

**LISBURN & CASTLEREAGH CITY COUNCIL**

**Minutes of the Environment and Sustainability Committee held in the Council Chamber, Island Civic Centre, and remotely, on Wednesday 3 January 2024 at 6pm**

**PRESENT IN CHAMBER:**

Alderman J Tinsley (Acting Chairman)

Aldermen J Baird and M Gregg

Councillors S Burns, P Catney, G Hynds, J Lavery BEM, R McLernon and N Parker

**PRESENT IN REMOTE LOCATION:**

Deputy Mayor, Councillor G McCleave

Councillor C McCready (Chairman)

Councillor R Carlin (Vice-Chairman)

Councillors P Kennedy, A McIntyre, M McKeever and S Skillen

**IN ATTENDANCE:**

In Chamber:

Acting Director of Environmental Services (RH)

Head of Service (Building Control and Sustainability) (CD)

Acting Head of Service (Waste Management and Operational Services) (JK)

Acting Head of Service (Environmental Health, Risk and Emergency Planning) (SC)

Business Support Manager (DI)

Member Services Officers (CH, RN)

Remote

Chief Executive

**Commencement of the Meeting**

The Committee having been advised that the Chairman, Councillor C McCready's car had broken down en route to the meeting, and the Vice-Chairman, Councillor R Carlin was present remotely, appointed Alderman J Tinsley to Chair the meeting in accordance with Standing Order 6.3.

At the commencement of the meeting, Alderman J Tinsley welcomed those present to the meeting of the Environment and Sustainability Committee and advised that the meeting would be audio recorded unless the item on the agenda was to be considered under confidential business.

At this point, the Member Services Officer read out the names of the Elected Members and Officers in attendance at the meeting. Alderman J Tinsley stated that, whilst the meeting was being recorded, unauthorised recording was not permitted, as per the Council's Standing Orders.

1. Apologies (00:00:30)

There were no apologies.

2. Declarations of Interest (00:02:30)

There were no Declarations of Interest.

3. Report by the Acting Head of Service (Environmental Health, Risk and Emergency Planning) (00:02:40)

3.1 Consultation response – “Stopping the Start: Our New Plan to Create a Smoke Free Generation” (00:02:44)

The Committee considered a report which provided information in connection with a consultation launched by the Department of Health and Social Care (DHSC), in relation to proposed action to protect future generations from the harms of smoking by creating the first smoke free generation. A copy of the response submitted on behalf of the Council, had been circulated to Members for information.

Councillor G Hynds put on record that he would not be in a position to support the Government direction and the Council response to the consultation, as he felt that the plan was out of touch, due to the majority of young people vaping but yet a ban on smoking was to be implemented. He further commented that education was key on this issue, but ultimately people must be free to choose what they do when they are not harming others.

It was proposed by Councillor N Parker, seconded by Councillor P Catney, and agreed to recommend that the response to the consultation ‘Stopping the start: our new plan to create a smoke free generation’, be retrospectively approved.

3.2 E-Cigarette Test Purchasing Exercise Fixed Penalties (00:07:56)

The Chief Executive joined the meeting remotely during this item of business (6.20 pm).

The Head of Service (Environmental Health, Risk and Emergency Planning), set out in her report, the key information and findings in relation to two recent Test Purchase exercises that took place on 30 October and 2 November 2023.

Responding to questions raised by the Committee, Officers confirmed that the fixed penalty amount of £250 was set out in Legislation.

Officers responded to a number of questions from the Committee arising from the report.

### 3.2 E-Cigarette Test Purchasing Exercise Fixed Penalties Cont'd

Following discussion, it was proposed by Alderman J Baird, seconded by Alderman M Gregg and agreed to recommend that:

- (a) the Test Purchase report be noted;
- (b) the issue of a Fixed Penalty Notice of £250 to any business owner/seller for offences of sale be approved;
- (c) the Council adopt a zero-tolerance approach to the sale of nicotine products to a child under the age of 18 years; and
- (d) the Council write a letter to the Department of Health of Health and Social Care requesting that greater sanctions be considered to the sale of nicotine products to a child under the age of 18 years.

### 3.3 Consultation on Proposed Updated Guidance on Crematoria (00:19:29)

Alderman S Skillen joined the meeting remotely during this item of business (6.26 pm).

The Committee considered a report which provided information in connection with a consultation issued by the Department for the Environment, Food and Rural Affairs (DEFRA), in association with the devolved administrations, which sought views of the proposed guidance that would replace the existing crematoria guidance PG5/2(12). Copies of the response submitted on behalf of the Council, alongside the proposed new guidance was circulated to Members for information.

It was reported that as cremation was a regulated industry, environmental permits required that crematoria must meet the standard for emissions to air, determined by best available techniques (BAT), to ensure pollutant emissions and impacts to the environment were minimised.

Responding to a question raised by a Member of the Committee, the Acting Director clarified that a crematorium could be owned by a Local Authority. He further advised that a crematorium located within the council area would be considered as part of the ongoing Council Cemetery Strategy.

Following discussion, the Committee agreed that the response to DEFRA's consultation on the proposed updated guidance for crematoria be noted.

Alderman J Tinsley advised that Any Other Business would be considered at this point in the meeting.

## 4. Any Other Business (Agenda item 5.0 refers) (00:25:15)

4.1 Parking Issues - proximity of Warren Gardens  
Acting Head of Service (Environmental Health, Risk and Emergency  
Planning) (00:25:25)

Further to a number of Members reporting a parking issue on the road outside Salto Gym to the Chief Executive recently, the Head of Service provided an update to the Committee, advising that parking issues could not be addressed by the Council as the issue was a police matter. It was further reported that the PSNI had given assurances that the issue would be given attention, in order to alleviate traffic congestion and dangerous parking in that area.

