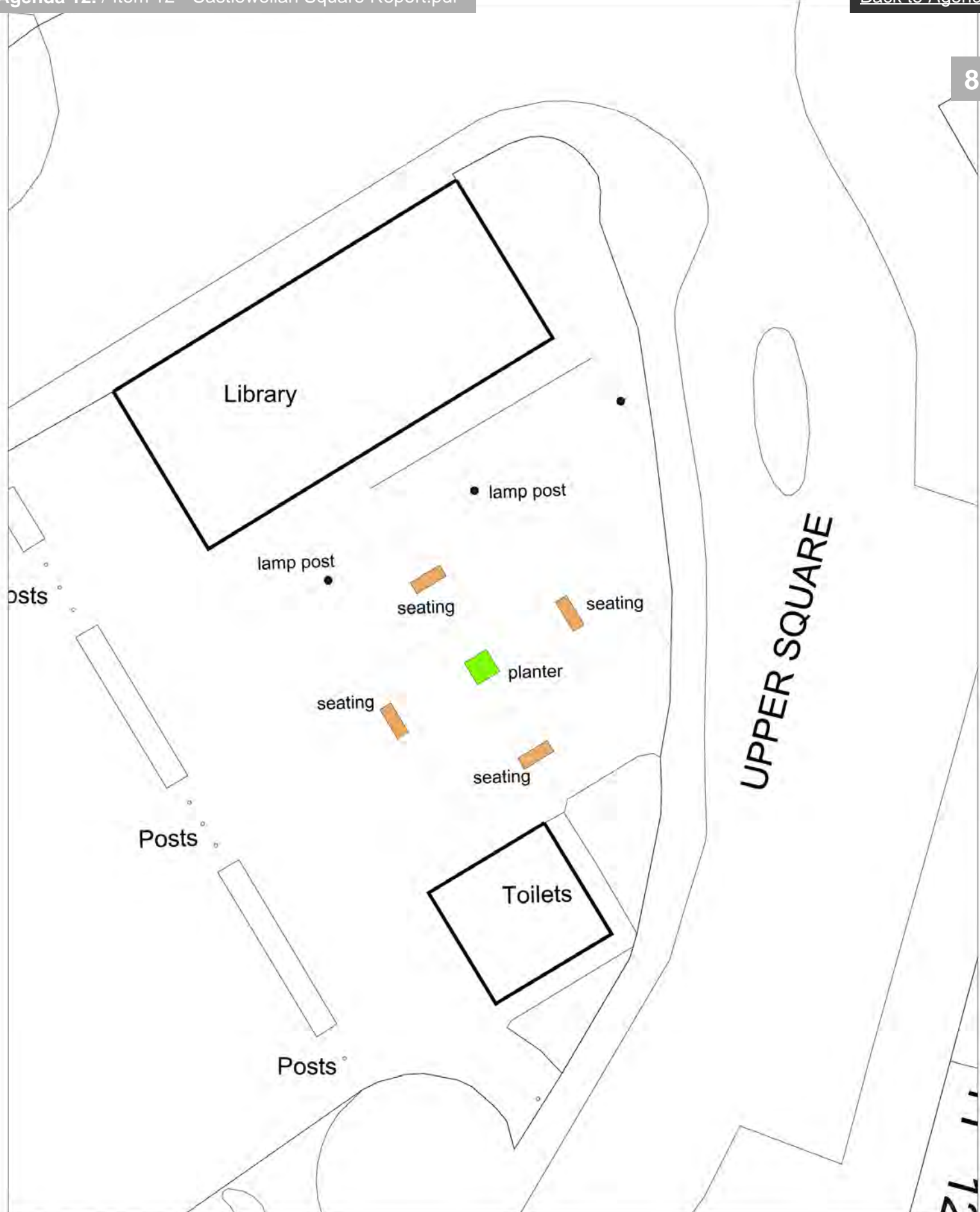


<b>Report to:</b>	Regulatory & Technical Services Committee
<b>Date of Meeting:</b>	17 <sup>th</sup> June 2016
<b>Subject:</b>	Report on options for securing the amenity space at Castlewellan Square, Castlewellan.
<b>Reporting Officer</b>	Canice O'Rourke
<b>Contact Officer</b>	Kevin Scullion


**Decisions required:** Members are asked to note the contents of the report, and consider and agree to the recommendation to provide removable bench seating and a planter in the amenity area between the Library and the Public Toilets as a means of preventing the amenity space being used for ball sports.

<b>1.0</b>	<b>Purpose and Background:</b>
1.1	<p>At the Regulatory and Technical Services committee in May 2016 Councillor Patrick Clarke referred to the amenity space between Castlewellan Library and the Public Toilets. He asserted that in its current open format it was being used for ball sports and this was damaging the walls of the toilets and leading to complaints from the nearby library. Following discussion on the matter the Council agreed the following recommendation:</p> <p><b>It was agreed officers investigate options for securing the amenity space near the Council public toilets in Castlewellan and report back to the Committee.</b></p> <p>Council Officers have visited the site and have liaised with the Library Service staff over their concerns. A letter was also received from the Assets Manager for Libraries Ni expressing his view, a copy of which is attached at Appendix 1.</p> <p>There is a monthly market held in Castlewellan but except for a small number of occasions this is restricted to the adjacent car park area. On at least two occasions the amenity area referred to within this report will be used for stalls, during the May and November markets. It was also used in July this year for the SOMA festival.</p> <p>Advice from staff within the Library in Castlewellan supports the assertion that this open space is being used for playing of ball sports. There is a bus shelter close to this location which would be used by children waiting for transfer buses to and from school. This waiting time provides the opportunity for ball sports to be played in this area.</p> <p>Should the Council decide to incorporate a system for restricting the use of this open space the system will need to be removable so as to accommodate the use of this space for the small number of occasions in the year when it is required.</p> <p>Attached at Appendix 2 is a site plan of the site showing a possible configuration of four benches and a central planter which is proposed as an option for reducing the open space so as to restrict its use for the playing of ball sports. This would be installed in such a way</p>

	that the items can be removed to accommodate the small number of events s that use this space. Apart from reducing the available space it will also provide an area for residents to sit and enjoy the amenity area.
<b>2.0</b>	<b>Key issues:</b>
2.1	<ul style="list-style-type: none"> <li>• The open space provided lends itself to the playing of ball sports. Evidence submitted by Libraries NI asserts that the playing of ball sports in this area has resulted in significant damage to the building fabric. Having recent spend of £230,000.00 refurbishing this Grade B listed building Libraries NI are keen to prevent further damage to the fabric.</li> <li>• The open space is generally not used and although there is a monthly market in the adjacent car park it does not extend into the open space except for the monthly markets held in May and November.</li> <li>• The suggested way forward is at relatively low cost and will in addition to reducing the space available for playing of ball sports provide seating in this area to allow residents to spend more time in this area.</li> </ul>
<b>3.0</b>	<b>Recommendations:</b>
3.1	Agree to provide removable bench seating (4 No) and a planter in the amenity area between the Library and the Public Toilets as a means of preventing the amenity space being used for ball sports.
<b>4.0</b>	<b>Resource implications</b>
4.1	<p>To implement this scheme there would be an initial cost to provide the seating, on- going costs to maintain the provision and a cost to remove the seating and planter when required for use of the open space.</p> <p>It is not expected that this will be a significant cost and has the potential, if successful in stopping this area from being used for ball sports, of reducing the significant maintenance costs as indicated by Libraries NI for their building and damage to our own Public Toilets.</p>
<b>5.0</b>	<b>Equality and good relations implications:</b>
5.1	None
<b>6.0</b>	<b>Appendices</b>
	<p>Appendix 1: Copy of letter from Library Services Ni</p> <p>Appendix 2: Site Plan of Proposed Seating and Planter</p>



Site Plan Scale: 1/500

 <p>Comhairle Ceantair <b>an Iúir, Mhúrn agus an Dúin</b> <b>Newry, Mourne and Down</b> District Council</p>	<p>Project : Proposed street furniture scheme to upper square, Castlewellan</p>	<p>Drawing Title : Site Plan</p>	<p>Scale : 1/500</p>
	<p>Council reference no. :</p>	<p>Drawing no. :</p>	<p>Drawn by : SR</p>



Chief Executive  
Irene M. Knox BA, MBA, Dip Lib

24 June 2016

**Mr Kevin Scullion**  
**Assistant Director**  
**Facilities Management and Maintenance**  
**Oifig an Iúir**  
**Newry Office**  
**Haughey House**  
**Rampart Road**  
**Greenbank Industrial Estate**  
**Newry**  
**T34 2QU**

Dear Kevin

**RE: Castlewellan Library**

Thank you for your email of the 21<sup>st</sup> June regarding the Council owned land adjacent to Castlewellan Library and the on-going issues of damage to our property resulting from activities taking place on Council amenity space.

By way of some background to the problems, you will be aware that Castlewellan Library is housed in the historic former Market House, a Grade B listed building and that we have recently invested a substantial amount (some £230k) in restoring and repairing the property to improve the facilities for the public, safeguard the historic building and maintain the public service.

The extent of our ownership is for all intents and purposes limited to the footprint of the building and the remaining land surrounding it is either in Council ownership or part of the public highway.

Prior to our restoration and refurbishment scheme the building has for many years suffered from damage arising from activities occurring in the open area to the rear of the library ( in front of public toilets) and over time extensive damage has been caused to the natural slate roof by footballs, hurley balls and other objects. We have experienced damage to the fabric of the building including windows being broken, external walls being marked, paint chipped etc., the historic clock tower and clock face have been damaged and guttering has been blocked by various objects thrown from the Council land leading to leaks and water damage internally. Obviously this on-going damage has been a source of deep concern for Libraries NI, financial resources ( often up to £10k per year) which would otherwise be directed to front line services have been diverted to keep the building weather proof and repair damage. The safety of staff and customers is been compromised as various pieces of the building are steadily eroded or broken by

Assets, Lisburn City Library, 23 Linenhall Street, Lisburn, BT28 1FJ  
w: [www.librariesni.org.uk](http://www.librariesni.org.uk) e: [Assets@librariesni.org.uk](mailto:Assets@librariesni.org.uk) t: 028 9263 5325 f: 028 9263 5329

**The Northern Ireland Library Authority**



activities outside our control and the historic and landmark building was left looking run down and poorly maintained as a result of the constant assault.

I have over the years met with various Council officials and Members all of whom have acknowledged there are problems and that the behaviour of a few individuals who insist on using the open space to the rear of the library as a sports arena cannot be allowed to continue however to date and despite the best of intentions little has changed. Having just signed off on a substantial restoration project and investment I would be more concerned than ever that the currently pristine building will quickly become damage again and that this will have a negative impact on how public library services are delivered in Castlewellan in the future.

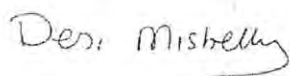
In essence our problems appear to stem from the fact that the Council land provides a large open and unobstructed space in the centre of the town which encourages people to congregate at nights and provides sufficient space for ball games to take place. While I suspect a lot of the damage to the Library is "accidental" and not deliberate acts of vandalism this does not weaken the obvious connection between the activities allowed to happen on the Council property and the level of damage to the historic library building.

I do however appreciate that there is no simple solution and that balancing the financial constraints we are all facing with legitimate uses of the space and the desire to retain the "feel" of the town square makes for a difficult set of conditions. Previous discussions with Council officials and Councillors had produced proposal ranging from increasing "warden" presence in the area at nights to totally landscaping the area but for various reasons these never developed past the proposal stage.

I feel the most effective solution has to be based around breaking up the open nature of the area and making it unappealing as a games venue while providing a "buffer" zone around the library. Presuming the Council will wish to continue to make the area available for the Market(s) it seem to me some form of semi-permanent landscaping in the form of planter boxes or street furniture which could be moved to facilitate the Market or located to allow stalls to operate around them offers the most practical solution. I have attached some sample ideas (you may recognise some from the promenade in Newcastle?).

This is of course my opinion and Libraries NI would be amenable to considering any other potential solutions which you or other specialists may have

Yours Sincerely



Desi Miskelly  
**Assets Manager Libraries NI**

Tel: (028) 92635326  
Email: [desi.miskelly@librariesni.org.uk](mailto:desi.miskelly@librariesni.org.uk)

Assets, Lisburn City Library, 23 Linenhall Street, Lisburn, BT28 1FJ  
w: [www.librariesni.org.uk](http://www.librariesni.org.uk) e: [Assets@librariesni.org.uk](mailto:Assets@librariesni.org.uk) t: 028 9263 5325 f: 028 9263 5329

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w: [www.librariesni.org.uk](http://www.librariesni.org.uk) e: [Assets@librariesni.org.uk](mailto:Assets@librariesni.org.uk) t: 028 9263 5325 f: 028 9263 5329  
The Northern Ireland Library Authority

<b>Report to:</b>	Regulatory & Technical Services Committee
<b>Date of Meeting:</b>	17 <sup>th</sup> August 2016
<b>Subject:</b>	Report on Bus Shelter Requests
<b>Reporting Officer</b>	Canice O'Rourke
<b>Contact Officer</b>	Kevin Scullion

**Decisions required:** Members are asked to note the contents of the report, and consider and agree to the recommendations contained within Appendix 1.

<b>1.0</b>	<b>Purpose and Background:</b>
1.1	<p>The Council is empowered under the Local Government Miscellaneous Provisions (NI) Order 1985, with the consent of the Department of Regional Development to erect and maintain on any road within the district, shelters for the protection from weather of persons waiting to enter public service vehicles.</p> <p>At its Monthly Meeting held on 7<sup>th</sup> September 2015 the Council agreed a policy and set of procedures to be used to address requests for the erection and removal of bus shelters in the Council area.</p> <p>Attached at Appendix 1 is a report providing an update on requests with recommendations provided for approval/consideration.</p>
<b>2.0</b>	<b>Key issues:</b>
2.1	The recommendations provided are in line with Council Policy on bus shelters.
<b>3.0</b>	<b>Recommendations:</b>
3.1	Approve the recommendations contained within Appendix 1.
<b>4.0</b>	<b>Resource implications</b>
4.1	Capital budget within this financial year for provision of bus shelters is £30,000.00.
<b>5.0</b>	<b>Equality and good relations implications:</b>
5.1	None
<b>6.0</b>	<b>Appendices</b>
	Appendix I: Report on Bus Shelter Requests

## **Appendix 1: Report on Bus Shelter Request**

### **Section A: Bus Shelters Requests for consideration to Approve/Decline**

#### **1. New bus shelter at Bus Shelter at Castlewellan Road, Clough**

##### Background & Summary of Findings to date

An initial request was received on 4<sup>th</sup> April 2016 from Sean Rogers MLA for a bus shelter to be erected on Castlewellan Road, Clough bus stop.

Table 1 below summaries consultation process which has been carried out having regard to Council Policy Requirements.

**Table 1**

<b>Consultee</b>	<b>Response</b>	<b>Comment</b>
Transport NI	No objections in principle. Conditions attached – see below.	Complies with Policy
PSNI	No objections in principle. Conditions attached – see below.	Complies with Policy
Translink	17 children use this site in the morning and approximately 15 passengers are collected from the bus stop during the day (Rural Area).	Complies with Policy.
Local property owners/residents within 50 metre radius of proposed site	A survey was sent to 11 addresses. 1 address replied within the timeframe and was in favour of the proposal.	Consultation has not raised any objection. Complies with Policy.

Both Transport NI and PSNI Traffic Management Branch have no objections provided that:

- The shelter is erected at the rear of the footway;
- The shelter structure is of a cantilevered type and be open ended;
- The existing footway width be maintained unobstructed for pedestrians;
- There is a minimum of 0.5m clearance between any part of the shelter structure and the kerb edge.

*A permit also needs to be obtained from DRD Roads Service should we wish to proceed.*



## Recommendation

A canteliver type bus shelter be installed at this location and to include the provision of a seat subject to meeting TNI site requirements.

### **2. Request for new bus shelter at Clanvaraghan Road, Castlewellan**

#### Background & Summary of Findings to date

This request relates to the provision of a bus shelter to accommodate local children travelling to school. A potential location was identified which was deemed to be suitable by Transport NI, PSNI and Translink, however this site was in private ownership. No alternative sites were identified in public ownership.

A request was made to the private landowner to see if they would be willing to allow the Council to place a bus shelter at this location, however they requested that the Council either consider paying an agreed rental income for the use of the site or to consider the purchase of the site.

