



31 January 2019

Chairman: Councillor J Gray MBE
Vice-Chairman: Alderman J Tinsley
Aldermen: T Jeffers, S P Porter
Councillors: J Baird, B Bloomfield MBE, O Gawith, A Givan, B Hanvey, H Legge, B Mallon, T Mitchell, A McIntyre, L Poots, R Walker
Ex Officio: The Right Worshipful the Mayor, Councillor U Mackin
Deputy Mayor, Councillor A Grehan

The monthly meeting of the **Environmental Services Committee** will be held in the **Chestnut Suite, Island Civic Centre, The Island, Lisburn, on Wednesday 6 February 2019, at 5.30 pm**, for the transaction of business on the undernoted agenda.

Please note that hot food will be available prior to the meeting from 5.00 pm.

You are requested to attend.

David Burns
Chief Executive
Lisburn & Castlereagh City Council

Agenda

1. Apologies
2. Declarations of Interest
3. Minutes of the Environmental Services Committee Meeting held on 9 January 2019
4. Presentation by arc21 – Variation to the arc21 Organics Waste Contract (Item 5.1.1 below of Confidential Business refers)
5. Confidential Business

Members are requested to go to the Confidential folder on Sharepoint to access the Environmental Services Committee confidential report.

5.1 Report from the Director of Environmental Services

- 5.1.1 arc21: Joint Committee Meeting – Thursday 31 January 2019 and the Organics Waste Contract
(confidential due to information relating to the financial or business affairs of any particular person [including the Council holding that information])
- 5.1.2 Kerbside Recycling Project – Requirement for Rented Storage Facility
(confidential due to information relating to the financial or business affairs of any particular person [including the Council holding that information])
- 5.1.3 Radiochemical Analysis and Related Interpretation of Analytical Data
(confidential due to information relating to the financial or business affairs of any particular person [including the Council holding that information])
- 5.1.4 Ongoing Legal Proceedings – Noise Complaint
(confidential due to information in which a claim to legal professional privilege could be maintained in legal proceedings)
- 5.1.5 Absence Figures for Environmental Services Directorate – (Quarter 3 – October, November And December 2018)
(confidential due to information which is likely to reveal the identity of an individual)

6. Report from Director of Environmental Services

- 6.1 Environmental Services Trading Accounts: Quarter 3 (Period 7 - October 2018), (Period 8 - November 2018) and (Period 9 - December 2018)

6.2 Report by the Interim Head of Service (Environmental Health)

6.2.1 The Food Safety (Northern Ireland) Order 1991 - Public Analyst Appointment

6.2.2 High Hedge Charges

6.3 Requests for Financial Assistance

7. Any Other Business

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To: Members of Lisburn & Castlereagh City Council

LISBURN & CASTLEREAGH CITY COUNCIL

Minutes of the Meeting of the Environmental Services Committee held in the Island Civic Centre, The Island, Lisburn, on Wednesday, 9 January 2019 at 5:30 pm

PRESENT:

Vice-Chairman, Alderman J Tinsley

The Right Worshipful the Mayor, Councillor U Mackin

Aldermen T Jeffers and P Porter

Councillors J Baird, B Bloomfield MBE, O Gawith, A Givan, A McIntyre, B Mallon and R Walker

OTHER MEMBERS:

Alderman S Martin

Councillor N Anderson

IN ATTENDANCE

Chief Executive

Director of Environmental Services

Head of Service (Building Control)

Head of Service (Technical & Estates)

Head of Service (Waste Management and Operations)

Interim Head of Service (Environmental Health) (SC)

Business Support Manager

Member Services Officer

Commencement of Meeting

The Vice-Chairman, Alderman J Tinsley, welcomed everyone to the January meeting of the Environmental Services Committee.

The Vice-Chairman referred to the recent death of the Chairman, Councillor Gray's father and passed on condolences on behalf of the Committee.

The Vice-Chairman then proceeded to outline the evacuation procedures in the case of an emergency.

