

LISBURN & CASTLEREAGH CITY COUNCIL**Minutes of the Environmental Services Committee held in the Council Chamber, Island Civic Centre, and remotely, on Wednesday 1st March 2023 at 6.00 pm****PRESENT IN CHAMBER:**

Councillor M Gregg (Chairman)

Councillor C McCready (Vice-Chairman)

Alderman J Baird

Councillors A P Ewing, A Givan and A McIntyre

PRESENT IN REMOTE LOCATION:

Deputy Mayor Councillor M Guy

Aldermen D Drysdale, M Henderson and S P Porter

Councillors F Cole, S Lee, S Lowry, R McLernon and S Skillen

IN ATTENDANCE:**In Chamber:**

Chief Executive

Acting Director of Environmental Services

Head of Service (Building Control)

Acting Head of Service (Environmental Health)

Project Manager (Waste Management and Operational Services)

Member Services Officers (CH, CR)

In Remote Location

Environmental Health Manager (DMcL)

Commencement of the Meeting

At the commencement of the meeting, the Chairman, Councillor M Gregg, welcomed those present to the meeting of the Environmental Services Committee, including those who were seated in the public gallery. The Chairman 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.

The Chairman, Councillor M Gregg, stated that, whilst the meeting was being recorded, 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. The Chairman proceeded to outline the evacuation procedures in the case of an emergency.

1. Apologies (00:02:10)

It was agreed to accept apologies for non-attendance at the meeting on behalf of The Right Worshipful the Mayor Councillor S Carson, Councillor T Mitchell, Director of Environmental Services, Mrs H Moore and Head of Waste Management and Operational Services, Mr W Muldrew.

2. Declarations of Interest (00:02:31)

The following interests were declared:

- Councillor A P Ewing in respect of item 8.4 'Landlord Registration Scheme' given that he was a landlord;
- Alderman J Baird in respect of item 5.1 'Commencement of Sections 1-12 of the Private Tenancies Act (Northern Ireland) 2022' and item 8.4 'Landlord Registration Scheme' given that he was a landlord;
- Councillor F Cole in respect of item 8.4 'Landlord Registration Scheme' given that she was a landlord.

3. Report by the Acting Director of Environmental Services (00:03:03)3.1 Environmental Services Performance Report (00:03:18)

The Acting Director outlined the principal aspects of the above-mentioned report, together with the details contained within a table of key performance indicators, which gave an overview of the Department's performance and budget summary during quarter three of the financial year 2022/2023.

It was proposed by Councillor A Givan, seconded by Councillor A McIntyre, and agreed to recommend that:

- the Q3 Environmental Services Budget Summary Reports covering the period 1st October 2022 to 31st December 2022 be noted;
- the outturn of operational metrics/service KPIs for Q3, 1st October to 31st December 2022 be noted; and
- the outturn of Performance Improvement KPIs for Q3, 1st October to 31st December 2022 be noted.

4. Report by the Head of Service (Building Control) (00:04:03)4.1 Street Naming - Off Belfast Road, Lisburn (00:04:11)

The Head of Service (Building Control) reported that Doherty Architectural Services had proposed street names (first and second preference), as set out in his report, for a development of 18 dwellings situated off the Belfast Road, Lisburn. Members were provided with a copy of the development layout.

It was proposed by Councillor AP Ewing, seconded by Councillor A McIntyre and agreed to recommend that the street name Derryvolgie Lane be approved to the proposed development of 18 dwellings off the Belfast Road, Lisburn.

4.2 Street Naming - Off Millmount Road, Dundonald (00:04:54)

It was reported that Lagan Homes (NI) Ltd. had proposed street names (first and second preference), as set out in his report, for a stretch of infrastructure road linking the Millmount and Greengraves Roads, Dundonald, as part of a phased development of 350 dwellings. Members were provided with a copy of the development and site layouts.

It was proposed by Vice-Chairman Councillor C McCready, seconded by Councillor A Givan, and agreed to recommend that the street name Millmount Quarry Road be approved to the proposed stretch of infrastructure road linking the Millmount and Greengraves Roads, Dundonald.

4.3 Street Naming - Off Mealough Road, Carryduff (00:05:28)

It was reported that Lagan Homes (NI) Ltd. had proposed street names (first preferences), as set out in his report, for a development of 75 dwellings as part of a phased development off the Mealough Road, Carryduff. Members were provided with a copy of the development layout.

It was proposed by Alderman M Henderson, seconded by Vice-Chairman Councillor C McCready, and agreed to recommend that the street names Mealough Place, Mealough Gardens, Mealough Lane and Mealough Crescent be approved to the proposed development phase of 75 dwellings off the Mealough Road, Carryduff.

4.4 Department for the Economy Consultation - Draft Circular Economy Strategy for Northern Ireland (00:06:25)

Councillor A McIntyre entered the meeting at (6.06 pm).