The Council engaged LPS to provide a valuation for the rental or purchase of the site and the landowner was advised of the view of LPS. The landowner considered that the value for both renting and purchase assigned to the site by LPS was insufficient and was therefore unwilling to proceed further with the matter.

**Recommendation: Remove request for bus shelter at this location from the list due to inability to find a suitable site for the bus shelter.**

### **Section B: Bus Shelter Requests under Consideration**

Table 2 below lists the remaining requests under consideration.

**Table 2**

<b>Location</b>	<b>Date Request Made</b>
Glassdrumman Road, Annalong– new bus shelter (x2)	August 2014
Sandbank/Hilltown Road, Mayobridge – new bus shelter	October 2014
Turleys Crossroads/Prospect Road, Moneyslane – new bus shelter	February 2015

Clanvaraghan Road, Castlewellan – new bus shelter. (See item 2 in section A)	June 2015
Roxborough Road, Dorsey – relocate bus shelter	July 2015
Bryansford Road, Newcastle – new bus shelter	September 2015
Belfast Road, Newry close to Park n Share car park at Sheepbridge – new bus shelter	January 2016
Carnaney/Bavan Road Mayobridge – new bus shelter	February 2016
Ballyhornan village in the main square	July 2016
Killough Rd, Coney Island. Opposite the Caravan park	July 2016

<b>Report to:</b>	Regulatory & Technical Services Committee
<b>Date of Meeting:</b>	17 <sup>th</sup> August 2016
<b>Subject:</b>	Request from Lislea Community Association
<b>Reporting Officer</b>	Canice O'Rourke
<b>Contact Officer</b>	Kevin Scullion

**Decisions required:** Members are asked to note the contents of the report and agree in principle to the recommendation proposed with the report.

<b>1.0</b>	<b>Purpose and Background:</b>
1.1	<p>Lislea Community Association has written to the Council concerning a proposed Play Area and Outdoor Community Space they are seeking funding from funding bodies to develop. They are currently investigating a number of funding sources for this.</p> <p>Copy of their correspondence is attached at Appendix 1 and 2.</p> <p>The Community Association advise that they presented their plans to legacy NMDC in 2013 and obtained agreement from the Council at that time that should the project proceed the Council would take on the responsibility of routine inspection/ maintenance and insurance. The Community Association in their letter is seeking confirmation from the new Council that this commitment would carry forward and that the new Council would confirm that this is the case. They advise that such written confirmation will assist funding applications which they are currently preparing for potential funders</p> <p>However, the actual minute of the meeting referred to above is detailed below and does not provide the commitment referred to.</p> <p><b>AGREED: It was unanimously agreed by all Councillors to support Lislea Community Association's Village Plans with special reference to:</b></p> <ol style="list-style-type: none"> <li><b>1. The Council fully endorse the Lislea Village Plan and in particular the proposed play park and that the relative Council officials advise and support the Lislea Community Association in the identification of funding opportunities for the play park both externally and internally.</b></li> <li><b>2. The new Council consider the Lislea Village Plan with regard to the new play park within the context of the new Strategy for Play Development currently being drawn up for the Newry, Mourne and Down District Council area.</b></li> <li><b>3. Councillors wished it to be recorded that they note this document and associated research, which is at a high level of competence, was prepared and delivered by the Association and they would commend the Association for this approach.</b></li> </ol>

	<p>Committee members will be aware that the Council is currently engaged in a process to develop its own Play Strategy which will guide future development of Play Parks in the Council area.</p> <p>The inspection and maintenance of Play Parks owned by Council is currently undertaken by staff within the Regulatory &amp; Technical Services Directorate who currently undertakes these duties within approximately 120 Play Parks across the district.</p> <p>Our colleagues within the Active and Health Community Directorate are supportive of this project.</p>
<b>2.0</b>	<b>Key issues:</b>
2.1	<ul style="list-style-type: none"> <li>• This proposal could potentially provide a Play Park facility within the Lislea Area with no capital expenditure required from Council.</li> <li>• Council legal advice is that such an agreement would need to be formalised, perhaps by way of a legal agreement, and confirmation received from our Insurers that they would be willing to include this new facility within our list of Insured premises.</li> <li>• The addition of the Play Park to existing facilities will have an impact on staff and revenue resources so as to provide the required inspection and maintenance regime for a facility of this nature.</li> </ul>
<b>3.0</b>	<b>Recommendations:</b>
3.1	Agree in principle to the Lislea Community request for Council to take on the responsibility of routine inspection/ maintenance and insurance of the Lislea Play Park following its development, subject to formal written agreement, format of which to be agreed, and confirmation that the Council Insurers will include the facility as part of the Council s insured facilities.
<b>4.0</b>	<b>Resource implications</b>
4.1	No capital expenditure proposed but there would be an increase in revenue spends to provide Insurance cover and to resource the inspection and maintenance regime required for a facility of this nature.
<b>5.0</b>	<b>Equality and good relations implications:</b>
5.1	None
<b>6.0</b>	<b>Appendices</b>
	<p>Appendix 1: Copy of letter from Lislea Community Association</p> <p>Appendix 2: Artist impression of proposed Paly park</p>



# Lislea Community Association

7 Mountain Road Lislea

Mr Michael Lipsett  
 Director for Active & Healthy Communities  
 Newry, Mourne and Down District Council  
 Downshire Civic Centre  
 Downshire Estate,  
 Ardglass Road  
 Downpatrick BT30 6GQ

3<sup>rd</sup> June 2016

Dear Mr Lipsett,

**Re: Proposed Play Area and Outdoor Community Space at Lislea.**

Lislea Community Association is currently in the process of developing an outdoor community space which was highlighted as one of the action points in the Lislea Village Renewal and Development Plan launched in Feb 2015. The creation of such a facility will provide the community with an innovative and stimulating play space which will enrich the lives of children and young people.

What is being proposed will complement/contribute to the strategic objectives of the Council's Corporate Plan in terms of '*supported improved health and wellbeing outcomes*'. The facility itself will include play equipment, adult fitness equipment, allotments, a meeting area and a community craft shed. I have attached two drawings of the scheme, one a 3D visualisation and the other a layout drawing with details of the equipment.

In 2013, following discussions with local councillors we had a commitment from the former Newry & Mourne Council that, on completion of such a facility, the Council would take on the responsibility of routine maintenance and insurance. Now that our project is moving towards the funding stage and, following the recent restructuring of the Council, I have been asked by the Association to seek confirmation that this commitment still stands. An endorsement that this arrangement still exists would enhance funding applications which we currently are preparing for potential funders.


Can you confirm that above commitment from the Council is still in place?  
 If, following the restructuring of the Council the position has changed, can you in your position of responsibility for community development give such an undertaking or recommend the endorsement of the original commitment to the current Council?



Send Healthy Responses  
 and Forward to  
 Roland B  
 Conor  
 for attention  
 & Reply

If you require any additional information or wish to discuss the matter further please do not hesitate to contact me.

Yours sincerely

  
pp Kathryn Mc Parland  
Chairperson

12 Ballard Road  
Lislea  
Newry  
BT35 9UN





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 Groundwork  
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**HAWTHORN HEIGHTS LIMITED**  
 Proposed Play Area at Lislea Outdoor Community, Camblough, Newry  
 Scheme No: 4579A Date: 07/05/16 Design By: HLL  
 Tel: 01416 411166 Email: hll@hllheights.com







**HAWTHORN HEIGHTS LIMITED**  
 Tel: 028 71 814 816 E-mail: mail@hawthornheights.co.uk  
 Proposed Play Area at Lislea Outdoor Community Space, Camlough, Newry  
 Scheme No: 4579A Date: 24/03/15 Drawn By: SMG

**Experience Playvaale**  
 grounds@playvaale.co.uk  
 Tel: +44 (0)1595 39770 E-mail: sales@playvaale.co.uk



<b>Report to:</b>	Regulatory & Technical Services Committee
<b>Date of Meeting:</b>	17 <sup>th</sup> June 2016
<b>Subject:</b>	Council Representatives attendance at Britain in Bloom RHS Awards Presentation
<b>Reporting Officer</b>	Canice O'Rourke
<b>Contact Officer</b>	Kevin Scullion

**Decisions required:** Members are asked to note the contents of the report and agree to send Council representatives to the RHS Britain in Bloom Awards Presentation on 14<sup>th</sup> October 2016

<b>1.0</b>	<b>Purpose and Background:</b>
1.1	<p>In 2015 Newcastle town was successful in the judging which took place for Ulster in Bloom when it was awarded third prize in the Small Town category with special recognition being given to the efforts being made by the Council in supporting biodiversity in Island Park, Newcastle. Following this success the Council agreed to allow Newcastle to be put forward for Britain in Bloom with the Judges visiting the town on Friday 12<sup>th</sup> August.</p> <p>The town is judged under three themes, horticultural achievement, environmental responsibility and community participation.</p> <p>The Council will find out the results of the Judges assessment at the Presentation to be held on Friday 14<sup>th</sup> October in Birmingham. Five invitations have been extended to the Council to attend the Presentation which will include an Evening meal and an opportunity to meet with the Councils judges to obtain feedback on our entry.</p> <p>Attendance will involve one overnight stay in Birmingham with a return on Saturday.</p>
<b>2.0</b>	<b>Key issues:</b>
2.1	Attendance at this event will allow Council to obtain feedback from the RHS Judges on the steps it is taking within Newcastle within the three above themes and obtain ideas on steps it could take in the future to further advance these themes within Newcastle and beyond.
<b>3.0</b>	<b>Recommendations:</b>
3.1	Council to send one Councillor and one officer to this event.
<b>4.0</b>	<b>Resource implications</b>
4.1	Return Flights to Birmingham plus one overnight stay in Birmingham.
<b>5.0</b>	<b>Equality and good relations implications:</b>
5.1	None
<b>6.0</b>	<b>Appendices</b>
	None

<b>Report to:</b>	Regulatory and Technical Services Committee
<b>Date of Meeting:</b>	17 <sup>th</sup> August 2016
<b>Subject:</b>	NILAS 15/16 – Sharing Protocol
<b>Reporting Officer (Including Job Title):</b>	Canice O'Rourke Director, Regulatory and Technical Services
<b>Contact Officer (Including Job Title):</b>	Joe Parkes Assistant Director, Waste Management

**Decisions required:** To approve the transfer to 664 NILAS tonnes to Ards and North Down Council

<b>1.0</b>	<b>Purpose and Background:</b>												
1.1	<p>To advise the Committee of the NILAS position for 2015/16 and consider the application of the agreed arc21 NILAS transfer protocol.</p> <p>Council has previously endorsed the implementation of the arc21 NILAS Transfer Protocol. The principle of the protocol is for any constituent council, with excess allowances in any given scheme year, to make them available for transfer to any other constituent councils, should they require them to meet their allocation. The adoption and implementation of the protocol ensures that arc21 councils maximise excess allowances, should the need arise, and is a tangible example of arc21 being a beacon of partnership best practice.</p> <p>This protocol gives all arc21 councils some protection in the event they do not meet their allocation for whatever reason e.g. difficulties with a specific scheme, collective capacity management in the interests of efficiency and best value.</p> <p>The protocol has been used in four previous occasions.</p> <p>The final reconciliation for 2015/2016 indicates that Ards and North Down have not met their NILADS target, having used 114.2% of their allowance.</p> <p>(Note, NMD used 62.7% of their allowance).</p> <p>Accordingly and utilising the proportionate percentage of each of the other arc21 councils is asked to transfer allowance to Ards and North Down Borough Council, as indicated below.</p> <table border="1" data-bbox="459 1742 1321 1980"> <thead> <tr> <th>Council</th> <th>Transferr to Ards</th> </tr> </thead> <tbody> <tr> <td>Antrim and Newtownabbey BC</td> <td>535</td> </tr> <tr> <td>Belfast CC</td> <td>1260</td> </tr> <tr> <td>Lisburn &amp; Castlereagh CC</td> <td>528</td> </tr> <tr> <td>Mid and East Antrim BC</td> <td>521</td> </tr> <tr> <td>Newry, Mourne and Down District Council</td> <td>664</td> </tr> </tbody> </table>	Council	Transferr to Ards	Antrim and Newtownabbey BC	535	Belfast CC	1260	Lisburn & Castlereagh CC	528	Mid and East Antrim BC	521	Newry, Mourne and Down District Council	664
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Lisburn & Castlereagh CC	528												
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Newry, Mourne and Down District Council	664												

<b>2.0</b>	<b>Key issues:</b>
2.1	<p>The formal transfer procedure requires that any transfer request must be made to the NIEA before 30th September 2016, with the request being made on the official NILAS 003 form with the original signature of a duly authorised person.</p> <p>The NIEA have also indicated that it would be helpful if the completed form was accompanied with a short letter on the respective council's stationery to assist in streamlining the process.</p> <p>Following submission, the NIEA will undertake a series of checks and, once satisfied the appropriate conditions are met, will update the landfill allowances register and notify all the councils involved that the transactions have been completed.</p>
<b>3.0</b>	<b>Recommendations:</b>
3.1	It is recommended that the Committee endorse the proposed application of the agreed protocol to the Constituent Councils and authorise the Director of Regulatory and Technical Services to sign the form on behalf of the council.
<b>4.0</b>	<b>Resource implications</b>
4.1	None
<b>5.0</b>	<b>Equality and good relations implications:</b>
5.1	N/A
<b>6.0</b>	<b>Appendices</b>
	Appendix I: Form 003

**REQUEST TO TRANSFER****LANDFILL ALLOWANCES FORM**

NILAS 003

<b>Transferor:</b> (District Council 'providing' allowances)	<b>Newry, Mourne and Down District Council</b>
--	--

<b>Transferee:</b> (District Council 'receiving' allowances)	<b>Ards and North Down Borough Council</b>
--	--

Total number of allowances to be transferred <sup>1</sup>	Scheme year <sup>2</sup>	Date transfer agreed
677	2015/16	

**Declaration:**

I declare that I have been authorised by the transferor to submit this transfer request.	
Signature _____	Position _____
Name _____	Date _____
(Block Capitals)	

**Please return this form to:**

NILAS Monitoring Team  
 Control & Operation Unit  
 Northern Ireland Environment Agency  
 Klondyke Building  
 Cromac Avenue  
 Gasworks Business Park  
 Malone Lower  
 Belfast  
 BT7 2JA

Tel: (028) 9056 9428

Fax: (028) 9056 9376

Email: [NILAS@daera-ni.gov.uk](mailto:NILAS@daera-ni.gov.uk)**GUIDANCE NOTES**

1. One allowance is equal to one tonne of Biodegradable Local Authority Collected Municipal Waste (BLACMW).
2. Scheme Year: Enter the scheme year for which the allowances are available to the transferor.
3. A transfer of allowances from one District Council to another District Council can only be transferred from one scheme year to the same scheme year.
4. A request to transfer allowances must be made to the monitoring authority BEFORE the end of the reconciliation period\* for the scheme year in which the transfer is agreed.
5. The monitoring authority is not required to consider a request to transfer allowances, unless it is made on the 'Request to Transfer Landfill Allowances Form'(NILAS 003)

\* reconciliation period means the period of 6 months following the end of a scheme year.



NILAS Monitoring Team  
Land & Resource Management  
Northern Ireland Environment Agency  
Klondyke Building  
Cromac Avenue  
Gasworks Business Park  
Belfast  
BT7 2JA

Date:

Dear Sirs,

The Landfill Allowance Scheme (NI) Regulations 2004 (As amended)  
11<sup>th</sup> Scheme year 2015/16

I refer to your letter of 28 July 2016 in connection with the draft reconciliation position relative to this council.

The wider position has been reviewed with the other councils in arc21 and as a result it is necessary to initiate the arc21 transfer protocol. Accordingly, please find attached the duly completed NILAS 003 form(s) in respect of a request to transfer landfill allowances to Ards and North Down Borough Council from this council.

I trust this will be suitable for your requirements and please do not hesitate to contact me should you have any queries.

