

LISBURN & CASTLEREAGH CITY COUNCIL

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

PRESENT

Alderman J Baird (Chairman)

The Right Worshipful the Mayor, Councillor A Givan

The Deputy Mayor, Councillor J McCarthy

Aldermen T Morrow, P Porter and J Tinsley

Councillors S Eastwood, J Craig, O Gawith, M Gregg, S Lee, C McCready, R McLernon and T Mitchell

OTHER MEMBERS:

IN ATTENDANCE

Chief Executive
Head of Service (Waste Management and Operations)
Head of Service (Building Control)
Interim Head of Service (Environmental Health) (SC)
Head of Service (Environmental Health)
Emergency Planning Officer
Member Services Officer

Commencement of Meeting

The Chairman, Alderman J Baird, welcomed new and returning Members to the first meeting of the Environmental Services Committee following the local government elections. He also welcomed the Head of Service (Environmental Health) who was in attendance at the meeting following his return to work.

The 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 Councillor A Ewing and the Director of Environmental Services. Councillor J Craig advised that he would be leaving the meeting to attend a training session for Members.

Members asked that arrangements be put in place that future scheduling of training sessions do not clash with Council meetings.

2. Declarations of Interest

The 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. There were no Declarations of Interest.

3. Report from the Director of Environmental Services

(The Deputy Mayor, Councillor J McCarthy, arrived at 5.35 pm)

3.1 Sustainable Development – Member Champion

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

It was proposed by Councillor O Gawith and seconded by Alderman T Morrow that Councillor M Gregg be nominated.

It was proposed by Alderman J Tinsley and seconded by Councillor O Gawith that Alderman M Henderson be nominated.

It was agreed to recommend to Council that Councillor M Gregg and Alderman M Henderson be nominated to sit on the new All Party Group on Sustainable Development.

4. Report from the Head of Service (Building Control)

4.1 Street Naming – off Ballynahinch Road, Carryduff

The Committee was advised that Rosemount Homes (Carryduff) Ltd had proposed the street name for a development of 108 dwellings off Ballynahinch Road, Carryduff.

The Committee had been provided with a copy of the development layout.

It was proposed by Alderman T Morrow, seconded by Councillor J Craig, and agreed that the street name, Black Quarter Manor, be allocated to the proposed development of 108 dwellings off Ballynahinch Road, Carryduff.

5. Report from the Interim Head of Service (Environmental Health)

5.1 Council Animal Welfare Budget 2019-2020

The Committee was provided with copy correspondence from DAERA dated 1 May 2019 in relation to 2019/2020 budget allocation

It was proposed by Alderman T Morrow, seconded by Alderman J Tinsley and agreed to recommend that Council write to DAERA highlighting the Council's

5.1 Council Animal Welfare Budget 2019-2020 (Contd)

need for continued funding at the present level to ensure continuation of an effective service to the public.

5.2 Lisburn & Castlereagh City Council Emergency Plan Annual Review

The Committee was provided with copy of the Council's reviewed Emergency Management Plan. In response to a query by Councillor M Gregg, officers undertook to circulate to Members further information regarding arrangements for remuneration of staff involved in emergency work.

It was proposed by Alderman P Porter, seconded by Councillor O Gawith, and agreed to recommend that Council approve the reviewed Lisburn & Castlereagh City Council Emergency Management Plan.

(The Emergency Planning Officer left the meeting at 5.50 pm)

5.3 HMO Delegation of Authority

The Committee was provided with an update report on Transfer of Houses in Multiple Occupation: Background and Scheme of Delegation.

In response to Members' queries, the Interim Head of Environmental Health indicated that she would forward to Members clarification in relation to officers' powers of entry.

(The Right Worshipful the Mayor, Councillor A Givan, left the meeting at 5.54 pm)

It was proposed by Alderman J Tinsley, seconded by Councillor O Gawith, and agreed to recommend that Council approve the delegation of powers to the Head of Service (Environmental Health) as outlined in the report and with the following exceptions:

1. Where, in the public interest, the Director of Environmental Services, in consultation with the Chief Executive and Council's Legal Representative, considered that there were particular circumstances which made it necessary to suspend a licence immediately, and
2. Where, In determining an application for a HMO licence, a Council must give the applicant an opportunity of appearing before and of being heard by it, and give any person who has made any such representation an opportunity of appearing before and of being heard by the Council.

It was further agreed that the Committee Chair would be informed where the Director, Chief Executive and Council's Legal Representative, after consideration, suspended a licence immediately.

5.4 Provision of Gate at Benson Street Car Park

The Committee was provided with a copy estimate for costs involved in the provision of an access gate at Benson Street Car Park and manpower costs for opening and closing the site on a daily basis. The Interim Head of Environmental Health provided further clarification on the costs and on security arrangements.