The Committee considered a report which provided information in connection with a consultation launched by the Department for the Economy in relation to the Draft Circular Economy Strategy for Northern Ireland. It was reported that the closing date for the consultation was 20th March 2023, however the Department had confirmed that a late amendment would be accepted as long as an original submission was made by the consultation closing date above.

Members were provided with a copy of the draft response to be submitted on behalf of the Council and were encouraged to submit any comments for inclusion to the Head of Service by 15th March 2023.

Following discussion, it was proposed by Councillor A Givan, seconded by Councillor S Lowry, and agreed to recommend that:

- Members provide any comment on the draft response to the Head of Service by 15th March 2023; and
- the Council's response in relation to the Draft Circular Economy Strategy for Northern Ireland be approved.

5. Report by the Acting Head of Service (Environmental Health) (00:09:48)

5.1 Commencement of Sections 1-12 of the Private Tenancies Act (Northern Ireland) 2022 (00:09:50)

The Committee considered a report which outlined further details in relation to the previously advised changes to the Private Tenancies Act (Northern Ireland) 2022, due to take effect from 1st April 2023. It was reported that Councils were required to specify the level for 3 new Fixed Penalty Notices, which related to offences within Sections 1 to 6.

The Committee noted that all eleven Councils had recommended the maximum fixed penalty for all three offences to ensure consistency and uniformity across the sector. Members had been provided with a copy of the Private Tenancies Act (Northern Ireland) 2022, Guidance Sections 1-6 for consideration.

It was proposed by Vice-Chairman Councillor McCready, seconded by Councillor A Givan and agreed to recommend that the fixed penalty charges for the offences, as set out in the report, relating to the commencement of Sections 1-12 of the Private Tenancies Act (Northern Ireland) 2022 be approved.

5.2 Environmental Crime Education and Enforcement Report (00:12:29)

Further to the report considered by the Committee at its meeting in February 2023 on the authority given to the Council under the Waste and Contaminated Land (Amendment) (2011 Act) (Commencement No.3) Order (Northern Ireland) 2022, to enforce Articles 4 and 5 of the Waste and Contaminated Land (Northern Ireland) Order 1997, the Acting Head of Service (Environmental Health) provided an update on the Councils current Crime Education and Enforcement activities in relation to the above.

The Committee agreed to recommend that the report on Crime Education and Enforcement Activities be noted.

5.3 Changes to Fixed Penalties for illegal dumping, littering, dog fouling and other environmental crime as set out in The Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations (Northern Ireland) 2022 (00:14:27)

Further to the report considered by the Committee at its meeting in February 2023 in relation to changes to the fixed penalty regime, which came into effect on 30th December 2022, for a number of environmental offences such as; illegal dumping, littering, dog fouling, dog control orders, audible intruder alarms and graffiti/flyposting through the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations (Northern Ireland) 2022, the Acting Head of Service (Environmental Health) provided an update on proposed tariffs associated with fixed penalty notices.

A copy of the considerations in relation to proposed fixed penalty increases and a proposed fixed penalty fees comparison table had been furnished to Members. Officers responded to a number of comments and questions from the Committee arising from the report.

5.3 Changes to Fixed Penalties for illegal dumping, littering, dog fouling and other environmental crime as set out in The Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations (Northern Ireland) 2022 (Cont'd)

Following discussion, it was proposed by Alderman J Baird, seconded by Vice-Chairman Councillor C McCready, and agreed to recommend that the fixed penalty fees as detailed in appendix 3B of the report be approved;

It was further agreed that:

- a letter would be sent to the Department of Agriculture, Environment and Rural Affairs (DAERA) requesting an improved notice period on changes to regulations to allow for adequate planning of any changes being implemented;
- a report would be tabled to the April 2023 Environmental Services Committee in relation to the Council's key enforcement statistics in comparison with other Councils. (It was noted that the report would not be able to provide direct comparisons, as every council carried out different levels of enforcement and not all Environmental Health Departments carried out the same functions); and
- Officers would consider publishing Quarterly statistics via Council social media platforms in relation to how many fines had been issued for dog fouling.

6. Report by the Project Manager (Waste & Operational Services) (00:35:00)

6.1 Scheduled Replacement of Four 26 Tonne Refuse Collection Vehicles (00:35:10)

The Project Manager (Waste & Operational Services) outlined the background and key issues in relation to the scheduled replacement of four 26 tonne Refuse Collection Vehicles (RCV), which were 15 years old and have covered over 144,000 kilometre each. It was reported that the industry recommendation and optimum replacement interval for the type of vehicle was seven years. Officers responded to a number of comments and questions from the Committee arising from the report.

The Chairman, Councillor M Gregg requested that the appreciation of the Committee to the workshop team for all their work on keeping the vehicles roadworthy be recorded. These sentiments were endorsed by Councillor AP Ewing, who acknowledged the work of the Mechanic and Depot teams on all their work in keeping the vehicles on the road.