Yours faithfully,

<b>Report to:</b>	Regulatory and Technical Services Committee
<b>Date of Meeting:</b>	17 August 2016
<b>Subject:</b>	arc21 Supply & Delivery of Wheeled Refuse Collection Containers, Bottle Banks and Other Suppliers Contract
<b>Reporting Officer (Including Job Title):</b>	Canice O'Rourke Director: Regulatory and Technical Services
<b>Contact Officer (Including Job Title):</b>	Joe Parkes Assistant Director: Waste Management

**Decisions required: Approve the arc21 Joint Committee recommendation, and recommend the same to Council**

<b>1.0</b>	<b>Purpose and Background:</b>
1.1	To seek Committee approval for the arc21 Joint Committee proposed recommendation (30/6/16) relating to: The supply and Delivery of Wheeled Refuse Collection Containers, Bottle Banks and Other Supplies Contract.  The attached arc21 Joint Committee Tender Report (Appendix 1) provides information to the purpose and background of the tender contract.
<b>2.0</b>	<b>Key issues:</b>
2.1	To enable NMD to avail of the favourable prices offered via this Arc21 contract, the Council needs to approve the report.  It is beneficial to draw from this tender as part of the Council's procurement process.
<b>3.0</b>	<b>Recommendations:</b>
3.1	Approve the arc21 Joint Committee recommendation, and recommend the same to Council.
<b>4.0</b>	<b>Resource implications</b>
4.1	No resource implications to Council's procurement process
<b>5.0</b>	<b>Equality and good relations implications:</b>
5.1	No impact
<b>6.0</b>	<b>Appendices</b>
	Appendix I: arc21 Joint Committee Paper & Tender Report

**ITEM 7**  
**IN COMMITTEE**

**The Supply and Delivery of Wheeled Refuse Collection Containers,  
Bottle Banks and Other Supplies Contract**

**Purpose of Report**

To make recommendations arising from the tender action for the Supply and Delivery of Wheeled Refuse Collection Containers, Bottle Banks and Other Supplies Contract.

**Executive Summary**

The report addresses the procurement exercise in relation to the appointment of a service provider for the provision of the Supply and Delivery of Wheeled Refuse Collection Containers, Bottle Banks and Other Supplies Contract.

The Joint Committee is asked to approve the recommendations outlined in the report.

**Report**

**The Supply and Delivery of Wheeled Refuse Collection Containers, Bottle Banks and Other Supplies Contract**

Having identified the requirement for the renewal of the Supply and Delivery of Wheeled Refuse Collection Containers, Bottle Banks and Other Supplies Contract, previous tender action was initiated in accordance with the EU Open Procedure on the 13<sup>th</sup> February 2016 by the placing of a Tender Notice in the Official Journal of the European Union followed by website and local press advertisements.

Of the 16 Lots previously advertised, submissions were received for eight of these Lots.

A requirement still remained for the eight Lots that bids were not received for and therefore, further tender action was initiated in accordance with the EU Open Procedure on the 26<sup>th</sup> April 2016 by the placing of a Tender Notice in the Official Journal of the European Union followed by website and local press advertisements.

The Tender Evaluation report is attached at Appendix 1.

**Recommendations**

It is recommended that:

- A contract is awarded to MGB Plastics for Lot 5 for the Supply and Delivery of 7 Litre Vented Kitchen Caddies.

- A contract is awarded to MGB Plastics for Lot 6 for the Supply and Delivery of 7L Non Vented Kitchen Caddies.
- A contract is awarded to MGB Plastics for **Lot 7** for the Supply and Delivery of 20 – 25L Non Vented Kitchen Caddies.
- A contract is awarded to Mattiussi Environmental Ltd for **Lot 8** for the Supply and Delivery of Home Compost Units with Kitchen Caddies.
- A contract is awarded to MGB Plastics for **Lot 9** for the Supply and Delivery of 55L Kerbside Boxes with Full Perimeter Rim and Lid.
- A contract is awarded to MGB Plastics for **Lot 10** for the Supply and Delivery of 55L Kerbside Boxes with Moulded Handles, Full Perimeter Rim and Lid.
- A contract is awarded to Sturdy Products Ltd for **Lot 11** for the Supply and Delivery of 660 Litre Plastic Wheeled Refuse Collection Containers.
- A contract is awarded to Mattiussi Environmental Ltd for **Lot 15** for the Supply and Delivery of Bottle Banks.

#### **Action to be Taken**

The Joint Committee is asked to consider and approve the recommendations.

#### **Officer to Contact**

Ricky Burnett  
Policy & Operations Director  
Tel: 028 90 726333 Ext: 6677  
Email: [ricky.burnett@arc21.org.uk](mailto:ricky.burnett@arc21.org.uk)

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**APPENDIX 1**



**The Supply and Delivery of Wheeled Refuse Collection Containers, Bottle Banks and Other Supplies Contract**

**Tender Report**

**June 2016**



**CONTENTS**

<b>1.0</b>	<b>PURPOSE</b>
<b>2.0</b>	<b>BACKGROUND</b>
<b>3.0</b>	<b>CONTRACTUAL /PROCUREMENT DOCUMENTS</b>
<b>4.0</b>	<b>PROCESS</b>
<b>5.0</b>	<b>CONCLUSIONS</b>
<b>6.0</b>	<b>RECOMMENDATIONS</b>

**1.0 Purpose**

**1.1** To make recommendations arising from tender action for the Supply and Delivery of Wheeled Refuse Collection Containers, Bottle Banks and Other Supplies Contract for arc21.

**2.0 Background**

**2.1** Having identified the requirement for the renewal of the Supply and Delivery of Wheeled Refuse Collection Containers, Bottle Banks and Other Supplies Contract, previous tender action was initiated in accordance with the EU Open Procedure on the 13<sup>th</sup> February 2016 by the placing of a Tender Notice in the Official Journal of the European Union followed by website and local press advertisements.

**2.2** Of the 16 Lots previously advertised, submissions were received for eight of these **Lots**.

**2.3** A requirement still remained for the eight Lots that bids were not received for and therefore, further tender action was initiated in accordance with the EU Open Procedure on the 26<sup>th</sup> April 2016 by the placing of a Tender Notice in the Official Journal of the European Union followed by website and local press advertisements.

**3.0 Summary of Contractual / Procurement Documents – Open Procedure****3.1 Tender Documents**

The main elements of the tender documents originally released to the market as part of the open competition are as follows:

**3.1.1 Invitation to Tender**

The Invitation to Tender (ITT) document set out the Authority's requirements and explained the format in which responses were to be made by interested suppliers.



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arc21's requirements were divided into 8 separate Lots as follows:

**Lot 5** – The supply and delivery of 7 Litre Vented Kitchen Caddies;

**Lot 6** – The supply and delivery of 7 Litre Non-Vented Kitchen Caddies;

**Lot 7** – The supply and delivery of 20 – 25 Litre Non Vented Kitchen Caddies;

**Lot 8** – The supply and delivery of Home Compost Units with Kitchen Caddies;

**Lot 9** – The supply and delivery of 55 Litre Kerbside Boxes with Full Perimeter Rim;

**Lot 10** – The supply and delivery of 55 Litre Kerbside Boxes with Moulded Handles and Full Perimeter Rim;

**Lot 11** – The supply and delivery of 660 Litre Plastic Wheeled Refuse Collection Containers;

**Lot 15** – The supply and delivery of Bottle Banks;

There were separate competitions conducted in respect of each of these eight Lots.

### 3.1.2 Specification

The specification required Tenderers to demonstrate through a Supplier Proposal the proposed approach to providing aspects relevant to the contract including Availability and Delivery of Goods, Quality of Goods and Finance and Admin. Tenderers were also required to provide further details of the Goods they were bidding for including certificates, full details of the Goods, the source and supply of the materials to be used in manufacture etc.

### 3.1.3 Objective:

To provide availability of supply of wheeled refuse collection containers complying with EN 840: 2004. All wheeled refuse collection containers, 55L kerbside boxes, home compost units, kitchen caddies, bottle banks were to be manufactured by a system conforming to the requirements of BS EN ISO 9001 for arc21.

### 3.1.4 Conditions of Contract / Pricing Mechanism

- (a) Supply contracts for Wheeled Refuse Collection Containers, 55L Kerbside Boxes, Bottle Banks, Home Compost Units, Kitchen Caddies and Compostable Kitchen Caddy Liners.
- (b) Fixed price per full load,  $\frac{3}{4}$  load,  $\frac{1}{2}$  load and  $\frac{1}{4}$  load for 55L Kerbside Boxes and Home Compost Units and Caddies for supply and delivery.
- (c) Fixed price per full load,  $\frac{1}{2}$  load, 20 and 10 units for Wheeled Refuse Collection Containers of 660 litres and over and Bottle Banks for supply and delivery.

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- (d) Prices required being valid for periods up to 12 months from award.
- (e) No price indexation arrangement.
- (f) No minimum guaranteed quantities.
- (g) No exclusivity of supply.
- (h) Liquidated damages applied for failure to deliver the Goods by the Agreed Delivery Date.

### 3.1.5 Other Considerations

3.1.5a As no financial commitment exists, there is not a requirement for all Councils to approve the contract subsequent to the Joint Committee but rather only prior to them placing any order on an individual basis.

3.1.5b Orders should be placed in designated quantities of full load,  $\frac{3}{4}$  load,  $\frac{1}{2}$  load,  $\frac{1}{4}$  load, 20 or 10 units where applicable (see Annex I). If Councils wish to order different quantities they must combine orders with other constituent Councils' orders.

## 4.0 Process

### 4.1 Tenders Received

- (a) The closing date for tender submissions was 12:00, Wednesday 25<sup>th</sup> May 2016.
- (b) Three tender submissions were returned electronically by the closing date. The submissions were from the following suppliers:
  - Mattiussi Environmental Ltd (for Lots 5, 6, 7, 8 and 15)
  - MGB Plastics (for Lots 5, 6, 7, 9 and 10)
  - Sturdy Products Ltd (for Lots 5, 6, 7, 8, 9, 10 and 11)

### 4.2 Evaluation

The tender submissions were evaluated in accordance with the criteria stated in the tender documentation.

The weightings of the Cost and Technical assessment sections were 70% and 30% respectively.

The results of the evaluation follow below and comprise the remainder of this report.

#### 4.2.1 Completeness

The tender submissions were checked for completeness and following minor post tender clarification were found to be satisfactory and capable of acceptance.



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## 4.2.2 Technical and Quality

The Tender Evaluation Panel reviewed the Supplier Proposal's of the tender submissions.

The following elements were evaluated:

- Availability and Delivery of Goods
- Quality of Goods
- Finance and Administration

## 4.2.3 Cost Evaluation

Bid prices were used to calculate the cost score for each bidder. This score was added to the score for quality and each bidder ranked in order.

The actual price per unit will be dependent on the quantity ordered and are shown in Annex I at the end of the report.

Cost Evaluation scores for each Tender for each Lot were calculated according to the following formula:

The Tender with the lowest average cost shall be awarded full marks (i.e. 70%). The score for other Tenders will be calculated using the following formula:

Lowest Average Cost Per Unit

*DIVIDED BY*

Average Cost Per Unit received by the Tender being evaluated

*MULTIPLIED BY 70%*

The average cost per unit is calculated by adding together the cost per unit in each load option divided by the number of load options.

## 4.2.4 Colour

Wheeled Refuse Collection Containers are available in grey, brown, blue and green.

Kitchen Caddies are available in black, green and brown.

**5.0 Conclusions**

- 5.1 As noted above, a full evaluation has been carried out on the final tender submissions in accordance with the criteria set out in the procurement documents relating to cost and technical issues.



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**6.0 Recommendations****6.1** It is recommended that:

A contract is awarded to MGB Plastics for **Lot 5** for the Supply and Delivery of 7 Litre Vented Kitchen Caddies.

A contract is awarded to MGB Plastics for **Lot 6** for the Supply and Delivery of 7L Non Vented Kitchen Caddies.

A contract is awarded to MGB Plastics for **Lot 7** for the Supply and Delivery of 20 – 25L Non Vented Kitchen Caddies.

A contract is awarded to Mattiussi Environmental Ltd for **Lot 8** for the Supply and Delivery of Home Compost Units with Kitchen Caddies.

A contract is awarded to MGB Plastics for **Lot 9** for the Supply and Delivery of 55L Kerbside Boxes with Full Perimeter Rim and Lid.

A contract is awarded to MGB Plastics for **Lot 10** for the Supply and Delivery of 55L Kerbside Boxes with Moulded Handles, Full Perimeter Rim and Lid.

A contract is awarded to Sturdy Products Ltd for **Lot 11** for the Supply and Delivery of 660 Litre Plastic Wheeled Refuse Collection Containers.

A contract is awarded to Mattiussi Environmental Ltd for **Lot 15** for the Supply and Delivery of Bottle Banks.

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**ANNEX I - SUMMARY OF PRICES**

Supplier	Container	Price/unit		Price/unit		Price/unit		Quantity	Price/unit	Quantity	Price/unit
		Quantity	Price/unit	Quantity	Price/unit	Quantity	Price/unit				
MGB Plastics	7L Vented Kitchen Caddies	16,848	£0.80	12,636	£0.82	8,424	0.86	4,212	£0.95		
MGB Plastics	7L Non Vented Kitchen Caddies	16,848	£0.78	12,636	£0.80	8,424	£0.84	4,212	£0.93		
MGB Plastics	20 – 25L Non Vented Kitchen Caddies	6,720	£2.19	5,040	£2.22	3,360	2.35	1,680	£2.51		
Mattiussi Environmental Ltd	Home Compost Units with Kitchen Caddies	510	26.52	380	28.06	255	28.06	130	28.56		
MGB Plastics	55L Kerbside Boxes with Full Perimeter Rim and Lid	5,808	£3.28	4,356	£3.33	2,904	£3.43	1,452	£3.71		
MGB Plastics	55L Kerbside Boxes with Moulded Handles, Full Perimeter Rim and Lid	4,620	£3.23	3,465	£3.29	2,310	£3.41	1,155	£3.75		
Sturdy Products Ltd	660L Plastic Wheeled Refuse Collection Containers	155	£89.00	75	£93.00	20	£95.00	10	£99.00		
Mattiussi Environmental Ltd	Bottle Banks	48	£422.30	24	£499.23	20	£499.23	10	£521.90		



NILAS Monitoring Team  
 Control & Operations Unit  
 Northern Ireland Environment Agency  
 Klondyke Building  
 Cromac Avenue  
 Gasworks Business Park  
 Lower Ormeau Road  
 Malone Lower  
 Belfast  
 BT7 2JA

Email: [NILAS@daera-ni.gov.uk](mailto:NILAS@daera-ni.gov.uk)

28<sup>th</sup> July 2016

Mr Canice O'Rourke  
 Director Regulatory & Technical Services  
 Newry Mourne & Down District Council  
 Monaghan Row  
 Newry  
 Co Down  
 BT35 8DL

Our Ref: **Newry Mourne & Down District Council/ Draft Reconciliation 2015/16**

Dear Mr O'Rourke,

**The Landfill Allowance Scheme (NI) Regulations 2004 (As amended)  
 11<sup>th</sup> Scheme Year 2015/16 – Draft Reconciliation**

Under Regulation 13 of the above Regulations, the Monitoring Authority (NIEA) is required to prepare a draft reconciliation in relation to each District Council no later than 5 months after the end of the scheme year.

Regulation 14 requires the Monitoring Authority as soon as reasonably practicable after the end of the reconciliation period to reconcile the allowances available with the amount of Biodegradable Local Authority Collected Municipal Waste (BLACMW) sent to landfill as calculated under Regulation 13.

Through WasteDataFlow **Newry Mourne & Down District Council** has submitted quarterly returns for the scheme year 2015/16. From these returns NIEA has calculated<sup>1</sup> the amount of Biodegradable Local Authority collected Municipal Waste (BLACMW) sent to landfill by each District Council for the scheme year 2015/16.



**The total amount of BLACMW sent to landfill by Newry Mourne & Down District Council, for the scheme year 2015/16, was 16,211 tonnes\* equating to 61.42% utilisation of the 26,396 allocated allowances available for the scheme year.**

To date, the Monitoring Authority has not received any requests for the transfer or borrowing of allowances for the scheme year 2015/16.

\* As part of the monitoring of the Regulations NIEA will be continuing with its audit schedule relating to the scheme year 2015/16, and therefore the draft reconciliation figures may be subject to change.

Please do not hesitate to contact us with any queries.