1. **Apologies**

Apologies for non-attendance were received on behalf of the Chairman, Councillor J Gray MBE, the Deputy Mayor, Councillor A Grehan, Councillor B Hanvey, Councillor H Legge and Councillor T Mitchell

2. Declarations of Interest

The Vice-Chairman invited Members to declare any Conflicts of Interest they might have in relation to the business of the meeting and reminded them of the requirement to complete Declaration of Interest forms in this regard, which had been provided at the meeting. No Declarations of Interest were received.

3. Minutes

3.1 Minutes of the Environmental Services Committee Meeting held on 5 December 2018

It was agreed that the minutes of the meeting of the Environmental Services Committee held on 5 December 2018, as adopted at the meeting of Council held on 18 December 2018, be confirmed and signed.

“In Committee”

It was proposed by Councillor A McIntyre, seconded by Councillor O Gawith, and agreed that the following matters be considered “in committee”, in the absence of members of the press and public.

4. Confidential Business

It was agreed that the report and recommendations of the Director of Environmental Services be adopted, subject to any decisions recorded below.

The Vice-Chairman, Alderman J Tinsley, advised that the matters contained in the confidential report would be dealt with “In Committee” for the following reasons:

Item 4.1: Confidential due to information relating to the financial or business affairs of the organisation concerned (including the Council holding that information

Item 4.2: Confidential due to information relating to the financial or business affairs of the organisation concerned (including the Council holding that information

Item 4.3: Confidential due to information relating to the financial or business affairs of the organisation concerned (including the Council holding that information

Item 4.4: Confidential due to information relating to the financial or business affairs of the organisation concerned (including the Council holding that information

Item 4.5: Confidential due to information in which a claim to legal professional privilege could be maintained in legal proceedings

4. Confidential Business (Contd)

Item 4.6: Confidential due to information relating to the financial or business affairs of the organisation concerned [including the Council holding that information

4.1 Estimates

The Committee was provided with copy of the following: a summary report for the 2019/20 estimates in respect of the Environmental Services Directorate; a schedule of the changes applied since the Corporate Services Committee meeting of 10 December 2018; and a detailed narrative report by way of background for the overall proposed budget for the Directorate.

It was proposed by Councillor B Mallon, seconded by Councillor R Walker, and agreed to recommend that Council accept the draft estimates as presented for the Environmental Services Directorate and that they be submitted into the overall Estimates of the Council for the year commencing 1 April 2019.

4.2 Implementation of Local Government Resilience Resourcing Model

The Committee was provided with copy of a report setting out proposals for the new arrangements to support regional civil contingencies arrangements.

It was proposed by Councillor A McIntyre, seconded by Councillor J Baird, and agreed to recommend that Council

- Note the content of the report and confirmed position regarding funding for the next two financial years;
- Agree to the proposed structure, subject to any liabilities as a result of delivering the structure being addressed
- Agree in principle to the signing of the Service Level Agreement

4.3 Financial Appraisals

The Committee was provided with copy Financial Appraisals in respect of 1 x replacement precinct sweeper and 4 x 26 tonne refuse collection vehicles.

It was proposed by Alderman P Porter, seconded by Councillor A Givan, and agreed to recommend that Council approve the Financial Appraisals for the precinct sweeper and 4 refuse collection vehicles.

4.4 Dog Pound Options Report

The Committee was provided with copy of a report in relation to the services required and options for the Council dog pound.

It was proposed by Councillor B Mallon, seconded by Councillor A McIntyre, and agreed to recommend that the Council approve option 3 as outlined in the report for provision of dog pound services.

Items for Noting

4.5 Ongoing Legal Proceedings – Noise Complaint

The Committee was provided with copy and noted an update report on the ongoing legal proceedings relating to a noise complaint.

4.6 Award of Tenders

The Committee was provided with copy reports and noted the tender awards for the planned preventative maintenance of sewerage pumps; Legionella prevention; lightening conductors and chimneys; and for play park repairs within Lisburn & Castlereagh City Council as outlined in the tender reports.

Additional Confidential Verbal Report

4.7 Arc21 – Contract Variation Update

The Director of Environmental Services advised regarding the variation proposals being considered in respect of the arc21 contract.

It was proposed by Councillor J Baird, seconded by Councillor O Gawith and agreed to recommend to Council that independent advice to inform options be obtained if required.

