommend that the Council formally express an interest in the MRSF.

7.2 Extension to Contracts for the Receipt, Processing, Treatment, Recycling and Disposal of Street Sweepings Waste (Lots 1 and 2)

It was proposed by Alderman M Henderson, seconded by Alderman J Baird and agreed to recommend that approval be given to endorsing the arc21 Joint Committee approval that current contracts for the Receipt, Processing, Treatment, Recycling and Disposal of Street Sweepings Waste (Lots 1 and 2) be extended to 31 October, 2021.

7.3 Waste Infrastructure Update

The Director of Environmental Services having set out in her report, an update in relation to Waste Infrastructure, it was proposed by Councillor S Lowry, seconded by Councillor T Mitchell and agreed to recommend that this be noted.

Whilst the update report was in relation to the approach to delivering priority waste infrastructure projects to address the short-term priority needs within the Council area, Councillor S Lowry asked that Officers, as part of the long-term review of HRCs, take note of the need for a HRC site in the Dundonald area.

7.4 Purchase of Additional Fido Machine

Alderman M Henderson left the meeting during consideration of this item of business (6.30 pm).

In accordance with the Council-approved DEA projects, it was proposed by The Right Worshipful the Mayor, Councillor N Trimble, seconded by Alderman J Baird and agreed to recommend that approval be given to the purchase of an additional Fido machine, the approximate cost of which was outlined in the Director's report, to assist with the removal and cleansing of dog fouling.

The Director noted comments that, whilst the purchase of this additional Fido machine was welcomed, there was a need to drive behavioural change and make dog owners more responsive to cleaning up after their pets.

7.5 Public Analyst Appointment

It was proposed by Councillor M Gregg, seconded by Alderman J Baird and agreed to recommend that Eurofins Food Testing Ireland Ltd, and the persons listed in the Director's report, be appointed as Public Analysts to the Council under Article 27 (1) of the Food Safety (NI) Order 1991.

7.6 Verbal Matter – Update on Mullaghglass Landfill Site

Councillor R McLernon left the meeting during consideration of this item of business (6.33 pm).

The Head of Service (Environmental Health) provided a verbal update in relation to ongoing issues at Mullaghglass Landfill Site and agreed to provide Members with a written update the following day. The Chief Executive addressed comments made by Councillor S Eastwood in relation to this matter.

7.7 Verbal Matter – Use of Laganbank Road Car Park by Health Centre Staff Deputy Mayor, Councillor Jenny Palmer

The Deputy Mayor, Councillor Jenny Palmer, put on record her thanks to the Council for the support shown to staff in Lisburn Health Centre and recognised that this concluded on 31 March, 2021.

Resumption of Normal Business

It was proposed by Alderman J Baird, seconded by Councillor A Givan and agreed to come out of committee and normal business was resumed.

There being no further business, the meeting was terminated at 6.44 pm.

Mayor/Chairman