Yours sincerely,



Adrian Gregory (Dr)

**Land Resource Management Unit**

Cc: Regional Waste Management Group

<sup>1</sup>The mass balance is detailed at:

[http://wastedataflow.org/documents/guidancenotes/NorthernIreland/LandfillAllowanceScheme/KPI\\_\(g\)\\_DC\\_Mass\\_Balance\\_Schematic\\_v4.pdf](http://wastedataflow.org/documents/guidancenotes/NorthernIreland/LandfillAllowanceScheme/KPI_(g)_DC_Mass_Balance_Schematic_v4.pdf)

<b>Report to:</b>	Regulatory and Technical Services Committee
<b>Date of Meeting:</b>	17 August 2016
<b>Subject:</b>	Drumanakelly Wind Turbine Project
<b>Reporting Officer (Including Job Title):</b>	Canice O'Rourke Director Regulatory and Technical Services
<b>Contact Officer (Including Job Title):</b>	Joe Parkes Assistant Director: Waste Management

### Decisions required: Grant permission to approve single tender action relating to B9 Energy and Drumanakelly Wind Turbine Project

<b>1.0</b>	<b>Purpose and Background:</b>
1.1	The Drumanakelly Wind Turbine Project had a partnership agreement with the firm Simple Power to operate a wind turbine at Drumanakelly Landfill Site. The proposal was for Simple Power to install a 250kW wind turbine covering the capital costs of the project and the Council receiving an annual payment for the rental of the land.
1.2	This year saw the closure of the Northern Ireland Renewables Obligation (NIRO) to new onshore wind, which was the financial driver for such schemes. Wind turbine schemes which had not started, but could be operational before the end of March could still avail the NIRO payments.
1.3	Simple Power have now confirmed that they are unable to secure the required grid connection for the wind turbine at Drumanakelly before March 2017 and therefore the project was no longer feasible.
1.4	B9 Energy who manage the landfill gas at Drumanakelly Landfill do have a grid connection for the site and they operate wind turbines as part of their business. Taking into consideration the tight time schedule for the Drumanakelly Wind Turbine Project to meet NIRO requirements, B9 Energy are the only company who could make the project work.
1.5	The Wind Turbine Project helps to promote renewable energy and has the potential to generate an estimated income of £10,000 p.a. for twenty years.
<b>2.0</b>	<b>Key issues:</b>
2.1	Simple Power are unable to secure a grid connection for the Wind Turbine Project at Drumanakelly Landfill before March 2017.
2.2	The closure of the Northern Ireland Renewables Obligations (NIRO) to new onshore wind has meant wind turbines, which are not operational before March 2017 are not financially feasible.
2.3	The Drumanakelly Wind Turbine Project needs to be up and running before the end of March 2017.
2.4	B9 Energy are the only company who could, at this point, make the project work.

2.5	The timeline is tight, however could still be achievable.  The procurement of the project with B9 Energy would be covered as a 'single tender action'.
<b>3.0</b>	<b>Recommendations:</b>
3.1	Approve the single tender action, so that officers can approach B9 Energy in a bid to complete the wind turbine project before the end of March 2017
<b>4.0</b>	<b>Resource implications</b>
4.1	No real resource implications, due to the council only renting the land out as part of the project.
<b>5.0</b>	<b>Equality and good relations implications:</b>
5.1	No impact



<b>Report to:</b>	Regulatory and Technical Services Committee
<b>Date of Meeting:</b>	17 August 2016
<b>Subject:</b>	Final Capping Tender Aughnagun Landfill Site
<b>Reporting Officer (Including Job Title):</b>	Canice O'Rourke Director Regulatory and Technical Services
<b>Contact Officer (Including Job Title):</b>	Joe Parkes Assistant Director: Waste Management

<b>Decisions required: Grant permission to award Tender for final capping works at Aughnagun Landfill Site</b>	
<b>1.0</b>	<b>Purpose and Background:</b>
1.1	Aughnagun Landfill Site closed last year and is in the process of its final closure plan. As part of this, the site needs to carry out the final capping of the site. At the March Regulatory & Technical Services Committee, approval was given to tender for this work, which was ratified by Council in April.
1.2	It had been estimated the cost for final capping would be approximately £300,000. Three tender submissions were received and after evaluation the preferred bidders was £385,925, inclusive of a model compensation event (£341,861.25 excluding model compensation event). The second bidder had a similar price, which would indicate this is the likely cost for the capping works.
1.3	The Council has a financial provision for Aughnagun to allow for the closure and upkeep of the landfill site. This money will be used and covers the funding of this project.
<b>2.0</b>	<b>Key issues:</b>
2.1	As part of the Aughnagun closure plan, the site needs to be capped to meet NIEA requirements. This project plays a key part in the closure and restoration of the site and therefore needs to be fully implemented.
2.2	The Committee needs to approve the tender spend as it is above the estimated figure.
2.3	The capping of the site will help to reduce ongoing leachate costs.
<b>3.0</b>	<b>Recommendations:</b>
3.1	Approval is granted to progress the tender for the final capping works at Aughnagun Landfill Site
<b>4.0</b>	<b>Resource implications</b>
4.1	The resources to carry out this work through the tender is covered by the financial provision
<b>5.0</b>	<b>Equality and good relations implications:</b>
5.1	No impact

**ACTIONS TRACKING UPDATE****REGULATORY & TECHNICAL SERVICES COMMITTEE**

<b>DATE OF MEETING /AGENDA ITEM</b>	<b>SUBJECT</b>	<b>DECISION</b>	<b>FOR COMPLETION BY DIRECTOR – including actions taken/date completed or progress to date if not yet completed</b>
		<b>RTS MEETING – 18 MAY 2016</b>	
RTS/76/2016	Trees at Kilbroney Municipal Cemetery, Rostrevor	<b>Request for removal of 10 silver birch trees along boundary line between Kilbroney Old Cemetery and the Council’s Municipal Cemetery.</b>	Completed
RTS/77/2016	Additional off -road car parking at Kilbroney Municipal Cemetery Rostrevor	<b>Officers undertake a feasibility study into request to provide additional off street car parking at Kilbroney Municipal Cemetery, Rostrevor, and as part of the study to consider best use of the piece of ground identified for possible parking as opposed to using the greenfield site.</b>	No progress to report as yet.
RTS/78/2016	Council Public Amenity Space near the Council public toilets at Castlewellan	<b>Officers investigate options for securing amenity space near Council public toilets Castlewellan and report back to Committee. Also agreed officers investigate what happened to the bangor blue slates formerly on roof of building recently renovated.</b>	Report provided to Committee Meeting 17 August 2016.

RTS/87/2016	Tender for final capping at Drumanakelly Landfill Site	<b>Agreed to tender for the final capping at Drumanakelly Landfill Site.</b>	Ongoing tender process, working on a two stage programme.
RTS/88/2016	Dog fouling bins and street cleansing schedule	<p><b>Agreed officials investigate provision of additional dog fouling bins at Carlisle Park/Piney Hill Ballynahinch.</b></p> <p><b>Officials investigate increasing street cleansing at Riverside Walk Ballynahinch to a weekly cleanse, given that anti-social behaviour was taking place at this location, resulting in a lot of broken glass.</b></p> <p><b>Officials contact Clanmil Housing Association who were developing housing at this location, to make them aware of the anti-social behaviour which was occurring and to see if they would consider installing CCTV on their premises in an attempt to stop these activities.</b></p>	<p>Completed</p> <p>Completed</p> <p>Completed</p>
		<b>RTS MEETING – 20 April 2016</b>	
RTS/53/2016	Confirmation of Home Composter Price	<b>Mr L Dinsmore contact Councillor Hanna regarding a request for a blue bin to his commercial premises.</b>	Completed
RTS/54/2016	Dust/residue at Carnbane Industrial Estate Newry	<b>Letter to the NIEA regarding issues raised by Councillors on behalf of local residents, including request that if an issue was raised on a particular day, e.g. a recent complaint about smoke emissions, that an inspector</b>	Completed



		<p><b>investigate incident on the day reported.</b></p> <p><b>C O'Rourke to raise the issues of concern with NIEA Client Manager for the Council area.</b></p> <p><b>Environmental Health Department be made aware of the complaints made by residents and investigate.</b></p>	<p>Completed</p> <p>Completed</p>
RTS/60/2016	Opening and closing of toilets in Newcastle	<p><b>An audit/review of all Council owned toilets be carried out looking at issues such as usage; consultation with users; possibility of charging a minimal fee for usage with any money raised to be put back into upgrading toilet facilities; details of cleaning schedules; opening/closing times; extended opening hours during busy periods. A report be brought back to a subsequent R&amp;TS Meeting on these issues.</b></p>	<p>Ongoing</p> <p>Collating data in relation to public toilet provision</p>
RTS/68/2016	Lease of land at Greenbank Industrial Estate Newry	<p><b>CLOSED SESSION ITEM</b></p> <p><b>The Council to enter into a Lease Agreement with Southern Group Enterprises for use of 37 car parking spaces at their premises located within the Greenbank Industrial Estate, Newry.</b></p>	Completed
RTS/69/2016	Capital Expenditure Projects	<p><b>CLOSED SESSION ITEM</b></p> <p><b>Council Officials to initiate steps, including issuing of tenders, to complete capital projects agreed for this financial year:-</b></p> <ul style="list-style-type: none"> <li>• <b>Provision of new central heating system to Bunscoil an Iuir</b></li> <li>• <b>Provision of new Christmas illuminations/decorations</b></li> <li>• <b>Refurbishment works to Castlewellan</b></li> </ul>	Completed

<b>Community Centre</b>			
		<b>RTS MEETING – 17 FEBRUARY 2016</b>	
RTS/21/2016	Review of bin charges	<b>The cost of the blue and brown bins be reduced by 50%.</b>	Completed
RTS/32/2016	Aughnagun Cell 5 Steep Wall Lining Final Account	<b>Approve the final account payment relating to Aughnagun's Cell 5 Steep Wall Lining in the sum of £270,000.00 as detailed in the report circulated at the meeting.</b>	Completed
RTS/33/2016	Agreed Mix Dry Recyclables Processing Contract	<b>Approve the proposed award of the contract for the processing of the Mixed Dry Recyclables collected across the Newry, Mourne and Down District, with the processing being carried out under two different "lots", dependent on the source of the materials. The contract be awarded for one year, with the option to extend for a further year.</b>	Completed
RTS/34/2016	Delays in the payment of grants	<b>Request of Councillor Reilly – C Jackson clarify if there were any delays in Building Control processing applications for grants such as replacement central heating boilers as other agencies were telling customers that the delay in paying out grants lay with Building Control.</b>	Completed
		<b>RTS MEETING – 20 JANUARY 2016</b>	
<b>20 January 2016</b>	No outstanding issues		
		<b>RTS MEETING – 9 DECEMBER 2015</b>	
RTS/140/2015	Application for funding to provide a pathway to	<b>Officials investigate if there were other Council owned graveyards that had access issues.</b>	Report to be provided in September 16.

	Dechomet Graveyard		
RTS/142/2015	Old Furniture at Council Recycling Sites	<b>Council adopt a policy that people leaving old furniture at Council amenity sites be given the opportunity to donate it to charity and that expressions of interest be sought from charitable organisations to collect this furniture for upgrading and re-use.</b>	Ongoing Putting together expressions of interest document
		<b>RTS MEETING – 18 NOVEMBER 2015</b>	
RTS/122/2015	Improvements to grass verge at entrance to Ardglass	<b>Council Officers, in conjunction with Transport NI and relevant private landowners, meet to discuss what improvement can be carried out to this area.</b>	Report provided to Committee 17 August 2016
RTS/123/2015	Lease agreement – Hilltown Handball Court	<b>Council enter into a lease agreement in respect of Hilltown Handball Court.</b>	.
RTS/124/2015	Bus shelter requests	<b>Councillor Casey referred to the bus shelter on the Old Warrenpoint Road and said it was being used for anti-social behaviour purposes - officials investigate if this could be moved and report back to the Committee.</b>  <b>Councillor Casey asked if officials could investigate if a bus shelter could be provided on the Drummond Road, off the Armagh Road if this area was in the Newry, Mourne and Down Council area.</b>  <b>A letter to Transport NI asking them to</b>	Report to be provided at September Committee Meeting  3 possible locations identified. Councillor Casey advised and is to consult with residents to determine which site is requested.



		<b>provide financial assistance to the Council for the provision of bus shelters as it was their policy to encourage the public to use public transport.</b>	No progress to report.
RTS/125/2015	Proposed extension to Struell Cemetery	<b>To approve the report and recommendations for the issue of a tender or a main contractor to carry out the works at Struell Cemetery for a proposed extension at an estimated cost of £125,000 and also to reallocate £125,000 from the Capital Budget 2015/2016 to Capital Budget 2016/2017 for expenditure on the proposed extension to Lough Inch Cemetery.</b>	Update, to be provided to Committee in September.
RTS/129/2015	Memorandum of Understanding Transport NI – removal of snow and ice	<b>Adopt the Memorandum of Understanding of partnering arrangements between DRD Transport NI and District/Borough Councils of Partnering for clearing busy town centre footways and pedestrian areas of snow and ice.</b>  <b>It was also agreed: To seek a chemical analysis from Transport NI to ensure that salt used on footways poses no health hazard to people.</b>  <b>The following areas be included for snow and ice removal: Bridge Street Kilkeel Greencastle Street Kilkeel Newcastle Street Kilkeel</b>	Completed

		<b>Newry Street Kilkeel Lower Square Castlewellan The Square/ main shopping area Warrenpoint</b>	
RTS/134/2015	Tender report – Integrated Design Team Services – Household Recycling Centre, Downpatrick	<b>Accept the tender received from Economic Operator 1 for integrated design team services for the development of a Household Recycling Centre at Killough Road Downpatrick.</b>	Design team appointed. Now working on HRC design and development of HRC at the Killough Road site.
		<b>RTS MEETING – 21 OCTOBER 2015</b>	
<b>21 October 2015</b>	No outstanding issues		
		<b>RTS MEETING – 23 SEPTEMBER 2015</b>	
<b>23 September 2015</b>	Picnic tables at Lindsey's Hilltown	<b>Officials re-investigate the possibility of Replacing missing picnic tables at this location.</b>  <b>Council's Maintenance Inspection Officers investigate the closing off of a road/access route with boulders on the Leode Road, Hilltown and report back to Councillor Fitzpatrick as to who would be responsible for removing these boulders.</b>	
		<b>RTS MEETING – 19 AUGUST 2015</b>	
RTS/63/2015	Dechomet	<b>Council Officers explore the possibility of</b>	

	Graveyard, Ballyward – Capital Scheme for Pathway Access	<b>sourcing funding for this work from a specific stream within the Big Lottery Heritage fund and report back to the Committee.</b>	
		<b>RTS MEETING – 17 JUNE 2015</b>	
RTS/73/2015	Japanese Knotweed and Giant Hogweed, Rossmara Park, Warrenpoint	<p><b>Appoint external contractors to carry out works to rebuild the wall in line with Building Control and engineer reports.</b></p> <p><b>Clarification from the Council's Solicitor with regards to the expenditure of accrued money from the legacy Newry and Mourne District Council for the maintenance of the wall.</b></p> <p><b>To convene a meeting with the Housing Executive at the highest level to ascertain maintenance of this area after Japanese knotweed and giant hogweed has been eradicated and works to the wall completed.</b></p>	Engineering Company going on site 22 August 2016.
RTS/40/2015	Crematorium in the NMD Area	<b>Funding be included in the Draft 2016/2017 Capital Programme for the possible provision of a crematorium in the Newry, Mourne and Down District Council area.</b>	Capital estimates will be included for consideration by Council in determining next year's budget and capital plan.
RTS/40/2015	Provision of a Council pest control service	<b>Refer to the Active and Healthy Communities Committee with a report detailing the costs of providing the service and a recommendation</b>	AHC Director informed



		<b>that these costs should be included in the 2016/2017 Draft Budgets.</b>	
RTS/44/2015	Proposed Mini Pillar Installation at Hillside Drive, Kilkeel	<b>Permission for Council officials to review options for providing electricity to the Council owned outdoor facility at Hillside Drive, Kilkeel, and to provide a report including estimated cost of options, potential funding for options and how each of the options would be managed in the future.</b>	Options being reviewed.
RTS/46/2015	Summary Review Report – Reservoir Bill (NI) Future	<b>To include the costs of this survey work in the 2016/2017 Rate Estimates with a view to carrying out the Reservoir Surveys in the spring of 2016.</b>	Estimates costs will be added for consideration to next year's budget estimates.
		<b>RTS MEETING – 20 MAY 2016</b>	
<b>20 May 2015</b>	No outstanding issues		
<b>END</b>			



Department of  
**Agriculture, Environment  
and Rural Affairs**  
www.daera-ni.gov.uk

**Department of Agriculture, Environment & Rural Affairs  
Marine & Fisheries Division**

**LICENCE ISSUED UNDER THE MARINE AND COASTAL ACCESS ACT 2009, PART 4, MARINE  
LICENSING**

**MARINE CONSTRUCTION LICENCE**

**Licence for the construction of ferry terminal facilities on land adjacent to  
80 Greencastle Pier Road, Greencastle, Co. Down**

**Licence Number:** ML 33/12 – Variation 1

**Part 1 - Particulars**

**1. Licensee(s) Name & Address:**

Mr. Paul O'Sullivan  
Frazer Ferries Ltd  
23 Howleys Quay  
Limerick  
Ireland

L & M Keating Limited  
Kilmihil  
Kilrush  
Co. Clare

**2. Names, and operators, of the vessels to be employed to undertake or support the deposit, relocation or  
removal operations:**

N/A

**3. Description of works and nature and quantity of all deposits below Mean High Water Springs:**

- Construction of a reinforced concrete suspended pier supported by vertical tubular piles and a reinforced concrete slipway to allow vehicular access to the ferry and 12 berthing piles with fenders and steel gangway to facilitate berthing and tying up of vessels overnight.
- Floating navigational marks anchored to the bed of the Lough and laid at the edges of the navigable channel to delineate appropriate channel boundaries or to mark shallow rock outcrops and provide safety of navigation.