The Chairman requested that it be put on record that future use of electric vehicles as an alternative to current vehicles was currently being considered and explained that Officers faced a number of challenges in relation to the infrastructure of this option.

Following a number of comments by Members of the Committee, it was proposed by Alderman J Baird, seconded by Councillor A Givan, and agreed to recommend that the procurement of four replacement RCV's, and the disposal of four existing RCV's, once the replacements are operational be approved;

6.1 Scheduled Replacement of Four 26 Tonne Refuse Collection Vehicles
(Cont'd)

It was further agreed that a report would be brought back to a future Environmental Services Committee, which would outline the efficiencies made from the newly purchased vehicles.

The Chairman, Councillor M Gregg, advised that Any Other Business would be considered at this point in the meeting.

7. Any other Business (Agenda item 8.0 refers) (00:49:10)

7.1 Sprucefield Park and Ride Public Litter Bin (00:49:18)

Alderman J Baird left the meeting at (6.53 pm).

The Vice-Chairman Councillor C McCreedy queried if there was a public litter bin in place at the Sprucefield Park and Ride, and if not, if one could be installed. It was agreed that the Waste Management and Operational Services Project Manager would investigate and report back to Councillor McCreedy directly on the matter.

8. Confidential Report from the Acting Director of Environmental Services (Agenda item 7.0 refers) (00:50:12)

The Chairman, Councillor M Gregg, advised that the confidential report item would be dealt with "In Committee" due to (1) containing information relating to the financial or business affairs of any particular person (including the Council holding that information), and (2) due to information which is likely to reveal the identity of an individual and (3) information in relation to which a claim to legal professional privilege could be maintained in legal proceedings.

"In Committee"

It was proposed by the Vice-Chairman Councillor C McCreedy, seconded by Councillor A Givan, 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 (6.51 pm).

8.1 T22/23-004 Supply and Delivery of PPE for the Depot
(Agenda item 7.1 refers) (Report to be published following award of contract)

The Committee agreed to recommend that the award of the tender for the Supply and Delivery of Personal Protective Equipment to Safety Solutions Limited be noted.

- 8.2 F22/23-010 Supply and Delivery of Plastic Refuse Sacks (Black Bags)
(Agenda item 7.2 refers)
(Report to be published following award of contract)

Following discussion, the Committee agreed to recommend that the award of the tender for the Supply and Delivery of Plastic Refuse Sacks (Black Bags) to Paramount Packaging (UK) Limited be noted.

- 8.3 Extension of Contract for the Provision of a Dry Material Recovery Facility MRF Extension (Agenda item 7.3 refers)
(Report to be published 1 October 2024)

Alderman J Baird returned to the meeting at (6.56 pm).

It was proposed by Alderman J Baird, seconded by Alderman M Henderson, and agreed to recommend that the recommendation as detailed in the report be approved.

- 8.4 Landlord Registration Scheme (Agenda item 7.4 refers)
(Report will not be made available)

Councillor S Skillen left the meeting at (7.02 pm) and re-joined remotely at (7.05 pm).

Following a number of comments and questions by Members of the Committee It was proposed by Councillor A Givan, seconded by Councillor R McLernon, and agreed to recommend that:

- Lisburn & Castlereagh City Council to act as the host Council for the transfer of the Landlord Registration Scheme, subject to appropriate terms being agreed with DfC be approved; and
- the recruitment of a temporary Project Management Officer to oversee transition and transfer of the Landlord Registration Scheme be approved.

- 8.5 Review of Planning Enforcement, Sustainability and Corporate Energy Resources (Agenda item 7.5 refers)
(Report will not be made available)

The Head of Service (Building Control) presented this item of business and Provided an update on the background and key issues in relation to the above matter.

The Committee agreed to recommend that the agreed restructures as outlined in the report and recruitment of a Climate and Sustainability Officer be noted.

9. Confidential Any Other Business

9.1 JR Proceedings Update (Mullaghaglass Landfill Site)

The Acting Head of Service (Environmental Health) provided a verbal update to the Committee on the above matter. The Committee were advised that the full judgement would be made available to Members on request.

9.2 Cottonmount Landfill Site

Alderman D Drysdale provided a verbal update to the Committee in relation to the arc21 position on the above and asked what plans were in place by the Council going forward. The Acting Director of Environmental Services agreed to provide an update on the matter at a future Environmental Services Committee.

9.3 Future Waste Landfill Regulations

Alderman D Drysdale requested it was brought to Officers attention that by 2030, Westminster was proposing heavy restrictions on landfill waste and waste travelling out of the UK.

Resumption of Normal Business

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

There being no further business, the meeting concluded at 7.17 pm.

Mayor/Chairman