Resumption of Normal Business

It was proposed by Alderman P Porter, seconded by Councillor A McIntyre, and agreed to come out of committee and normal business was resumed.

5. Report from the Director of Environmental Services

Items for Decision

(Alderman S Martin arrived at 5.56 pm)

5.1 Sustainable Development - Member Champion

The Committee was provided with copy information from Sustainable NI requesting 2 Elected Members to sit on the new All Party Group on Sustainable Development.

It was agreed to recommend that Council defer consideration of this nomination until after the forthcoming local government elections and that the issue be brought back to the Committee meeting after the election in May 2019.

5.2 Environmental Services Performance Reports

The Committee was provided with copy of two reports that had been considered by the Governance and Audit Committee at its meeting on 13 December 2018. The first report was a quarterly monitoring document covering the period July – September 2018 and was an update on all the projects that would demonstrate improvement against the 2018/19 Performance Improvement Objectives.

5.2 Environmental Services Performance Reports (Contd)

The second report was the Performance Summary Report taken from the 'Performance Manager' System (Dashboard) detailing Key Performance Indicators (KPIs) for each service within the organisation. This report was in a summary format detailing the KPI results for Quarter 2 covering the period July 2018 – September 2018 inclusive.

The Committee was advised that the areas relating specifically to the Environmental Services Directorate were as follows:

- Environmental Health
- Operational Services
- Waste Collection
- Street Cleansing
- Fleet
- Technical Services
- Building Control
- Planning Enforcement

In response to a query by Alderman P Porter, the Chief Executive advised that he would ask the Performance Officer to investigate whether an indicator as to how long a particular service remained in the red zone could be built into the Performance Summary Report.

It was agreed to recommend that Council approve the Performance Summary Report and the performance of KPIs relating to the Environmental Services Directorate.

5.3 Report from the Interim Head of Service (Environmental Health)

Items for Decision

5.3.1 Consultation for Approval

The Committee was provided with copy of a response by the Environmental Health Service Unit to consultation on Historical Institutional Abuse that had been received from The Executive Office with a response date of 10 February 2019.

It was proposed by Councillor R Walker, seconded by Alderman T Jeffers, and agreed to recommend that Council approve the response to the Historical Institutional Abuse Consultation to be submitted on behalf of Lisburn & Castlereagh City Council.

5.3.2 High Hedge Charges

The Committee was provided with copy of a report regarding a complaint in relation to a high hedge.

The Interim Head of Service (Environmental Health) responded to Members' queries and comments regarding the options around payment of a fee along with when the works could be carried out.

Following discussion, It was proposed by Councillor J Baird, seconded by Councillor R Walker, and agreed to recommend that officers be asked to approach the owner of the hedge regarding the scheduling of the cutting in March rather than later in the summer and to investigate the options around payment of fees and that a further report on the matter be brought to the next meeting of the Committee.

5.3.3 Lisburn & Castlereagh City Council Health & Safety Policy

The Committee was provided with copy of the Council's Health & Safety Policy which had been updated following the recruitment of the new Chief Executive to reflect the current Council Structure.

It was proposed by Councillor J Baird, seconded by Councillor O Gawith, and agreed to recommend that Council approve the updated Lisburn & Castlereagh City Council Health and Safety Policy

Item for Noting

5.4 New Committee Report Format: Items for Noting Template

The Committee noted the new Committee Report Format – Items for Noting Template. Alderman P Porter requested that the new procedures be reviewed after a period of 6 months.

6. Any Other Business

(Councillor N Anderson left the meeting briefly at 6.11 pm and returned at 6.14 pm)

6.1 Household Recycling in Dundonald – Alderman T Jeffers

Alderman T Jeffers advised that there had been issues in Dundonald over the Christmas period regarding the build-up of recyclable materials such as cardboard and the fact that there was not a HRC nearby where people could bring these materials.

The Director of Environmental Services referred to a previous spatial analysis carried out that had identified the most appropriate locations within the Council area for HRCs. She advised however that Dundonald would be one of the first areas included in the pilot project for the revised kerbside collections that was

6.1 Household Recycling in Dundonald – Alderman T Jeffers (Contd)

being rolled out across the Council and this might go some way to alleviating the problem. She indicated that officers would keep the matter under review.