**4. Location of works:**

The proposed works are located on land adjacent to 80 Greencastle Pier Road, Greencastle, Co. Down as described in the marine licence application dated 23<sup>rd</sup> June 2014.

The co-ordinates of the rectilinear boundary of the site, including the area from High Water Mark to the seaward limit of the works are (Easting, Northing to Irish Grid):

NE corner: 324630, 311572

NW corner: 324605, 311581

SW corner: 324498, 311469

SE corner: 324515, 311452

Drawing No. IBM0358-210 provides an extract from an Ordnance Survey map showing the outline of works in relation to the surrounding area.

**5. Valid:**

From: 1<sup>st</sup> September 2016

Until: 31<sup>st</sup> August 2017

**PART 2: CONDITIONS**

The Department of Agriculture, Environment and Rural Affairs (referred to as the licensing authority) authorises **Frazer Ferries Limited** and **L&M Keating, Kilmihil, Kilrush, Co. Clare**, to deposit in the sea the substances or articles (except for dredge spoil) used in the execution of works, described in Part 1 of this licence. This licence is subject to the under mentioned condition(s):

**Licence Condition(s):****NOTE: FAILURE TO COMPLY WITH THE LICENCE CONDITIONS BELOW MAY RESULT IN ENFORCEMENT ACTION BEING TAKEN**

1. The licensee(s) shall ensure that a copy of this licence is given to each contractor appointed to carry out part or all of the works. The extent of the works for which the licence has been given and the conditions that are attached to the licence should be made clear to the contractors.
2. The licensee(s) shall not deposit any other material than that detailed in the Marine Licence application form received by the licensing authority, dated 23<sup>rd</sup> June 2014.
3. The licensee(s) shall contact the Department if it is proposed to vary the materials or methods to be used from those described in the documentation supplied in connection with the Marine Licence application, dated 23<sup>rd</sup> June 2014.
4. A final Construction Environmental Management Plan (CEMP), associated method statements and finalized layout design shall be submitted to and agreed by the Department, prior to any works commencing on site. This must reflect all mitigation and avoidance measures to be employed as outlined in the Construction Environmental Management Plan, the Environmental Statement dated June 2013 and all additional environmental information submitted.
5. An Environmental Clerk of Works must be assigned for this scheme. Contact details for the designated Environmental Manager must be submitted to the Department at least **8 weeks** prior to the commencement of pre-construction development or construction works on site. This information may be contained within a Construction Environmental Management Plan.



6. If impact piling or blasting is required during construction, the Department must be notified **one week** in advance of commencement. A noise risk impact assessment must be produced and submitted to the Department for approval before impact piling can begin to prevent disturbance to sensitive receptors such as seals or cetaceans.
7. If impact piling or blasting is required during construction, the licensee shall maintain a record of beginning and end times, duration and noise levels, e.g. hammer energy blow or explosive charges. Records must be submitted to the Department within **eight weeks** of completion of the licensed works.
8. An independent, qualified and experienced Marine Mammal Observer (MMO) shall be appointed to monitor for marine mammals. The MMO shall conduct a pre start up constant effort monitoring for at least 30 minutes before any sound producing activity commences and continue monitoring for 30 minutes following commencement of any activity. No sound producing activity shall commence until a 30 minute period has elapsed where no marine mammals have been detected. Sound producing works shall begin with a 'soft start' period of not less than 20 minutes. The MMO must be present during any construction activities where noise is produced. If marine mammals are detected within 500 m of the works (the mitigation zone), which is measured from the location of the noise, the MMO will issue a delay in the commencement of piling or other significant noise disturbance activity, until they are satisfied that the animals have left the mitigation zone. The MMO should carry out all works in accordance with the JNCC Guidelines "The Protection of Marine Protected Species from Injury and Disturbance, October 2010." Mitigation for marine mammals should be agreed with the Department prior to works commencing.
9. All marine mammal monitoring measures shall recommence from the beginning if there is any break in the sound producing activity (which includes pile driving) for a period greater than 10 minutes.
10. A full MMO report on operations and mitigation measures contained within the Environmental Statement, dated June 2013, shall be provided in writing and agreed by the Department once the development phase is complete and prior to commencement of the operational phase. A record of the beginning, end times and duration of impact piling or other significant noise disturbance activity, e.g. hammer energy blow should be kept and submitted to the licensing authority within eight weeks of completion of the licensed work.
11. If the Department has reason to believe that a marine mammal has been injured or killed by the works, the Department will require cessation of the piling, pending an assessment of the situation.
12. Where the Department instructs the licensee to stop the operation of the works, works can only be resumed on receipt of permission to do so from the Department.
13. No pile driving works shall take place during April to October.
14. The ferry route shall maintain a minimum distance of 230m from all haul out sites identified within the Environmental Statement, page 7, figure 7.15.
15. Monthly seal counts at haul out sites in close proximity to the operational ferry route shall be conducted, prior to and during, the operational phase. These will be submitted to and agreed in writing by the Department. This must cover a 12 month survey period prior to commencement of the operational phase to provide baseline data.
16. No development of the welfare facilities hereby approved shall take place until either a relevant consent has been issued under the Water (NI) Order or a method of sewage disposal has been submitted, which does not involve a discharge and can be agreed in writing with the Planning Authority. This is to demonstrate that the waste water treatment solution ensures <230 E.coli colony forming units (cfu) per 100mls of water over the shellfish harvesting area for >75% of the time.
17. Turbidity monitoring must be carried out at an area close to the adjacent shellfish beds, during the operation of the ferry, to ensure suspended solid levels do not impact on shellfish health. Details of this monitoring must be included in the Construction Environmental Management Plan.
18. Access shall be afforded to the site, at all reasonable times, to any archaeologist nominated by the Department of Agriculture, Environment and Rural Affairs to observe the operations and to monitor the implementation of archaeological requirements.

19. The licensee(s) shall ensure that copies of the licence are available for inspection by any authorised Enforcement Officer at:
- The premises of the Licensee(s)
  - The premises of the operating facility
  - The site of the works
20. The licensee(s) shall ensure that measures are in place to prevent pollution of surface or ground water as a result of the activities on site, both during construction and thereafter.
21. The licensee(s) shall adhere to the following:
- Works in, near or over watercourses, Pollution, Prevention Guidelines PPG5 and
  - Prevent Pollution, & Construction and Demolition sites: Pollution, Prevention Guidelines PPG6: Prevent Pollution.
22. Maintenance to the ferry must be carried out at a facility where potentially contaminating material cannot enter the marine environment.
23. The licensee(s) must notify The Source Data Receipt team, UK Hydrographic Office, Taunton. Somerset, TA1 2DN (Email: [sdr@ukho.gov.uk](mailto:sdr@ukho.gov.uk); Tel: 01823 337900) at least 4 weeks before commencement of the works, to allow for any necessary amendments to nautical charts. The UK Hydrographic Office must also be notified upon completion of the works. **This office must be copied into all notifications.**
24. The licensee(s) shall inform the licensing authority of the finishing date of the work within **1 week** of completion.
25. The licensee(s) shall, within **eight weeks** after the completion of the licensed works, make a written report to the licensing authority stating the quantity and description of all articles and substances deposited under the authority of this licence.

Signed on behalf of the Department:

*M. J. L.*

Dated: 30<sup>th</sup> June 2016

Departmental Stamp



**NOTE:**

- (1) The licensing authority would advise that this licence does not negate the licensees' responsibility to gain any other environmental or access permissions that may be required to progress the works.
- (2) Under Part 4, Chapter 1, paragraph 72 of the **Marine and Coastal Access Act 2009** the licensing authority may revoke, vary or suspend this licence if it appears to the authority that the holder is in breach of a condition included in it, or if it appears to the authority that the licence ought to be varied, suspended or revoked because of a change of circumstances relating to the marine environment or human health, including a change in scientific knowledge. A revocation, variation or suspension may also be enforced in the interests of safety of navigation.
- (3) A person who deposits material in contravention of the terms of a licence is guilty of an offence under paragraph 85 of the Act. It is a defence under paragraph 86 (1) for a person charged with such an offence to prove 'force majeure'. However they are also required to prove that they took steps within a reasonable time to inform the licensing authority of all details pertaining to the incident contained in paragraph 86 (2). The licensing authority shall be obliged to report force majeure cases immediately to the OSPAR Commission.

(4) Attention is drawn to the necessity of complying where appropriate with the **Radioactive Substances Act 1960**, the **Prevention of Oil Pollution Act 1971** and to the **Merchant Shipping (Dangerous Goods) (Amendment) Rules 1968**.

(5) If within 28 days of the issue of a licence the person to whom it was issued requests the licensing authority to give him notice in writing of the reasons for the inclusion of any provision in it, the Authority shall comply with his request within 28 days of receiving it.

(6) Anyone who fails to comply with a condition on a Marine Licence commits an offence under Section 85 of the **Marine and Coastal Access Act 2009**, and may be subject to enforcement action. Possible enforcement actions are compliance notices, remediation notices, fixed monetary penalties and variable monetary penalties. In the worst cases, a person found guilty of an offence may be subject to a fine of up to £50,000 or to imprisonment for a term not exceeding two years or to both. Further details can be found our guidance note

[http://www.doeni.gov.uk/niea/ni\\_guidance\\_on\\_enforcement\\_of\\_marine\\_licensing\\_final\\_version\\_21\\_october\\_2011-2.pdf](http://www.doeni.gov.uk/niea/ni_guidance_on_enforcement_of_marine_licensing_final_version_21_october_2011-2.pdf)

#### Further information from consultation:

#### 1. Department of Agriculture, Environment and Rural Affairs - Marine & Fisheries Division

##### Marine Conservation

##### **European Protected Species**

- The licensee(s) attention is drawn to regulation 34 of **The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended)**, which states that it is an offence to deliberately capture, injure or kill a wild animal of a European protected species included in Schedule 2 to these Regulations. This includes all species of dolphins, porpoises and whales and the marine turtle species: *Caretta caretta*, *Chelonia mydas*, *Lepidochelys kempii*, *Eretmochelys imbricata* and *Dermochelys coriacea*.

(1) It is also an offence to;

- (a) deliberately disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
- (b) deliberately to disturb such an animal in such a way as to be likely to;
  - (i) affect the local distribution or abundance of the species to which it belongs;
  - (ii) impair its ability to survive, breed or reproduce, or rear or care for its young; or
  - (iii) impair its ability to hibernate or migrate;
- (c) deliberately take or destroy the eggs of such an animal
- (d) deliberately obstruct access to a breeding site or resting place of such an animal; or
- (e) damage or destroy a breeding site or resting place of such an animal.

(2) It is an offence for any person;

- (a) to have in his possession or control,
- (b) to transport,
- (c) to sell or exchange, or
- (d) to offer for sale or exchange, any live or dead animal which is taken from the wild and is of a species listed in Annex IV(a) to the Habitats Directive, or any part of, or anything derived from, such an animal.

Any person who knowingly causes or permits an act which is made unlawful under any of these provisions shall also be guilty of an offence.

If there is evidence of Schedule 2 animals listed above at the site, all works must cease immediately and further advice must be sought from DAERA Marine and Fisheries Division, Klondyke Building, Gasworks Business Park, Cromac Avenue, Belfast BT7 2JA.

Under this legislation a licence may be required for any operations which might impact on protected species.



**Schedule 5 Species – Wildlife Order:**

The applicant's attention is drawn to Article 10 of the Wildlife (Northern Ireland) Order 1985 (as amended), under which it is an offence to intentionally or recklessly kill, injure or take any wild animal included in Schedule 5 to the Order. This includes the common seal (*Phoca vitulina*), grey seal (*Halichoerus grypus*), basking shark (*Cetorhinus maximum*), angel shark (*Squatina squatina*), common skate (*Dipturus batis*) short snouted sea horse (*Hippocampus hippocampus*), spiny seahorse (*Hippocampus guttulatus*), spiny lobster (*Palinurus elaphus*) and fan mussel (*Atrina fragilis*).

Under this regulation it is an offence to intentionally or recklessly disturb; common seals, grey seals or basking sharks.

It is also an offence to intentionally or recklessly damage or destroy, or obstruct access to, any structure or place which these animals (Schedule 5\*) use for shelter or protection; damage or destroy anything which conceals or protects any such structure; or disturb any such animal while it is occupying a structure or place which it uses for shelter or protection.

Under Article 13 of the Wildlife (Northern Ireland) Order 1985 (as amended) it is an offence to sell or transport any Schedule 7 animal dead or alive at any time \*\*.

Any person who knowingly causes or permits an act which is made unlawful under any of these provisions shall also be guilty of an offence.

Under the Wildlife (Northern Ireland) Order 1985 (as amended) a licence may be required for any operations which might impact on protected species.

*\*Common skate and angel sharks in respect to article 10 (1) only and within 6 nautical miles of coastal water only.*

*\*\*Schedule 7 species includes all Schedule 5 species listed above, with the exception of the common skate and angel shark. Sea urchin is protected under Schedule 7 only.*

If there is evidence of Schedule 5 animals and Schedule 7 animals listed above at the site, all works must cease immediately and further advice must be sought from DAERA Marine and Fisheries Division, Klondyke Building, Gasworks Business Park, Cromac Avenue, Belfast BT7 2JA.

**Fisheries**

The licensee should be aware that it is an offence under section 47 of the **Fisheries Act (Northern Ireland) 1966** to cause pollution which is subsequently shown to have a deleterious effect on fish stocks.

The applicant should be made aware that it is an offence under Article 136 of the **Fisheries Act (Northern Ireland) 1966**, to disturb or injure in any manner, the fishery or shellfish within a licensed shellfish fishery.

**2. Department of Agriculture, Environment and Rural Affairs - Northern Ireland Environment Agency – Water Management Unit**

The licensee should ensure that measures are in place to prevent pollution of surface or ground water as a result of the activities on site, both during construction and thereafter. You should be aware that it is an offence under the **Water (Northern Ireland) Order 1999** to discharge or deposit whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and /or three months imprisonment.

*For your information I have attached **Pollution Prevention Guidelines for 'Works in, or liable to effect watercourses', PPG5.***

**3. Department for Infrastructure - Rivers Agency**

Within the terms of the **Drainage (Northern Ireland) Order 1973**, Marine Construction Licence applicants are advised of the following legal requirements for ALL sites as follows:

1. If during the course of developing a site a watercourse is uncovered which was not previously evident, the appropriate Rivers Agency Office should be advised immediately in order that arrangements may be made for the investigation and direction in respect of any possible action necessary to deal with the watercourse.
2. Any proposals, either temporary or permanent, in connection with the development, which involve interference with any watercourse at the site, such as culverting, bridging, diversion, building adjacent or discharge of storm water etc require the written consent (known as "Schedule 6 Consent") from Rivers Agency.
3. Failure to obtain Schedule 6 Consent is an offence under the provisions of the above Order, which may lead to prosecution or other statutory action as provided for.

