

LISBURN & CASTLEREAGH CITY COUNCIL**Minutes of Meeting of the Environment and Sustainability Committee held in the Council Chamber, Island Civic Centre, on Wednesday, 5 March 2025 at 6.00 pm****PRESENT IN CHAMBER:**

Councillor P Catney (Chairperson)
 Councillor G Hynds (Vice-Chairperson)
 Aldermen J Baird, O Gawith, A McIntyre and J Tinsley
 Councillors S Burns, G McCleave, C McCready and M McKeever

PRESENT IN REMOTE LOCATION:

The Right Worshipful the Mayor, Councillor K Dickson
 Alderman S Skillen
 Councillor A Gowan and N Parker

OTHER MEMBERS PRESENT IN CHAMBER

Alderman A Grehan
 Councillor C Kemp

IN ATTENDANCE:

Chief Executive
 Director of Regeneration & Growth
 Head of Service (Waste Management & Operational Services) (WM)
 Acting Head of Service (Environmental Health, Risk & Emergency Planning) (SC)
 Head of Service (Building Control & Sustainability) (CD)
 Member Services Officers (CR, EW)

Commencement of the Meeting

The Chairperson, Councillor P Catney, welcomed those present to the meeting. In particular, he welcomed those seated in the public gallery and thanked them for having protested in a peaceful manner at the last 3 meetings of the Committee in respect of Max, the stray/abandoned dog.

The Chairperson advised that the meeting would be audio recorded unless the item on the agenda was to be considered under confidential business. He stated that unauthorised recording was not permitted, as per the Council's Standing Orders, and asked that mobile phones be put on silent or switched off for the duration of the meeting.

In accordance with the Protocol for Remote Meetings, the Chairperson asked those attending via zoom to ensure that the meeting could not be seen or heard by any other person at their remote location when confidential business was being considered. He proceeded to outline the evacuation procedures in the case of an emergency.

1. Apologies

It was agreed to accept apologies for non-attendance at the meeting on behalf of Councillors P Kennedy and R McLernon and the Acting Director of Environmental Services.

At the request of Alderman A McIntyre, the names of those Members in attendance via Zoom were read out.

2. Declarations of Interest

There were no Declarations of Interest.

3. Report from the Acting Head of Service (Environmental Health, Risk and Emergency Planning)

3.1 Business Continuity Policy Review – January 2025 v3

Members were provided with, and noted the contents of, a revised Business Continuity Policy.

The Chairperson, Councillor P Catney, advised that Any Other Business would be considered at this point in the meeting.

4. Any Other Business (Agenda Item 5 refers)

4.1 Stray/Abandoned Dog
Alderman S Skillen

Alderman S Skillen asked if behavioural assessment had been carried out in respect of Max, the stray/abandoned dog, and how he was doing after 94 days in kennels. The Acting Head of Service (Environmental Health, Risk and Emergency Planning) confirmed that behavioural assessments had been completed by an expert recommended by the USPCA. The outcome report on those assessments had just been received that was subject to the ongoing court case. The Acting Head of Service also advised that Max was fit, healthy and being well looked after at the kennels. He received regular visits from the dog wardens.

Councillor G Hynds asked, in terms of the Council's position, was there a way out of this before the court case took place, taking into account that any keeper of Max would assume legal responsibility with an insurance policy in place and Max no longer being the Council's responsibility. The Acting Head of Service stated that the Council was required to follow due process. It was at a stage where it had to proceed to court to get a determination on Max's breed type. Having said that, if there were discussions to be had, those could be had at a further meeting between the solicitors.

4.1 Stray/Abandoned Dog (Contd)
Alderman S Skillen

Councillor G Hynds referred to his proposal at the last meeting that assessment reports would be released to Committee Members. That proposal had not been permitted to proceed due to the ongoing legal process. Councillor Hynds put on record a request to have sight of legal advice that had prevented his proposal going forward.

Councillor G Hynds put on record his regret that the Council was at this stage and that both the puppy and the Council had had to go through this process.

The Chairperson, Councillor P Catney, stated that he agreed with a lot of the points raised by Councillor Hynds. In his view, this was a matter of bad law and the Council should focus its attention on achieving a law that could be administered in a way that was fair to the dog. Alderman S Skillen concurred with the Chairperson's comments regarding legislation.

Councillor C Kemp, on behalf of the Alliance Party, voiced the importance of Max's wellbeing. This was an unfortunate case for everyone involved – Max, those who had taken up the cause for Max and Council staff who had carried out their duties as instructed and trained to do, but as a result had been the subject of scrutiny and criticism, quite unfairly. Elected Members had a duty to uphold the law and act in accordance with the public trust placed in them. A debate on whether dangerous dog legislation was fit for purpose or whether it needed overhauled was not a debate for this Chamber. It was not in the Council's gift to amend it. Councillor Kemp referred to the disclosure of confidential information as outlined in the Code of Conduct for Councillors and stated the Alliance Party's disappointment that confidential information provided to Members on this matter had been consistently reported in the press and appeared on social media. Councillor Kemp went on to outline the consequences of this, particularly in regard to increased costs. Whilst the Alliance Party had long campaigned for openness and transparency, it recognised that there was a necessity for certain items to be considered under confidential business and the reasons for that were outlined in the Council's Standing Orders. Councillor Kemp, on behalf of the Alliance Party, asked that the policies and procedures in relation to how legislation relating to this matter was implemented in the Council be reviewed, should a similar situation occur in the future. This should provide clarity and certainty for Officers, Members and the public for further cases in the future.