(Councillor J Craig left the meeting at 6.00 pm)

It was proposed by Councillor T Mitchell, seconded by Alderman J Tinsley, and agreed to recommend that Council approve the provision of a barrier gate at the entrance to Benson Street Car Park with arrangements to be introduced for opening and closing of such gate barrier.

6. Report from the Head of Service (Waste Management and Operational Services)

(The Deputy Mayor, Councillor J McCarthy left the meeting at 6.02 pm)

6.1 Approval of Responses to Consultations on Extended Producer Responsibility on Packaging; Deposit Return Schemes; and Plastic Tax on Packaging.

The Committee was reminded that the Council had agreed in April that, in the absence of a Committee meeting in May, delegated authority be granted to the Director of Environmental Services in liaison with the Mayor to endorse on behalf of the Council responses through arc21 on important consultations on packaging.

The Committee was provided with copy and it was proposed by Councillor M Gregg, seconded by Councillor O Gawith, and agreed to recommend that Council endorse the three consultation responses on Extended Producer Responsibility on Packaging, Deposit Return Schemes and Plastic Tax on Packaging.

6.2 Tender for the Assembly, Distribution and Uplift of Various Waste Containers within the Lisburn & Castlereagh City Council area – Request for Delegated Authority for Award of Tender

In response to a query by Alderman P Porter, the Chief Executive provided clarification on procedural arrangements for quantifying tender value particularly in those situations where only one tender was received.

To enable the timely award of this tender, it was proposed by Alderman P Porter, seconded by Alderman T Morrow, and agreed to recommend that Council grant delegated authority to the Director of Environmental Services, following liaison with the Committee Chair and Vice-Chair, to award the tender for assembly, distribution and uplift of various waste containers within the Lisburn & Castlereagh City Council area as part of the kerbside trial to test the Council's preferred kerbside collection model.

6.3 Tender for Monitoring and Evaluation of a Kerbside Pilot within the Lisburn & Castlereagh City Council area – Request for Delegated Authority for Award of Tender

To enable the timely award of this tender, it was proposed by Councillor M Gregg, seconded by Councillor T Mitchell, and agreed to recommend that Council grant delegated authority to the Director of Environmental Services, following liaison with the Committee Chair and Vice-Chair, to allow WRAP to proceed to award the tender for monitoring and evaluation of a kerbside collection pilot within the Lisburn & Castlereagh City Council area.

“In Committee”

It was proposed by Alderman T Morrow , seconded by Alderman P Porter, and agreed that the following matters be considered “in committee”, in the absence of members of the press and public.

7. 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 Chairman, Alderman J Baird, advised that the matters contained in the confidential report would be dealt with “In Committee” for the following reasons:

Item 7.1: Confidential due to information relating to the financial or business affairs of the organisation concerned (including the Council holding that information)

Item 7.2: Confidential due to information relating to the financial or business affairs of the organisation concerned (including the Council holding that information)

Item 7.3: Confidential due to information which is likely to reveal the identity of an individual

Item 7.4: Confidential due to information relating to the financial or business affairs of the organisation concerned (including the Council holding that information)

Item 7.5: Confidential for reason of information relating to any individual; information which is likely to reveal the identity of an individual; and information in relation to which a claim to legal professional privilege could be maintained in legal proceedings

Item 7.6: Confidential due to information relating to the financial or business affairs of the organisation concerned (including the Council holding that information)

Item 7.7 Confidential for reason of information in relation to which a claim to legal professional privilege could be maintained in legal proceedings

7. Confidential Business (Contd)

Item 7.8 Confidential due to information relating to the financial or business affairs of the organisation concerned (including the Council holding that information)

Item 7.9 Confidential for reason of information relating to any individual; information which is likely to reveal the identity of an individual; and information in relation to which a claim to legal professional privilege could be maintained in legal proceedings

Item 7.10 Confidential due to information relating to the financial or business affairs of any particular person (including the Council holding that information)

7.1 Areas of Mutual Interest with Adjacent Councils

The Committee was provided with copy of correspondence previously issued to Belfast City Council regarding discussions on areas of mutual interest with a view to reaching agreement on potential solutions.

The Committee was advised that a more recent approach had been made at senior officer level regarding a sub-regional approach to the combined issues of burial space and crematorium provision in the Greater Belfast Conurbation.

The Head of Waste Management and Operational Services advised Members of an additional recommendation on this issue being taken for consideration at the Development Committee meeting and the report to the meeting was amended to include this.

It was proposed by Councillor O Gawith, seconded by Councillor M Gregg, and agreed to recommend that Council

- approve formal engagement with adjacent Councils to consider and progress a sub-regional options proposal on burial space and crematorium provision.
- approve the commissioning of an independent evidence base jointly with neighbouring Councils to inform the operational management of cemeteries and crematoria over the next 10 years.

7.2 Dry Material Recovery Facility (MRF) - Contract Award Update

Members were reminded that in April the Council had retrospectively approved extensions to the current MRF contract procured by arc21 on behalf of the Council.