There being no further business, the meeting was terminated at 6.16 pm.

Mayor/Chairman

LISBURN & CASTLEREAGH CITY COUNCIL
MEETING OF ENVIRONMENTAL SERVICES COMMITTEE ON
WEDNESDAY 6 FEBRUARY 2019

REPORT BY DIRECTOR OF ENVIRONMENTAL SERVICES

PURPOSE AND BACKGROUND

The purpose of this report is to set out for Members' consideration a number of recommendations relating to the operation of the Council.

The following items are for noting:

1. It is recommended that Members note the Period 9 trading position.
2. It is recommended that Members consider the report from the Interim Head of Service (Environmental Health).
3. Members are asked to note the procedure for Requests for Financial Assistance.

ITEMS FOR NOTING

- 1 **ENVIRONMENTAL SERVICES TRADING ACCOUNTS: QUARTER 3 (PERIOD 7 - OCTOBER 2018) (PERIOD 8 - NOVEMBER 2018) and (PERIOD 9 - DECEMBER 2018)**

As Members are now aware the Trading Accounts will be brought to the Environmental Services Committee (ESC) on a quarterly basis. The Quarter 3 Period 7 and Period 8 Trading Accounts have already been presented to ESC on December 2018 and January 2019. Attached at **Appendix 1** for Members' information is a copy of the Period 9 trading accounts. Members will be aware that monthly budget control meetings take place with Corporate Services where detailed analysis of committed budgets and variance is carried out. Each unit Head of Service attends the meetings with the Director.

Quarter 4 figures (Period 10 – January) (Period 11 – February) and (Period 12 – March) will be presented to ESC after the May 2019 elections and thereafter on a rolling quarterly basis.

Recommendation

It is recommended that Members' note the Period 9 trading position.

2 **REPORT FROM INTERIM HEAD OF SERVICE (ENVIRONMENTAL HEALTH)**

Attached at **Appendix 2** for Members' information is the report from the Interim Head of Service (Environmental Health) in respect of items under her remit.

Recommendation

It is recommended that Members consider the report from the Interim Head of Service (Environmental Health).

3 **REQUESTS FOR FINANCIAL ASSISTANCE**

Members are advised that all committee requests for financial assistance will be considered, in the first instance, by CMT prior to submission to the relevant committee. This procedure will exclude small grant applications for which there is delegated authority. This procedure will be subject to review.

Recommendation

It is recommended that Members are asked to note the procedure for Requests for Financial Assistance.

HEATHER M MOORE
DIRECTOR OF ENVIRONMENTAL SERVICES
30 January 2019

Environmental Services - April 2018 to March 2019

Appendix 1

Month:-

Dec-18

Department	Annual Budget	Budget to date	Total Actual & Committed	Total Variance
Expenditure:				
Director's Office	505,292	418,222	406,230	(11,992)
Environmental Health	3,671,620	2,752,536	2,562,674	(189,862)
Operational Services	15,046,361	11,197,664	10,818,778	(378,886)
Technical & Estates	2,404,386	1,822,309	1,747,733	(74,576)
Building Control	1,419,310	1,073,245	1,053,773	(19,472)
Total Expenditure:	23,046,969	17,263,976	16,589,188	(674,788)

Income:

Environmental Health	(1,598,030)	(1,037,995)	(1,062,386)	(24,391)
Operational Services	(587,450)	(501,190)	(529,914)	(28,724)
Technical & Estates	(134,070)	0	0	0
Building Control	(1,091,340)	(818,502)	(884,052)	(65,550)
Total Income:	(3,410,890)	(2,357,687)	(2,476,352)	(118,665)

Overall Net Position:

Director's Office	505,292	418,222	406,230	(11,992)
Environmental Health	2,073,590	1,714,541	1,500,288	(214,253)
Operational Services	14,458,911	10,696,474	10,288,864	(407,610)
Technical & Estates	2,270,316	1,822,309	1,747,733	(74,576)
Building Control	327,970	254,743	169,721	(85,022)
Net Overall Position	19,636,079	14,906,289	14,112,836	(793,453)
Total Net Overall Position	19,636,079	14,906,289	14,112,836	(793,453)