Further comments around transparency and legal costs were made by Councillor G Hynds and Alderman A Grehan.

As put forward by Councillor C Kemp, who was not a Member of the Environment and Sustainability Committee, Councillor A McIntyre proposed that the policies and procedures in relation to how legislation relating to this matter was implemented in the Council be reviewed, should a similar situation occur in the future. This was seconded by Alderman J Tinsley and unanimously agreed.

4.2 Out of Hours Noise Complaints Councillor N Parker

Councillor N Parker referred to a recent incident of really loud music being played at a property past midnight and asked what the Council procedure was for dealing with out of hours noise complaints. The Acting Head of Service (Environmental Health, Risk and Emergency Planning) explained that when a noise complaint was received, the Investigating Officer would send a letter to the person making the noise to advise that a complaint had been received and a letter to the complainant to advise that that action had been taken. On many occasions, that letter was sufficient. If not, the complainant would be asked to keep a record of the noise and that would give the Officer an indication of the best time to monitor. The Council had to go through this procedure to confirm if there was a statutory noise nuisance before a Statutory Noise Nuisance Notice could be issued. The Council did not have an on-call out of hours service that complainants could call at night; however, but when out of hours complaints were received, arrangements were made for an Officer to be on-call at times when the noise was anticipated to be bad.

4.3 Planning Application for Robert Stewarts Alderman A McIntyre

Alderman A McIntyre referred to the above planning application and the Acting Head of Service (Environmental Health, Risk and Emergency Planning) having previously given a timeframe in respect of monitoring of that site as part of the application. Monitoring equipment had been due for calibration in November and that had taken 6 weeks to come back. He asked if that was normally the turnaround time for calibration of equipment and further asked if there was sufficient equipment to deal with the demands for monitoring. In response, the Acting Head of Service stated that she would address this matter with Alderman McIntyre after the meeting.

5. Confidential Business (Agenda Item 4.0 refers)

The Chairperson, Councillor P Catney, advised that the confidential report items 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 Alderman J Tinsley, seconded by Alderman J Baird, and agreed that the following matters be considered "in Committee," in the absence of members of the press and public being present.

Members of the press and public seated in the public gallery left the Council Chamber (6.29 pm). Councillor C Kemp also left the meeting at this point.

5.1 Interim Fleet Replacement Plan

(Report and Interim Fleet Replacement Plan will be available in April 2025; Capital Fleet Replacement Schedule will never be made available)

In the absence of the Acting Director of Environmental Services, this item was presented by the Head of Service (Waste Management and Operational Services).

A number of Members' queries having been responded to, it was proposed by Councillor G Hynds, seconded by Alderman J Tinsley and agreed that the Interim Fleet Replacement Plan and Fleet Replacement Schedule be approved.

Members thanked Officers for their hard work in preparing these documents.

5.2 Procurement of 4 New Replacement RCVs

(Redacted report will be available in April 2025; Business Case will never be made available)

During consideration of this item of business, Councillor A Gowan left the meeting (6.50 pm), The Right Worshipful the Mayor, Councillor K Dickson, left the meeting (6.55 pm) and Councillor G McCleave left the meeting (6.58 pm).

In the absence of the Acting Director of Environmental Services, this item was presented by the Head of Service (Waste Management and Operational Services).

A number of Members' queries having been responded to, it was proposed by Alderman J Tinsley, seconded by Councillor G Hynds and agreed that approval be given to the procurement of 4 new RCVs.

Officers took note of comments made in relation to advertising on vehicles.

5.3 Project Initiation Request for Repairs at Altona Depot

(Redacted report will be available in April 2026)

During consideration of this item of business, Councillor G McCleave returned to the meeting (7.02 pm).

This item was presented by the Director of Regeneration and Growth.

A number of Members' queries having been responded to, it was proposed by Alderman J Tinsley, seconded by Councillor G Hynds and agreed that approval be given to the Project Initiation Request and associated Strategic Outline Case for works at the Depot at Altona Road.

The Chairperson, Councillor P Catney, stated that any items of confidential any other business would be considered at this time.

5.4 Burial Provision
Councillor C McCready

Officers addressed a number of queries raised by Councillor C McCready in respect of burial provision. The Acting Head of Service (Environmental Health, Risk and Emergency Planning) agreed to provide Councillor McCready with further information that he requested.

5.5 Roselawn Cemetery
Alderman S Skillen

The Director of Regeneration and Growth addressed a planning-related query raised by Alderman S Skillen in respect of Roselawn Cemetery.

Resumption of Normal Business

It was proposed by Alderman J Baird, seconded by Councillor M McKeever and agreed to come out of Committee and normal business was resumed.

There being no further business, the meeting concluded at 7.19 pm.

Chairperson