It was proposed by Alderman P Porter, seconded by Councillor T Mitchell, and agreed to recommend that, in order to enable full consideration of legal issues

7.2 Dry Material Recovery Facility (MRF) - Contract Award Update (Contd)

that had arisen, Council approve the further extension of the MRF contract by arc21 on a month by month basis

7.3 Flexible Retirement Request – Waste Management and Operational Services Unit

It was proposed by Alderman P Porter, seconded by Alderman T Morrow, and agreed to recommend that Council approve the application for flexible retirement from a member of staff within the Waste Management and Operational Services unit.

7.4 Household Kerbside Collections Trial

The Committee received a progress report on the household kerbside collections trial project.

The Head of Waste Management and Operational Services provided additional information regarding the scheduling and content of a proposed study tour to Wales.

(Councillor S Eastwood left the meeting at 6.24 pm and returned at 6.27 pm)

It was proposed by Alderman T Morrow, seconded by Councillor O Gawith, and agreed to recommend that Council

- approve the update on the trial of the preferred kerbside collection model;
- agree the need for the Project Manager to evaluate the project timelines in order to further consider possible postponement of the trial to early 2020 if October implementation was not feasible and the potential for a phased implementation starting with the East/Castlereagh properties followed by the West/Lisburn properties;
- agree for a suitable study tour to be scoped and approve Officer and Members attendance.
- agree that expressions of interest in participating in the study tour be sought from all Council Members and that priority be given to new Members and to returning Members who had not participated in a previous study visit in 2017.

7.5 Preferred Model for Household Kerbside Collections Equality Screening & Rural Needs Impact Assessment

The Committee was provided with copy of a report on an equality screening exercise that had been conducted for implementation of the Preferred Model for Household Kerbside Collections.

7.5 Preferred Model for Household Kerbside Collections Equality Screening & Rural Needs Impact Assessment (Contd)

It was proposed by Alderman T Morrow, seconded by Councillor M Gregg, and agreed to recommend that Council

- approve the Equality Screening Document and agree that a full equality impact assessment, including the minimum 12 week consultation period, be conducted for the Implementation of the Preferred Model for Household Kerbside Collections.
- note that a Rural Needs Impact Assessment was being completed for the Preferred Model for Household Kerbside Collections

7.6 Municipal Waste Disposal Contract Extension

It was proposed by Alderman J Tinsley, seconded by Councillor S Lee, and agreed to recommend that Council approve the extension of the Municipal Waste Disposal Contract for Lot 1 (predominantly from Ards and North Down Borough Council, Belfast City Council and Lisburn & Castlereagh City Council) until 30 September 2019 on current terms.

7.7 Ongoing Legal Proceedings Noise Complaint

It was proposed by Alderman T Morrow, seconded by Alderman J Tinsley, and agreed to note an update report in relation to the Ongoing Legal Proceedings/Noise Complaint and that a further update would be brought before Members in due course

7.8 Performance Reports – Quarter 4 (January, February and March 2019)

The Committee was provided with copy and it was proposed by Councillor M Gregg, seconded by Alderman T Morrow, and agreed to note the following Quarter 4 Performance Reports for the Environmental Services Directorate:

- Absence Figures: (Monthly Absence Figures and Rolling Year Absence Figures)
- Affordable Warmth Scheme
- Building Control applications – full plan applications and regularisation certificates
- Department of Finance (DoF) – Completion Notice Ready report to Land & Property Services
- Dog Control Statistics – 1 January 2019 to 31 March 2019
 - Illegal Dumping Outcomes – 1 January 2019 to 31 March 2019
- Licensing Statistics – 1 January 2019 to 31 March 2019
- Refuse Collection Data – 1 January 2019 to 31 March 2019
- Illegal Dumping figures
- Trading Accounts: (Period 10 – January) (Period 11 – February) and (Period 12 – March)

Alderman T Morrow welcomed the reduction in the department's absenteeism figures and asked that this be recorded.

7.9 Planning Enforcement – Cases with ongoing Court Proceedings

It was proposed by Alderman P Porter, seconded by Councillor T Mitchell and agreed to note information on Planning Enforcement Cases with ongoing Court Proceedings.

7.10 Update on Bring Bank Service Contract (Lot 1 – Mixed Glass)

It was proposed by Alderman J Tinsley, seconded by Councillor T Mitchell, and agreed to note revisions to the Bring Bank Service Contract (Lot 1 – Mixed Glass), as detailed in the officer's report, that had been approved by the arc21 Joint Committee on 25 April 2019.

Resumption of Normal Business

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

8. Any Other Business

8.1 Renewable Energy Projects – Councillor M Gregg

At the request of Councillor M Gregg, officers undertook to circulate to all Members details of renewable energy projects in Council facilities or within the Council's control.

There being no further business, the meeting was terminated at 6.41 pm.

Mayor/Chairman