In this instance the appropriate Rivers Agency office to contact in respect of Schedule 6 applications and any other general enquiries is:

**Lisburn Area Office,  
Ravernet House, Altona Road,  
LISBURN, BT27 5QB  
Tel: 028 9260 6100**





**ITEM 2**  
**Minutes**  
**arc21 Steering Group Meeting No 010**  
**Tuesday 10 May 2016 at 10.30am**  
**Belfast Castle**

**Present:**

Antrim & Newtownabbey Borough Council	Michael Laverty Lisa Mayne
Belfast City Council	Tim Walker ( <i>Chair</i> ) Cormac Quinn ( <i>Secretary</i> )
Lisburn & Castlereagh City Council	Albert Reynolds Noeleen O'Malley
Mid & East Antrim Borough Council	Stephen Holgate
Newry, Mourne & Down District Council	Joe Parkes
Ards & North Down Borough Council	David Lindsay Nigel Martin
arc21	John Quinn George Craig Ricky Burnett John Green Karen Boal

**1. Apologies**

Apologies were received from Ms Heather Moore, Ms Geraldine Garvin, Mr Canice O'Rourke, Mr Nigel Grimshaw and Ms Siobhan Toland.

**2. Minutes of Steering Group Meeting 010**

Minutes of Steering Group Meeting 009 held on 22 March 2016 were proposed by Ms Lisa Mayne and seconded by Mr Stephen Holgate.

**Action: Agreed**

**3. Matters Arising**

The Chair called for any matters arising from these minutes and none were raised.

**Action: Noted**

#### 4. Conflicts of Interest Statement

The Chair called for any conflicts of interest in relation to the matters to be discussed at the meeting. There were none. **Action: Noted**

#### 5. Confidential Matters

Matters of a confidential nature were discussed and recorded separately.

**Action: Noted**

#### 6. Contracts and Performance Update

Mr Burnett presented a report to advise the Steering Group on progress with the core contracts relating to processing and disposal infrastructure i.e. MRF, Landfill, Bring Sites, and Organic Treatment, followed by the monthly update in regards to the performance indicators.

He reported that no major operational difficulties had been experienced with any of the contracts, with all non compliance issues suitably addressed and no need for further action.

##### **MRF**

The contamination rate increased to 12.33% in March in relation to an overall collection of 2,593 tonnes. Mr Walker queried the installation of new kit, Mr Burnett noted that this will be online in June.

Mr Burnett noted that there is a requirement for input from Councils in regards to the next MRF tender. Mr Burnett requested comments via email before end of May.

**Action: All**

##### **Landfill**

The tonnage delivered to landfill in March was 16,189t. Excessive turnaround times were mainly due to vehicle breakdowns on sites. The Enforcement Notice issued by NIEA in respect of Mullaghglass has been complied with and the Notice withdrawn.

##### **Bring Sites**

The tonnage collected under the Bring site contract was 757t in March. Reporting non-compliances were identified prior to any reports being forwarded to councils and related to bring sites not being attributed correctly. Contractors have been reminded of their need to provide accurate information at recent contract meetings.

There was a report of an overflowing Textile Bank at one location. Upon investigation the next day it was discovered that the access chute was jammed closed by an excessive amount of material (including non textile items) being placed in the chute.

Mr Burnett noted that there are indications of glass reprocessors refusing to take glass from MRF outlets due to quality issues.



**Organic Waste**

The tonnage collected under the Organics contract was 7,744t in March. There was one rejected load delivered to NWP Glenside in March 2016 (see picture below). Once again it appears that this arose due to an operational error as opposed to public misuse. Officers are asked to review their procedures to reduce the risk of repeat occurrences.

***Compost Week 2016- Provision of Bagged Compost***

Orders for bagged compost were received from all Councils and deliveries were completed by 27th April with the exception of one specially requested order. NWP acknowledged that there had been some logistical issues resulting in a few of the deliveries not being made on the date agreed. They advised that they were aware of the issues this caused and would review future delivery arrangements. Final costs associated with the provision of bagged compost are being calculated following which invoices will be sent to Councils. As in previous years NWP have underwritten the costs of bagging and the pallets and provided the compost without charge thereby keeping the overall costs charged to Councils to a minimum.

Ms Boal to update the group in regards to arrangements with biodiversity officers and feedback in Compost week.

**Action: Ms Boal**

Mr Burnett noted that there is a further meeting scheduled next week in regards to the ongoing NWP contract. Mr Burnett to update the steering group on this at the next Steering Group meeting and to make arrangements for a future technical/Steering Group officers discussion in regards to the Organic contract.

**Action: Mr Burnett**

***Transfer Station - Antrim***

Ms Boal referred to the continuing need for all staff and contractors using the sites to be aware of their health and safety obligations. Recently there has been a rise in the number of issues reported to us, these mainly being related to failure to wear appropriate PPE, use of mobile phones on site and speeding.

**Haulage**

Mr Burnett noted that this contract is subject to legal challenge and options will be reviewed this week.

**NILAS**

Mr Burnett noted that the final quarter for the end of year will require action in Waste Data Flow by Councils. Mr Burnett noted that there will be a requirement for the NILAS sharing protocol to be activated but that the level of this will be determined by the final input of Waste Data flow detail.

**Action: All**

**Revenue Share**

Mr Craig updated on the overall position of revenue share for the MRF and the Bring Bank Collection Services and distributed handouts on the revenue share analysis and the market prices for the various waste streams. Mr Craig requested that Councils should ensure that invoices in regards to revenue share are raised, if not already done so, so that they can be reconciled with their end of year Accounts.

**Action: All**



## 7. Working Group on Minimising Dry Recyclable Contamination

Mr Burnett presented a report to inform Officers on the latest position in respect of the Working Group and asked the Steering Group to endorse the draft Action Plan of this group.

At the January meeting of the Steering Group it was proposed to establish a Working Group tasked with developing an action plan which contains a series of measures/activities etc that all councils could sign up to with the aim of minimising monthly contamination rates through demonstrable equity of effort by all councils.

Following discussion the Steering Group agreed to endorse the draft action plan.

**Action: Noted**

## 8. Government Waste Working Group

Mr Burnett presented a report noting the outcomes from the last meeting of the Government Waste Working Group.

The relatively newly formed Government Waste Working Group met on 12 April 2016 in the NIEA Offices.

The meeting conclude with 3 main outcomes:

- Tim Walker was elected Deputy Chair;
- A revised Action Plan was agreed; and
- NIEA Client managers' were confirmed.

Reference was also made to a forthcoming workshop for the Northern Ireland Recycling Study organised by WRAP. The date for the workshop has subsequently been confirmed as the morning of Wednesday 11 May 2016 at a venue yet to be announced. Councils are encouraged to attend and fully participate in the workshop as important decisions will be made at the workshop particularly around scope, direction, modelling scenarios and input information.

Mr Burnett noted that the workshop on NI Gap Analysis on 11 May 2016 was pivotal to allow Council input to shape the future of the sector and forthcoming requirements for legislative compliance.

Following discussion the Steering Group noted response.

**Action: Noted**

## 9. NI Recycle Now Strategy

Mr Burnett presented a report to advise the Steering Group of the revised NI Recycle Now Strategy for 2015/16 and outline for 2016/17. WRAP is producing a Northern Ireland Wide Recycle Now Strategy covering 2015/16 with an outline for 2016/17.

The Strategy covers six distinct aspects:

1. Strategy Context;
2. Benefits and Barriers;
3. Behavioural Goal;
4. Key Motivators and Messages;
5. Strategic Delivery Framework; and
6. Outline Plan.

Following discussion the Steering Group agreed to note the report.

**Action: Noted**

#### **10. The Provision of Health and Safety Consultancy Services (for Contract Monitoring) Contract**

Mr Burnett presented a report to advise the Steering Group on the appointment of a contractor for the Provision of Health and Safety Consultancy Services (for Contract Monitoring) Contract.

The outcome of the evaluation resulted in the Quadra Ltd being awarded the contract for the provision of Health and Safety Consultancy Services (for Contract Monitoring).

Following discussion the Steering Group noted the report.

**Action: Noted**

#### **11. NILAS 2014/15 Final Reconciliation arc21 Customer Survey 2015/16**

Mr Burnet presented a short report to advise the Steering Group on the latest results of the annual arc21 Customer Survey.

Following discussion the Steering Group noted the report.

**Action: Noted**

#### **12. Civic Amenity Site/Household Waste Recycling Centre Survey 2016**

Mr Burnett presented a report to for the Steering Group to consider conducting a CA/HWRC survey for 2016.

A blank template has been provided for each Council to complete and return to arc21 for collation.

**Action: All**

Ms Boal advised that, upon receipt of all completed templates, arc21 will collate the response into one survey report similar to previous reports.

Following discussion the Steering Group agreed to defer a full survey in 2016 in favour of a short update survey. This is reflective of the Council positions in regards to planning and assimilation arising from the changes associated with LGR and that Councils had not at this time substantially altered their arrangements from the last survey.

**Action: Noted**



### 13. Council Update

*Newry Mourne and Down District Council* - Mr Parkes noted that operational issues include the absorption of collection responsibilities in regards to previous Council areas in April 2016. It was also noted that Drumnakelly has closed.

*Mid and East Antrim Council* - Mr Holgate noted that triple stacks are being prepared in relation to roll out.

*Lisburn & Castlereagh City Council* - Mr Reynolds noted that Council is currently working through a spatial analysis in regards to recycling centres.

*Belfast City Council* – Mr Walker reported that the route optimisation exercise has now been placed on hold in regards to further consideration of outcomes on residents.

*Ards & North Down Borough Council* - Mr Martin noted that there has been an increase in Organic Waste from Residual. It was noted that there is a reduction in April 2016 vs 2015 of 700t. Mr Lindsay noted that an update will be provided at a future meeting.

The Chair requested that Members from Ards and North Down consider a briefing for the next Steering Group arising from their recent operational changes.

**Action: Mr Lindsay**

*Antrim & Newtownabbey Borough Council* - Ms Mayne noted that there is current promotion of food commercial waste.

### 14. AOB

Mr Quinn requested if information can be provided in regards to performance information – for example landfill diversion, which can be shared for arc21 consumption.

**Next Meeting: Tuesday 21 June 2016 at 10.30am hosted by arc21 at Belfast Castle.**



**ITEM 3**  
**ARC21 JOINT COMMITTEE**  
**Meeting No 012**  
**Hosted by Lisburn & Castlereagh City Council**  
**MINUTES**  
**Thursday 19 May 2016**

**Members Present:**

Councillor J Bingham  
 Councillor M Rea  
 Alderman R Gibson  
 Alderman A Carson  
 Councillor R Brown  
 Councillor O Gawith  
 Alderman J Tinsley  
 Councillor B Adger  
 Councillor D O'Loan (*Deputy Chair*)  
 Councillor R Wilson  
 Councillor D Curran  
 Councillor S Burns

Antrim and Newtownabbey Borough Council  
 Antrim and Newtownabbey Borough Council  
 Ards and North Down Borough Council  
 Ards and North Down Borough Council  
 Belfast City Council  
 Lisburn & Castlereagh City Council  
 Lisburn & Castlereagh City Council  
 Mid and East Antrim Borough Council  
 Mid and East Antrim Borough Council  
 Mid and East Antrim Borough Council  
 Newry, Mourne and Down District Council  
 Newry, Mourne and Down District Council

**Members' Apologies:**

Councillor N Kells  
 Alderman A Graham  
 Councillor J Bunting  
 Councillor L Poots  
 Councillor G Craig (*Chair*)

Antrim and Newtownabbey Borough Council  
 Ards and North Down Borough Council  
 Belfast City Council  
 Lisburn & Castlereagh City Council  
 Newry, Mourne and Down District Council

**Officers Present:**

J Quinn  
 R Burnett  
 G Craig (*Secretary*)  
 H Campbell  
 K Boal  
 J Green  
 L Mayne  
 D Lindsay  
 T Walker  
 H Moore  
 P Thompson  
 C O'Rourke

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 Antrim and Newtownabbey Borough Council  
 Ards and North Down Borough Council  
 Belfast City Council  
 Lisburn & Castlereagh City Council  
 Mid and East Antrim Borough Council  
 Newry, Mourne and Down District Council

**Officers' Apologies:**

G Girvan  
 N Grimshaw

Antrim and Newtownabbey Borough Council  
 Belfast City Council

*The Deputy Chair, Councillor Declan O'Loan, took the Chair in Councillor Garth Craig's absence.*

### Apologies

Apologies were noted.

**Action: Noted**

The Deputy Chair advised Members of Councillor Gerry Carroll's recent election to the NI Assembly and wished him every success in this new position. Accordingly it was agreed that the Chair would write to him on behalf of the Committee to offer his congratulations on his new appointment and thank him for his support to the Joint Committee during his term in office.

**Action: Cllr G Craig**

### Draft Conflicts of Interest Statement

The Deputy Chair read out the Conflicts of Interest Statement. There were no conflicts noted.

**Action: Noted**

### Minutes

The minutes of Joint Committee meeting 011 held on 7 April 2016 were agreed.

**Action: Agreed**

### Matters Arising from the Minutes

Page 7, Newry, Mourne and Down District Council - Mr Craig advised Members that following the receipt of final comments the report had been submitted to Councils for approval.

There were no further matters arising.

**Action: Noted**

*The Chair advised Members that the meeting would now be formally dealt with 'in committee'.*

### In Committee

Matters of a confidential and commercially sensitive nature were discussed under this agenda item and recorded accordingly.

Following discussion on the commercially sensitive matters, the Chair advised Members that the meeting would now return to the main agenda but whilst 'in committee' there were four matters discussed as follows:

1. In Committee Minutes of Joint Committee Meeting No. 011 held on 7 April 2016.

**Action: Agreed**



2. The Provision of Procurement and Contract Legal Services Contract. **Action: Agreed**
3. The Supply and Delivery of Wheeled Refuse Collection Containers, Bottle Banks and Other Supplies Contract. **Action: Agreed**
4. Residual Waste Treatment Project. **Action: Noted**

*The Chair advised Members that the meeting would now return to the main agenda.*

### Contracts and Performance Update

Mr Burnett presented a report to advise the Joint Committee on the prevailing monthly situation pertinent to the operational performance of the service and supply contracts.

A summary of the main discussion is reported below.

MRF- The monthly level of contamination at the MRF has reduced from over 14% in the previous month to 12.3% in March 2016.

Landfill - Excessive turnaround times were mainly due to vehicle breakdowns on sites, including a fault with a hydraulic ram in a vehicle. The Enforcement Notice issued by NIEA in respect of Mullaghtglass has been complied with and the Notice withdrawn.

Bring Sites - Reporting non-compliances were identified prior to any reports being forwarded to councils and related to bring sites not being attributed correctly. Contractors have been reminded of their need to provide accurate information at recent contract meetings.

There was a report of an overflowing Textile Bank at one location. Upon investigation the next day it was discovered that the access chute was jammed closed by an excessive amount of material ( including non textile items) being placed in the chute.

Organics - during the 2015/16 year a total of 100,168 tonnes of material was treated through the contract. The total Type 1 waste fell by 1,727 tonnes whilst the Type 2 tonnage increased by 2,514 tonnes. This meant an overall increase in the 2015/16 year of 787 tonnes.

The Antrim Transfer Station opened on 21 March 2016.

A total of 13,364 bags of compost were distributed to Councils for use during Compost Week. Ms Boal reported that NWP continued to support the initiative by underwriting a number of the costs associated with this activity.

Mr Burnett provided an update on the Haulage and Supplies contract procurements.

NILAS - Indications are that the annual NILAS target for 2015/16 has been met at an arc21 level. However it would appear that the arc21 transfer protocol is likely to be initiated at an individual council level similar to last year.

Following discussion the Joint Committee agreed to note the report.

**Action: Noted**

### **Working Group on Minimising Dry Recyclable Contamination**

Mr Burnett provided a report to advise the Joint Committee on the Action Plan produced by an Officer Working Group.

He reported that a Working Group comprising of an Officer from each of the constituent councils was established to develop an Action Plan which contains a series of measures/activities etc with the aim of minimising monthly contamination rates through demonstrable equity of effort by all councils. Following meetings an Action Plan has been produced and was presented to the Joint Committee for consideration and endorsement.

Following discussion the Joint Committee agreed to endorse the Plan.

**Action: Agreed**

### **NI Recycle Now Strategy**

Mr Burnett presented a report to advise the Joint Committee on the revised NI Recycle Now Strategy for 2016/17.

He reported that the Department make an annual contribution to WRAP (Waste & Resources Action Programme) to help with activities in Northern Ireland. The activities extend to advice on communication issues aimed at improving and enhancing resource efficiency.

He further reported that WRAP is in the process of producing a Northern Ireland Wide Recycle Now Strategy covering 2016/17 and presented a basic draft of the Strategy text for information.