LISBURN & CASTLEREAGH CITY COUNCIL
MEETING OF ENVIRONMENTAL SERVICES COMMITTEE ON
WEDNESDAY 6 FEBRUARY 2019

REPORT BY INTERIM HEAD OF SERVICE (ENVIRONMENTAL HEALTH)

PURPOSE AND BACKGROUND

The purpose of this report is to set out for Members' consideration a number of recommendations relating to the operation of the Council.

The following items are for decision:

- 1 It is recommended that Members approve the report detailing persons to be appointed as Public Analysts to the Council under Article 27 (1) of The Food Safety (Northern Ireland) Order 1991.
- 2 It is recommended that Members approve this course of action and that Members approve not to defer the cost of the high hedge application if informal action does not achieve a resolution.

ITEMS FOR DECISION

1 **THE FOOD SAFETY (NORTHERN IRELAND) ORDER 1991 - PUBLIC ANALYST APPOINTMENT**

Members may be aware that Article 27(1) of The Food Safety (Northern Ireland) Order 1991 requires that the Council appoint one or more persons (Public Analyst(s)) to act as Analyst(s) within the district of the Council.

Furthermore the Framework Agreement (Official Feed and Food Controls by Local Authorities Amendment 5 April 2010) (Chapter 2, para 12.8), states that Lisburn & Castlereagh City Council shall ensure that a Food Analyst is appointed to carry out examinations and analysis of food samples. In making these appointments, all relevant legal requirements and Codes of Practice shall be satisfied.

The qualifications required by Analysts are set out in the Food Safety (Sampling and Qualifications) Regulations (Northern Ireland) 2013. The Environmental Health Service Unit is satisfied that the following persons, who are employed by Public Analyst Scientific Services, fulfil the requirements of the Regulations for appointment as Public Analysts on behalf of the Council.

Public Analysts

Watney Elizabeth Moran MSc, MChemA, CChem, FRSC
Duncan Kenelm Arthur BSc, MChemA, CChem, MRSC
Nigel Kenneth Payne MSc, MChemA, CChem, MRSC
Joanne Hubbard BSc, MChemA, CChem, MRSC
Kevin Wardle MSc, MChemA, CChem, MRSC
Lilian Emma Jane Downie MChem, MChemA, CChem, MRSC
Michelle Evans BSc, MChemA, MRSC

Recommendation

It is recommended that Members approve the report detailing persons to be appointed as Public Analysts to the Council under Article 27 (1) of The Food Safety (Northern Ireland) Order 1991.

2 HIGH HEDGE CHARGES

Members may recall the report tabled to the Environmental Services Committee in January 2019 regarding a high hedge complaint made by a member of the public who had limited means to pay the fee of £360 for the administration and oversight of an application to have this matter investigated.

Members were advised that the hedge owner had previously agreed to cut the hedge during the summer months. I would further advise Members that an Environmental Health Officer has been in communication with the hedge owner in an attempt to secure agreement to cut the hedge earlier in the year. He has agreed to cut one hedge in the Spring and will cut the second hedge after checking his Deeds permit him to do so.

Members were further advised that the present Council policy requires an applicant to pay £360 to the Council for the administration and oversight of an application. This is also inclusive of any specialist services that may be required, including the cost of an arboriculturist. Once the Notice is served (and 28 days Appeal period passed), the complainant then is fully reimbursed with the £360. The Council then proceeds to recover this cost from the land/hedge owner. This arrangement was designed to discourage spurious and malicious complaints.

There is no alternative payment method currently available to the applicant, although I would emphasise that the fee is fully reimbursed after the 28 days assuming no appeal is received.

Recommendation

It is recommended that Members approve this course of action and that Members approve not to defer the cost of the high hedge application if informal action does not achieve a resolution.

SALLY COURTNEY
INTERIM HEAD OF SERVICE (ENVIRONMENTAL HEALTH)
29 JANUARY 2019