4.2 Household Recycling Centre Service Level Agreement  
Deputy Mayor, Councillor G McCleave (00:26:54)

Responding to a query raised by the Deputy Mayor, Councillor G McCleave, in relation to the potential service level agreement whereby, Lisburn and Castlereagh City Council rate payers could utilise other Council HRC sites; the Acting Director of Environmental services advised that a brief discussion that had taken place, and confirmed that Belfast City Council Officers had been requested by their Members' to contact Lisburn and Castlereagh City Council in relation to the matter. It was reported the further discussions were planned to take place.

4.3 Operational Staff Appreciation  
Alderman M Gregg (00:28:25)

Alderman M Gregg acknowledged the excellent service provided by the Operational Team to the public over the Christmas and New Year holiday period. It was suggested that appreciation be conveyed to all involved and to Mr J Knox on behalf of the committee. The committee agreed to this course of action.

The Chairman, Councillor C McCready and Alderman S Skillen left the meeting remotely (6.35 pm).

5. Confidential Report by the Acting Director of Environmental Services (Agenda item 4.0 refers) (00:29:20)

Alderman J Tinsley 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 Baird, seconded by Councillor J Lavery, and agreed that the following matters be considered "in committee", in the absence of members of the press and public being present.

The member of the press seated in the public gallery left the meeting (6.33 pm).

5.1 Off Street Car Parking Contract (Agenda item 4.1 refers)  
(Report, minus appendix 1, will be made available after ratification)

The Chairman, Councillor C McCready rejoined the meeting remotely during this item of business (6.43 pm).

The Deputy Mayor, Councillor G McCleave left the meeting remotely during this item of business (6.48 pm).

The Acting Head of Service for Environmental Health, Risk and Emergency Planning presented this item of business. Officers responded to a number of questions from the Committee arising from the report. Responding to a question raised by a member of the Committee, the Acting Director agreed to circulate a copy of the current Car Parking Strategy to Members.

Following discussion, it was proposed by Alderman M Gregg, seconded by Vice-Chairman, Councillor R Carlin and agreed to recommend that:

- (a) the new enforcement and PCN processing contract be approved based on costs as outlined in the business case, following the tender award made by Belfast City Council; and
- (b) Council delegates the authority for Officers to negotiate the contract review timescales, as outlined in the report circulated.

Alderman J Baird left the meeting (7 pm).

5.2 Estimates Process – Directorate Update (Agenda item 4.2 refers)  
(Report will never be made available – final estimates will be released)

Alderman J Baird returned to the meeting (7.04 pm).

The Acting Director of Environmental Services presented this item of business. Alderman J Tinsley thanked Officers on behalf of the Committee for the work carried out by Officers in relation to the report.

During lengthy discussion in relation to the estimates, a number of Members' queries and concerns were addressed by Officers.

Councillor J Laverty put on record that he would not be in support of the recommendations outlined in the report, in respect of the Councils provision for Animal Welfare, without funding allocated by Central Government.

It was proposed by Councillor P Catney and seconded by Councillor R McLernon that the Draft Estimates for Environment and Sustainability Directorate as presented in the report, be approved.

An amendment was proposed by Councillor G Hynds and seconded by Councillor J Laverty that the Draft Estimates for Environment and Sustainability Directorate be approved, subject to the removal of the estimate provision allocated to Animal Welfare.

## 5.2 Estimates Process – Directorate Update Cont'd

The amended proposal was put to the meeting, and at the request of Alderman M Gregg a recorded vote was taken. The amended proposal fell with the voting being 2 in favour of and 11 against, as set out below:

In Favour: Councillor G Hynds and Councillor J Lavery. (2)

Against the Amendment: Alderman J Baird, Councillor S Burns, Vice-Chairman, Councillor R Carlin, Councillor P Catney, Alderman M Gregg, Councillor P Kennedy, Councillor A McIntyre, Councillor M McKeever, Councillor R McLernon, Councillor N Parker and Alderman J Tinsley. (11)

The Chairman, Councillor C McCreedy was not available to vote at this point in the meeting.

The proposal in the name of Councillor P Catney and seconded by Councillor R McLernon became the Substantive Motion, i.e., that the Draft Estimates for Environment and Sustainability Directorate as presented in the report, be approved.

A recorded vote was taken, the voting being as follows: -

In Favour: Alderman J Baird, Councillor S Burns, Vice-Chairman, Councillor R Carlin, Councillor P Catney, Alderman M Gregg, Councillor P Kennedy, Councillor A McIntyre, Councillor M McKeever, Councillor R McLernon, Councillor N Parker and Alderman J Tinsley. (11)

Against: Councillor G Hynds and Councillor J Lavery (2)

The Chairman, Councillor C McCreedy was not available to vote at this point in the meeting.

The proposal in the name of Councillor P Catney and seconded by Councillor R McLernon was declared “carried”, it therefore being agreed to recommend that the Draft Estimates for Environment and Sustainability Directorate as presented in the report, be approved and submitted into the overall estimates of the Council for the year commencing 1 April 2024.

## 6. Confidential Any Other Business

### 6.1 Multiple Dog Walking Councillor J Lavery

Responding to Councillor J Lavery’s request for an update in respect of the above concern raised at the December Committee meeting, Officers advised that some councils had dog control orders in place in relation to the number of dogs walked by an individual. It was explained that in order to implement a dog control order of this nature, evidence would be required to justify the existence of the order. The Acting Director took note of concerns raised by Councillor J Lavery and undertook to look into the matter further as part of the annual review of the relevant procedures.

Councillor P Catney left the meeting (7.54 pm).

Resumption of Normal Business

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

There being no further business, the meeting concluded at 7.55 pm.

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Chairman