Following discussion the Joint Committee agreed to note the report.

**Action: Noted**

### **Membership of the Local Government Pension Scheme**

Mr Craig presented the Joint Committee with a copy of the Guarantee Agreement, provided by NILGOSC, for formal Execution as a Deed to finalise the process of admission as a member of the Local Government Pension Scheme in Northern Ireland.

He reported that as part of the Local Government Reform process the new Joint Committee was required to apply for membership of the Local Government Pension Scheme in Northern Ireland. To complete the formal admission process the Guarantee Agreement has now been provided by NILGOSC for Execution as a Deed by all the parties involved, the Joint Committee and each of the Participant Councils.

Mr Craig advised that the Guarantee Agreement would remain in place for the tenure of the Joint Committee and makes provision to deal with the scheme liabilities should a Relevant Event, defined in the Agreement, occur.



Following discussion the Joint Committee agreed to approve the Guarantee Agreement in order that it can be Executed as a Deed and returned to NILGOSC to complete the Local Government Pension Scheme application process. It was subsequently signed by the Deputy Chair at the close of the meeting and, following the signature of the Chief Executive, Mr Craig is to apply the arc21 seal to the document and then submit it to NILGOSC.

**Action: Mr Craig**

### **arc21 Customer Survey 2015/16**

Mr Burnett presented a report to advise the Joint Committee on the results of the annual arc21 Customer Survey.

He thanked Members and Officers for their comments and advised that there was disappointed at the results compared with the previous year.

Following discussion the Joint Committee agreed to note the report.

**Action: Noted**

### **AOB**

Alderman Tinsley discussed the ongoing issues his council was experiencing with illegal dumping of waste and specifically tyres and requested if arc21 could do anything to raise this again with the Department.

Mr Burnett reported that he understood the Department had looked at the issue of tyre disposal and that he would write again to reiterate the concerns of the Joint Committee.

**Action: Mr Burnett**

### **Next Meeting**

The Deputy Chair advised that the next scheduled meeting would be held on Thursday 30 June 2016 and to be hosted by Newry, Mourne and Down District Council.

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**Chairman**

**ITEM 2**  
**Minutes**  
**arc21 Steering Group Meeting No 011**  
**Tuesday 21 June 2016 at 10.30am**  
**Belfast Castle**

**Present:**

Antrim & Newtownabbey Borough Council	Michael Laverty Lisa Mayne
Belfast City Council	Tim Walker ( <i>Chair</i> ) Cormac Quinn ( <i>Secretary</i> )
Lisburn & Castlereagh City Council	Noeleen O'Malley
Newry, Mourne & Down District Council	Joe Parkes
Ards & North Down Borough Council	David Lindsay Nigel Martin
arc21	John Quinn George Craig Ricky Burnett John Green Karen Boal

**1. Apologies**

Apologies were received from Mr Nigel Grimshaw, Ms Heather Moore, Mr Stephen Holgate, Ms Geraldine Girvan, Mr Canice O'Rourke, Mr Albert Reynolds and Ms Siobhan Toland.

**2. Minutes of Steering Group Meeting 010**

Minutes of Steering Group Meeting 010 held on 10 May 2016 were proposed by Mr Parkes and seconded by Mr Martin.

**Action: Agreed**

**3. Matters Arising**

The Chair called for any matters arising from these minutes and none were raised.

**4. Conflicts of Interest Statement**

The Chair called for any conflicts of interest in relation to the matters to be discussed at the meeting. There were none. **Action: Noted**

## 5. Confidential Matters

Matters of a confidential nature were discussed and recorded separately.

**Action: Noted**

## 6. NILAS 15/16

Mr Burnett presented a report to advise the Steering Group on the current position for 2015/16 and consider the application of the agreed arc21 NILAS transfer protocol.

Mr Burnett reported that the position concerning the 2015/16 NILAS targets currently indicates that 1 council has exceeded their annual allowance. Accordingly the agreed arc21 protocol will require to be initiated and the report outlines the outworkings in respect of the transfers of allowances.

It should be noted the actual amounts are still indicative and may change.

It was recommended that the Steering Group endorse the application and initiation of the protocol to the Joint Committee and, thereafter, to the Constituent Councils in autumn-time.

Following discussion the Steering Group agrees to endorse the application of the transfer protocol to the Joint Committee and Councils.

**Action: All**

## 7. 2015/16 Waste Statistics

Mr Burnett presented a report to advise the Steering Group on the indicative position in respect of key waste statistics covering the 2015/16 year.

The information provided by Councils to the Department through the wastedataflow system for the year 2015/16 has been completed and is now the subject of an initial validation process by the NIEA. Consequently the figures may be subject to change.

The information reported relates to the council configuration, including Waste Management Groups, post local government reform on 1st April 2015 and as such will act as the baseline for comparison in future years. However the waste arisings for Northern Ireland as a whole continues to rise significantly (i.e. by circa 2% per annum over the past four years).

Mr Laverty noted that there is a need for the reports to be viewed in context to demonstrate steps that are being taken by councils to address the rises in waste arisings. Mr Burnett noted that there are significant plans being developed collaboratively at a central and more local level in regards to, for example, the recycling gap analysis which could assist with councils considerations around TEEP. Mr Burnett further noted that any improvement in current performance may take additional resources and that councils may need to look internally as to how to resource achieving this.



Following discussion the Steering Group agreed to note the report.

**Action: Noted**

## **8. Contracts and Performance Update**

Mr Burnett presented a report to advise the Steering Group on the prevailing monthly situation pertinent to the operational performance of the service and supply contracts.

### **MRF**

The Bryson contamination rate increased to 13.93% in March in relation to an overall collection of 2,391 tonnes and the RE Gen contamination was 12% on 667t. These figures relate to May 2016.

In relation to working practice a number of issues have been identified in both contracts relative to the completeness and timeliness of various supporting information reports duly submitted to arc21. Payment of some invoices has been delayed subject to suitable progress being made to address such.

In respect to the Lot 1 contract with Bryson, an issue was identified relative to their operation in practise which was not consistent with that outlined in the service delivery plan. Following discussion with Bryson, alterations have been made to their operation to now align it more consistently with that outlined in their service delivery plan.

Finally, the section of the contract which allowed for changes in the configuration of waste delivered by a council was agreed with Bryson to enable Belfast City Council to deliver source segregated glass at an income of £7.50 per tonne to that council. Mr Walker thanked arc21 for negotiating this outcome.

Mr Laverty queried the results of the Bryson contamination reporting and visual survey. Mr Burnett made reference to the contract requirements and to the inclusion of visual checks in the submission from Bryson. He noted that the arc21 contract monitoring officers have made frequent visits to the site and data has been reviewed and that the reported contamination rate recorded is correct and proper indicator of contamination rates. Mr Lindsay queried the composition of material in the contamination. Mr Burnett responded that this material is viewed on contract monitoring visits. Mr Lindsay requested if it was possible if the contaminated material making the highest contribution could be advised to Councils in order to assist with any preparation of appropriate communication to rate payers providing advice on how to minimise contamination. Mr Burnett indicated that such a detailed composition analysis wasn't a contractual requirement but that he would look at means of obtaining some further information in this respect.

**Action: Mr Burnett**

Mr Martin queried the installation of new equipment to improve dealing with plastics and Mr Burnett noted that this will be in place around the end of this month.

Mr Burnett also noted that there is an outstanding requirement for input from Councils in regards to the consideration of the option to extend this contract or procure a new MRF contract which was noted at the last Steering Group meeting.

**Action: Councils**

At the January meeting of the Steering Group a Working Group was established and tasked with developing an action plan which contains a series of measures/activities that all Councils could sign up to with the aim of minimising monthly contamination rates through demonstrable equity of effort by all Councils. As part of the action plan, each council also agreed to report back to Mr Burnett outlining how they were engaging with households and crews to minimise contaminated materials being placed in the bins.

In relation to MRF contamination Mr Burnett undertook to remind councils that the first quarterly report on progress with implementing the Action Plan will be due at the next meeting. Input from each council will be needed to enable him to collate a report for the next Steering Group meeting.

**Action: Mr Burnett and Councils**

### **Landfill**

The tonnage delivered to landfill in May was 16,292t. Excessive turnaround times were mainly due to driver inductions. The Enforcement Notice issued by NIEA in respect of Mullaghglass has been complied with and the Notice withdrawn.

### **Bring Sites**

The tonnage collected under the Bring site contract was 808t in May. Discussions have commenced with the glass contractor in relation to expanding the number of sites covered by the contract with respect to the area of Newry, Mourne and Down District Council.

### **Organic Waste**

The tonnage collected under the Organics contract was 11,431t May. It was previously reported that Parks and Grounds Maintenance Officers from five out of the six Councils visited the facility at Glenside to explore options to potentially increase the use of the compost produced in parks, open spaces and sports facilities. Since that visit NWP have liaised with those in attendance and organised deliveries of material to a number of areas to enable Councils to test the compost.

In terms of the NWP proposal Mr Burnett noted that there had been further meetings with the Contractor to progress the issues. He confirmed that plans for another meeting with the Contractor were in place and that he would update the Steering Group at the next meeting. Mr Burnett circulated an outline programme relating to the process over the next few months.

Mr Walker updated the meeting on relevant potential BCC developments on the site at Dargan Road.

### ***Compost Week 2016- Provision of Bagged Compost***

The final cost for bagged compost was 42.5p per bag. Invoices are currently being prepared and will be sent out to Councils shortly.

### ***Transfer Station - Antrim***

Officers are asked to remind all staff and contractors using the sites to be aware of their health and safety obligations. Recently there has been a rise in the number of issues reported to us, these mainly being related to failure to wear appropriate PPE, use of mobile phones on site and speeding.

**Action: Councils**

### **Haulage**

Mr Burnett noted that the contract legal challenge in respect of the tender for this service has been addressed and that procurement documents will be released in the coming weeks.

### **9. Education Vehicle**

Mr Burnett presented a report to inform Officers on the usage of the Education Vehicle service.

**Action: Noted**

### **10. Council Update**

*Newry Mourne and Down District Council* - Mr Parkes noted that the structure issues are being finalised with Assistant Directors having been appointed.

*Lisburn & Castlereagh City Council* – Ms O'Malley noted that there is a review of collections being undertaken currently ahead of the wider Recycling Gap Analysis that it is being undertaken by the Department via WRAP.

*Belfast City Council* – Mr Walker reported that the BCC route optimisation exercise has been deferred but is expected to be implemented in autumn 2016. The HRC review will also be implemented later this financial year.

*Ards and North Down Borough Council* Mr Martin noted that the recent increase in the amount of organic waste collected has prioritised the need for a route optimisation exercise to be undertaken. He also mentioned that consideration was being given to prohibiting commercial vehicles depositing waste at their CAS/HWRCs.

*Antrim and Newtownabbey Borough Council* Ms Mayne noted that there has been a review of the bulky waste collection and CAC opening hours review.

### **11. AOB**

Mr Walker noted that the Innovation Lab results have been produced and have been circulated. There will be further discussion in regards to these points and further meetings regarding behavioural change later in the year.

Ms O'Malley noted that SOLACE have produced a report in regards to a future strategic approach to municipal waste management and work streams.

**Next Meeting: Tuesday 19 July 2016 at 10.30am hosted by arc21 at Belfast Castle.**



**ITEM 3**  
**ARC21 JOINT COMMITTEE**  
**Meeting No.013**  
**Hosted by Newry, Mourne and Down District Council**  
**MINUTES**  
**Thursday 30 June 2016**

**Members Present:**

Councillor M Goodman	Antrim and Newtownabbey Borough Council
Councillor M Rea	Antrim and Newtownabbey Borough Council
Councillor AM Logue	Antrim and Newtownabbey Borough Council
Alderman R Gibson	Ards and North Down Borough Council
Alderman A Carson	Ards and North Down Borough Council
Alderman A Graham	Ards and North Down Borough Council
Councillor O Gawith	Lisburn & Castlereagh City Council
Councillor B Adger	Mid and East Antrim Borough Council
Councillor D O'Loan ( <i>Deputy Chair</i> )	Mid and East Antrim Borough Council
Councillor R Wilson	Mid and East Antrim Borough Council
Councillor D Curran	Newry, Mourne and Down District Council
Councillor S Burns	Newry, Mourne and Down District Council
Councillor G Craig ( <i>Chair</i> )	Newry, Mourne and Down District Council

**Members' Apologies:**

Councillor R Brown	Belfast City Council
Councillor J Bunting	Belfast City Council
Councillor M Collins	Belfast City Council
Alderman J Tinsley	Lisburn & Castlereagh City Council
Councillor L Poots	Lisburn & Castlereagh City Council

**Officers Present:**

J Quinn	arc21
R Burnett	arc21
G Craig ( <i>Secretary</i> )	arc21
H Campbell	arc21
K Boal	arc21
J Green	arc21
B McKeown	arc21
L Mayne	Antrim and Newtownabbey Borough Council
T Walker	Belfast City Council
A Reynolds	Lisburn & Castlereagh City Council
P Thompson	Mid and East Antrim Borough Council
C O'Rourke	Newry, Mourne and Down District Council
J Parkes	Newry, Mourne and Down District Council

**Officers' Apologies:**

G Girvan	Antrim and Newtownabbey Borough Council
D Lindsay	Ards and North Down Borough Council
N Grimshaw	Belfast City Council
H Moore	Lisburn & Castlereagh City Council

### Apologies

Apologies were noted.

**Action: Noted**

The Chair informed the Committee that following recent AGMs in Councils a few changes had been made to the Committee membership. Accordingly, he welcomed Councillors Michael Goodman and Anne Marie Logue from Antrim and Newtownabbey Borough Council to the meeting, who replaced Councillors Nigel Kells and Jim Bingham. He also welcomed Councillor Matthew Collins from Belfast City Council in his absence who now replaces Councillor Gerry Carroll.

The Chair reported that following the last meeting he had sent a letter to Councillor Gerry Carroll to congratulate him on his new appointment as MLA and thank him for his support to the Joint Committee during his term in office. He also reported that he would be sending similar letters to Councillors Nigel Kells and Jim Bingham.

**Action: The Chair**

### Draft Conflicts of Interest Statement

The Deputy Chair read out the Conflicts of Interest Statement. There were no conflicts noted.

**Action: Noted**

### Minutes

The minutes of Joint Committee meeting 012 held on 19 May 2016 were agreed.

**Action: Agreed**

### Matters Arising from the Minutes

*Page 7, Membership of the Local Government Pension Scheme* - Mr Craig advised Members that following last month's Joint Committee the signed Guarantee Agreement had been forwarded to NILGOSC. He reported that NILGOSC had now sent the document to each of the Participant Councils for execution in order for the process to be completed. Once the documents had been executed by all parties NILGOSC would provide a copy of the final document for our records.

**Action: Noted**

*Page 7, Tyre Disposal* - Mr Burnett reported that following the last meeting he had written to the Department reiterating the Members' concerns but that no formal response had yet been received. However, following some informal discussions with Officials, he believed that the Department was looking at a producer responsibility type approach.

**Action: Noted**

There were no further matters arising.

**Action: Noted**

*The Chair advised Members that the meeting would now be formally dealt with 'in committee'.*



### In Committee

Matters of a confidential and commercially sensitive nature were discussed under this agenda item and recorded accordingly.

Following discussion on the commercially sensitive matters, the Chair advised Members that the meeting would now return to the main agenda but whilst 'in committee' there were three matters discussed as follows:

1. In Committee Minutes of Joint Committee Meeting No. 012 held on 19 May 2016.  
**Action: Agreed**
2. The Supply and Delivery of Wheeled Refuse Collection Containers, Bottle Banks and Other Supplies Contract.  
**Action: Agreed**
3. Residual Waste Treatment Project.  
**Action: Noted**

*The Chair advised Members that the meeting would now return to the main agenda.*

### NILAS 15/16

Mr Burnett presented a report to advise the Joint Committee on the current position for 2015/16 and to consider the application of the agreed arc21 NILAS transfer protocol.

He reported that the position concerning the 2015/16 NILAS targets currently indicates that one Council had exceeded its annual allowance. Accordingly, the agreed arc21 protocol will require to be initiated in respect of the transfers of allowances. However, he advised that it should be noted that at this stage the actual amounts are still indicative and may change.

He recommended that the Joint Committee endorse the proposed application of the agreed protocol to the Constituent Councils.

Members enquired if there was any potential financial element associated with transfers and Mr Burnett advised that the legislation does not permit such. Following a separate enquiry, Mr Burnett confirmed that it is possible for transfers to be made between any of the eleven Councils in Northern Ireland.

Following discussion the Joint Committee agreed to endorse the recommendation.

**Action: Agreed**

### 2015/16 Waste Statistics

Mr Burnett reported on the indicative position in respect of key waste statistics covering the 2015/16 year.

He informed the Committee that the information provided by Councils to the Department through the wastedataflow system for the year 2015/16 had been completed and is now the subject of an initial validation process by the NIEA. Consequently the figures may be subject to change.



The information reported relates to the Council configuration, including Waste Management Groups, post Local Government Reform on 1<sup>st</sup> April 2015 and, as such, will act as the baseline for comparison in future years.

Some of the statistics relating to waste management groupings incorporate the pre Local Government Reform situation primarily for information purposes. In this scenario, the 'NI Other' relates to the statistics reported under SWaMP2008 pre 1<sup>st</sup> April 2015 with the post 1<sup>st</sup> April 2015 situation relating to the aggregate figures for the three Councils that are not part of a formal grouping arrangement i.e. Fermanagh and Omagh District Council, Armagh, Banbridge and Craigavon Borough Council and Mid Ulster District Council.

The key waste statistics are as follows:

1. Annual Waste Arisings ( Household and Municipal);
2. Annual Household Waste per Household;
3. Annual Recycling Rates ( Household and Municipal);
4. Annual Waste to Landfill (Household and Municipal); and
5. Summary.

He reported that Members will be conscious that household recycling rates have significantly increased since the early part of the last decade. However, that rate of increase has declined in recent years.

Accordingly, Council Officers and Officers from the Waste Management Groups are engaging with Officials from the Department of Agriculture, Environment and Rural Affairs (DAERA) through a number of forums to consider the situation. The considerations are aimed at delivering appropriate and sustainable improvement recognising that diminishing returns are likely to prevail in terms of the application of resource and investment.

Following discussion the Joint Committee agreed to note the report.

**Action: Noted**

### **Contracts and Performance Update**

Mr Burnett presented a report to advise the Joint Committee on the prevailing monthly situation pertinent to the operational performance of the service and supply contracts.

A summary of the key discussion areas is reported below.

*MRF - A number of reporting issues have been identified in respect of both MRF contracts. Some payments have been delayed until satisfactory progress has been made in this respect.*

*Belfast City Council is now delivering source segregated glass to Bryson under the MRF contract.*

*Bring Banks - Discussions ongoing with the bottle bank contractor in relation to expansion of sites served by the contract in the Newry, Mourne and Down District Council area.*

*Organics - It was previously reported that Parks and Grounds Maintenance Officers from five out of the six Councils visited the facility at Glenside to explore options to potentially increase the use of the compost produced in parks, open spaces and sports facilities. Since that visit NWP have liaised with those in attendance and organised deliveries of material to a number of areas to enable Councils to sample the compost. A number of councils are now making use of compost produced by NWP in parks, open spaces and sports facilities.*

Following discussion the Joint Committee agreed to note the report.

**Action: Noted**

### **Elected Member Handbook**

Mr Craig reported that, in line with other Constituent Councils, arc21 produced an Elected Member Handbook in 2015 to provide useful backup information that Members would require in support of their role within the Joint Committee.

He reported that the handbook had been updated to take into account the changes in membership following recent nominations from Councils.

Given the volume of information provided in the Handbook, Mr Craig advised that the various documents are available through the secure part of the arc21 website with suitable passwords being issued to Members for access and stated that this approach also facilitates future updates being made quickly, including adding new information as well updating the current documents.

Members noted a few minor changes to the contact details and Mr Craig advised that the relevant documents would be updated accordingly, uploaded to the website and then website access information circulated to Members.

Following discussion the Joint Committee agreed to note the report.

**Action: Noted**

### **Draft Financial Report 2015-16**

Mr Craig presented the Joint Committee with the Draft Financial Report for the year to March 2016 and provided an overview of the financial highlights which are replicated as follows:

- *The turnover is up from £28.9m to £30.4m year on year, a surplus on the operational activities was achieved of £364k compared to a surplus of £89k in the previous year. The General Reserves at 31 March 2016 increased to £922k compared to £495k as at 31 March 2015. Cash balances at 31 March were £3.4m compared to £1.8m in the previous year, providing sufficient liquidity to enable arc21 to meet its monthly contractual obligations.*
- *The Pension Scheme Reserve remains in a deficit position but the size of the deficit has come down from £629k in 2015 to £557k in 2016.*



He reported that the formal statutory audit, undertaken by the Local Government Auditor, is currently underway and, when completed, an updated Financial Report will be presented to the Joint Committee, probably around September or October time.

Mr Craig thanked Mr McKeown, Principal Financial Accountant at arc21, who was present at the meeting, for his continued commitment to the organisation and his help and support in preparing the Accounts.

Following discussion the Joint Committee agreed to note the Draft Statement of Accounts for the year to March 2016 which in turn will be presented to the Department to facilitate the statutory formal audit arrangements to be undertaken by the Local Government Auditor.

The Chair reiterated his thanks to Mr McKeown on behalf of the Committee.

**Action: Noted**

### Education Vehicle

Mr Burnett presented a report to provide the Joint Committee with a synopsis of the utilisation of the education vehicle during the April 2015 to March 2016 period.

He reported that all Councils had utilised the vehicle and that the types and locations of visits were as follows:

- **Schools-66%;**
- **Shopping Centres-7%;**
- **Evening Groups-9%;**
- **Summer Schemes-14%; and**
- **Door Knocking-4%.**

He also reported that a customer survey had been carried out and showed that 100% of visitors to the vehicle rated their visit as very useful with a high proportion of education respondents rating the programme as excellent.

Members enquired as to the condition of the vehicle taking into account its age and Mr Burnett advised that it was still in reasonable working order but that the position would be kept under review on an ongoing basis.

Following discussion the Joint Committee agreed to note the report.

**Action: Noted**

### AOB

*NILGOSC Funding Strategy Statement consultation* - Mr Craig reported that NILGOSC had issued a consultation on the Funding Strategy Statement for the pension scheme and the deadline was 30 June. Accordingly, he requested delegated authority to submit a response on behalf of the Committee which he would present to the next meeting of the Joint Committee. Following discussion the Joint Committee agreed to adopt this approach.

**Action: Agreed**



### Next Meeting

The Chair advised that the next scheduled meeting would be held on Thursday 28 July and to be hosted by Antrim and Newtownabbey Borough Council. Mr Craig stated that he would inform Members of the venue for the next meeting in due course.

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**Chairman**



### **MEMBERS' MONTHLY BULLETIN**

The purpose of this Bulletin is to provide Members with an executive summary of the various agenda items which will be considered by the Joint Committee at its forthcoming meeting. The titles highlighted in blue relate to the various agenda items.

#### **Item 3 - Minutes of Joint Committee meeting 012 held on 19 May 2016**

##### **For approval**

The Joint Committee's approval is sought for the minutes of the meeting held on 19 May 2016.

#### **'IN COMMITTEE' ITEMS - COMMERCIALY CONFIDENTIAL**

#### **Item 5 - Minutes of Joint Committee meeting 012 held 'in committee' on 19 May 2016**

##### **For approval**

The Joint Committee's approval is sought for the minutes of the meeting held 'in committee' on 19 May 2016.

#### **Item 7 - The Supply and Delivery of Wheeled Refuse Collection Containers, Bottle Banks and Other Supplies Contract**

##### **For approval**

The report addresses the procurement exercise in relation to the appointment of a service provider for the provision of the Supply and Delivery of Wheeled Refuse Collection Containers, Bottle Banks and Other Supplies Contract.

The Joint Committee is asked to approve the recommendations outlined in the report.



### Item 8 - Residual Waste Treatment Project

#### For noting

**The Procurement Process** - Procurement activities have been reduced to a low level of intensity to minimise nugatory expenditure until there is better visibility on the direction of planning issues. However, there has been a development on bidding consortium's funding solution.

**Planning Application** - The governance cycle in relation to pursuing the PAC hearing process is not yet complete. One Council has yet to make its decision.

**Capacity Building** - Activities to help improve capacity within arc21's constituent Councils in respect of the policy and legislative framework and the common statutory waste management plan adopted by arc21's constituent Councils and the role of the residual waste treatment project are ongoing.

The Joint Committee is asked to note the report.

### RETURN TO MAIN AGENDA

### Item 9 - NILAS 15/16

#### For approval

The position concerning the 2015/16 NILAS targets currently indicates that 1 council has exceeded their annual allowance. Accordingly the agreed arc21 protocol will require to be initiated and the report outlines the outworkings in respect of the transfers of allowances.

It should be noted the actual amounts are still indicative and may change.

It is recommended that the Joint Committee endorse the proposed application of the agreed protocol to the Constituent Councils.

### Item 10 - 2015/16 Waste Statistics

#### For noting

The Joint Committee is asked to note the statistical information relative to key waste statistics covering the year 2015/6.



### **Item 11 - Contracts and Performance Update**

#### **For noting**

A number of reporting issues have been identified in respect of both MRF contracts. Some payments have been delayed until satisfactory progress has been made in this respect.

Belfast City Council now delivering source segregated glass to Bryson under the MRF contract.

Discussions ongoing with the bottle bank contractor in relation to expansion of sites served by the contract in the Newry, Mourne and Down District Council area.

A number of councils making use of compost produced by NWP in parks, open spaces etc.

The Joint Committee is asked to note the report.

### **Item 12 - Elected Member Handbook**

#### **For noting**

In line with other Constituent Councils, arc21 has produced an Elected Member Handbook to provide backup information that Members may require in support of their role within the Joint Committee.

The handbook was first published in June 2015 and has been updated to take into account the changes in membership following recent nominations from Councils.

Given the volume of information involved it is available through the secure part of the arc21 website with suitable passwords being issued to Members for access and this approach also facilitates future updates being made quickly, including adding new information as well updating the current documents.

The Contents page of the Handbook and the current list of Joint Committee Members are attached for information.



### **Item 13 - Draft Financial Report 2015-16**

#### **For noting**

The Joint Committee is required to prepare a Draft Financial Report annually and subject it to a Statutory Audit by the Local Government Auditor.

The Draft Statement of Accounts of the Joint Committee for the year to March 2016 has been prepared and an extract of them is presented to the Joint Committee, in Appendix 5, for noting.

In terms of financial highlights, the turnover is up from £28.9m to £30.4m year on year, a surplus on the operational activities was achieved of £364k compared to a surplus of £89k in the previous year. The General Reserves at 31 March 2016 increased to £922k compared to £495k as at 31 March 2015. Cash balances at 31 March were £3.4m compared to £1.8m in the previous year, providing sufficient liquidity to enable arc21 to meet its monthly contractual obligations.

The Pension Scheme Reserve remains in a deficit position but the size of the deficit has come down from £629k in 2015 to £557k in 2016.

The formal statutory audit, undertaken by the Local Government Auditor, is currently underway and, when completed, an updated Financial Report will be presented to the Joint Committee, probably around September or October time.

### **Item 14 - Education Vehicle**

#### **For noting**

Information to provide a synopsis on the utilisation of the education vehicle during the period April 2015 to March 2016.

Types and locations of visits were as follows: Schools-66%; Shopping Centres-7%; Evening Groups-9%; Summer Schemes-14%; and Door Knocking-4%.

Survey results show that 100% of visitors to the vehicle rated their visit as very useful with a high proportion of education respondents rating the programme as excellent.

The Joint Committee is asked to note the report.

**Next Meeting: Thursday 28 July 2016 at 10.30am, to be hosted by Antrim and Newtownabbey Borough Council**





### **MEMBERS' MONTHLY BULLETIN**

The purpose of this Bulletin is to provide Members with an executive summary of the various agenda items which will be considered by the Joint Committee at its forthcoming meeting. The titles highlighted in blue relate to the various agenda items.

#### **Item 3 - Minutes of Joint Committee meeting 013 held on 30 June 2016**

##### **For approval**

The Joint Committee's approval is sought for the minutes of the meeting held on 30 June 2016.

### **'IN COMMITTEE' ITEMS - COMMERCIALY CONFIDENTIAL**

#### **Item 5 - Minutes of Joint Committee meeting 013 held 'in committee' on 30 June 2016**

##### **For approval**

The Joint Committee's approval is sought for the minutes of the meeting held 'in committee' on 30 June 2016.

#### **Item 7 - Residual Waste Treatment Project**

##### **For noting**

**The Procurement Process** - Procurement activities have been reduced to a low level of intensity to minimise nugatory expenditure until there is better visibility on the direction of planning issues. However, there has been a development on bidding consortium's funding solution.

**Planning Application** - The governance cycle in relation to pursuing the PAC hearing process is not yet complete. One Council has yet to make its decision.

**Capacity Building** - Activities to help improve capacity within arc21's constituent Councils in respect of the policy and legislative framework and the common statutory waste management plan adopted by arc21's constituent Councils and the role of the residual waste treatment project are ongoing.

The Joint Committee is asked to note the report.



**[RETURN TO MAIN AGENDA](#)**

**Item 8 - Consultation on the Consolidation of the Producer Responsibility Obligations (Packaging Waste) Regulations (NI) and Subsequent Amendments**

**For approval**

The stated purpose of the consultation is to seek views on consolidation of the producer responsibility regulations governing packaging waste.

The Joint Committee is asked to endorse the draft response attached, subject to any further amendment to take account of further contributions or developments prior to the closing date, for submission to the DAERA.

**Item 9 - Consultation on Draft Programme for Government Framework 2016-21**

**For noting**

The stated purpose of the consultation is to seek views on the Programme for Government Framework which sets the direction for the NI Executive for the next five years.

The Joint Committee is asked to note the report.

**Item 10 - Contracts and Performance Update**

**For noting**

The new Optical Sorter is now installed and fully operational at the Bryson MRF in Mallusk.

Agreement reached with the bottle bank contractor in relation to expansion of sites served by the contract in the Newry, Mourne and Down District Council area.

Commissioned by arc21, recent independent tests on samples of caddy liners have confirmed they meet the standards outlined in the contract specification.

Early indications that the NILAS targets at an arc21 level for 2016/17 are likely to be met.

The Joint Committee is asked to note the report.

### **Item 11 - Consultation on NILGOSC's Funding Strategy Statement**

#### **For noting**

Under the Local Government Pension Scheme Regulations NILGOSC is required to prepare, maintain and publish a Funding Strategy Statement which sets out the framework for funding of all pension liabilities.

The Regulations also state that the Funding Strategy Statement and any subsequent changes to it must be agreed following consultation with relevant stakeholders.

NILGOSC, following advice from the Pension Scheme Actuary, has identified a number of proposed changes which it would like to make and which are the subject of this consultation.

As a member of the Local Government Pension Scheme, arc21 has been included in the consultation.

At the meeting of the Joint Committee held on 30 June 16 delegated authority was granted to enable arc21 to submit the response to NILGOSC by the deadline which was the same day and a copy of the response is attached for Members information.

**Next Meeting: Thursday 25 August 2016 at 10.30am, to be hosted by Ards and North Down Borough Council**

### **History of Drumanakelly Wind Turbine**

Planning Permission for a wind turbine at Drumanakelly was obtained by a 3<sup>rd</sup> party, without council involvement. (mid 2010)

Council agreed to progress the placement of a wind turbine in Drumanakelly, but to do so without any capital investment on behalf of council. (Nov 2010)

Accordingly, expressions of interest were sought from capable companies who would, at their own expense, build and manage a wind turbine in Drumanakelly, and offer council either ground rental or a percentage of the income earned from the sale of electricity sold to NIE.

Following the expressions of interest exercise, council agreed to award the project to "Simple Power", who offered to pay council an annual sum of £20,000 for twenty years. (Feb 2013)

Despite many discussion, emails and meetings, Simple Power failed to deliver against the awarded project. It is likely that the provision of a line from NIE, a requirement to enable generated electricity to be fed back into the grid, had proved too expensive, therefore disincentivising Simple Power from proceeding.

Due to the delay in implementation, the planning permission was lost (exceeded its five year approval window). (Nov 2016)

Council are presently seeking renewed planning approval, but the environmental requirements to enable planning to be granted, have significantly increased. Council are presently engaging environmental specialists to progress this work.

If planning permission can be re-established, council will seek to award the project to others who responded to the original expressions of interest exercise.