



May 12th, 2016

**Notice Of Meeting**

You are invited to attend the Regulatory and Technical Services Committee Meeting to be held on **Wednesday, 18th May 2016 at 3:00 pm** in **the Boardroom, Monaghan Row, Newry.**

**The Committee Members are:**

**Chair: Councillor T Andrews**

**Vice: Councillor S Ennis**

**Members:**

<b>Councillor P Brown</b>	<b>Councillor C Casey</b>
<b>Councillor S Doran</b>	<b>Councillor G Fitzpatrick</b>
<b>Councillor G Hanna</b>	<b>Councillor V Harte</b>
<b>Councillor M Murnin</b>	<b>Councillor H McKee</b>
<b>Councillor P O'Gribin</b>	<b>Councillor P Byrne</b>
<b>Councillor G Stokes</b>	<b>Councillor H Reilly</b>
<b>Councillor D Taylor</b>	

# Agenda

---

*Committee Business*

---

- 1. Apologies and Chairperson's remarks.**

---

*Committee Business*

---

- 2. Declarations of conflicts of interest.**
- 3. Action Sheet of the Regulatory and Technical Services Committee Meeting held on Wednesday 20 April 2016. (Attached).**

[ACTION SHEET - 20 April 2016.pdf](#)

Page 1

---

*For Consideration and/or Decision*

---

- 4. Regulatory and Technical Services Business Plan. (Attached).**

[Regulatory & Technical Services Business Plan - Master - Q4 16.pdf](#)

Page 4

---

*For Consideration and/or Decision - Planning*

---

- 5. Planning Department Performance Indicators April 2016. (Attached).**

[April 16 Planning Comm. Performance Report.pdf](#)

Page 12

- 6. Record of Meetings between Planning Officers and Public Representatives - as requested. (Attached).**

[Record of Mtgs between Planning Officers & Public Reps.pdf](#)

Page 16

**7. Consideration of request for removal of trees at Kilbroney Municipal Cemetery, Rostrevor. (Attached).**

*Request for removal of trees at Kilbroney Municipal Cemetery.pdf*

*Page 17*

**8. To consider additional off road car parking at Kilbroney Municipal Cemetery, Rostrevor. (Attached).**

*Request to consider additional off road car parkig at Kilbroney Municipal Cemetery.pdf*

*Page 19*

**9. Council public amenity space near the Council public toilets and Castlewellan Market House Library. (At the request of Councillor P Clarke).**

**10. Arc21 Standing Order. (Attached).**

*Arc21 Governance Arrangements - Updated Standing Orders.pdf*

*Page 22*

**11. Licensing Report. (Attached).**

*Licensing Report.pdf*

*Page 34*

**12. Current Planning Appeals. (Attached).**

*Apeal 16 Current Appeals.pdf*

*Page 35*

**13. Colour light request for Newry City Hall. (Attached).**

*Colour Light request for Newry City Hall.pdf*

*Page 43*

**14. NMD arc21 Membership payments. (Attached).**

[NMD arc21 Membership.pdf](#)

Page 44

**15. Letter from DARD dated 18 April 2016 - Water and Sewerage Act (NI) 2016. (Attached).**

[WATER AND SEWERAGE ACT \(NI\) 2016.pdf](#)

Page 49

**16. Consultation on Permitted Development Rights. (Attached).**

[Consultation on Permitted Development Rights.pdf](#)

Page 51

**17. Minutes of Anti-Litter Meeting held on 8 April 2016. (Attached).**

[Anti-Litter Meeting 8.4.16 Minutes.pdf](#)

Page 52

**18. Minutes of arc21 Steering Group Meeting held on Tuesday 22 March 2016. (Attached).**

[arc21 Steering Group Minutes 220316.pdf](#)

Page 56

---

*Items to be considered with press and public excluded*

---

**19. Request to tender for Final Capping at Drumanakelly Landfill Site. (Attached).**

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

[Drumanakelly Request to Tender Final Capping.pdf](#)

Page 62

**ACTION SHEET – REGULATORY & TECHNICAL SERVICES COMMITTEE – WEDNESDAY 20 APRIL 2016**

<b>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>
RTS/53/2016	Confirmation of Home Composter Price	<p>On the proposal of Councillor Murnin, seconded by Councillor Hanna, it was agreed to recommend approval of the proposed price for Home Composter units during 2016/2017 at £5 per unit, restricted to one per household and collection only.</p> <p>It was agreed at the request of Councillor Murnin that officials investigate if incorrect information had been included on a letter distributed to businesses in the Down area regarding bin charges, and if the information was incorrect, that a revised letter be issued.</p> <p>It was agreed at the request of Councillor Hanna that Mr L Dinsmore contact him regarding a request for a blue bin to his commercial premises.</p>	<p>Home Composter Units now selling at £5 across the district</p> <p>Information was correct</p> <p>Contact has been made.</p>
RTS/54/2016	Dust/residue at Carnbane Industrial Estate Newry	It was agreed that Mr C O'Rourke write to the NIEA regarding the issues raised by Councillors on behalf of local residents, including a request that if an issue was raised on a particular day, for example a recent complaint about smoke emissions,	Letter and e-mail sent to NIEA and Environmental Health Department.

		<p>that an inspector investigate the incident on the day it was reported.</p> <p>It was also agreed that Mr O'Rourke raise the issues of concern with the NIEA Client Manager for the Newry, Mourne and Down area.</p> <p>Finally it was agreed that the Council's Environmental Health Department be made aware of the complaints made by residents and that they be asked to investigate.</p>	
RTS/59/2016	Installation of bus shelters	<p>It was unanimously agreed to note the report on the installation of bus shelters dated 20 April 2016.</p> <p>It was also agreed officials investigate requests from Members to provide side panels in the bus shelters at Drumaness and Crossgar, if the location of the shelters allows for this.</p>	<p>In progress. Cost to provide one side panel (650 mm wide) is £749.44 or two at same site £1001.86. Sufficient space on footpath to provide side panel at Crossgar.</p>
RTS/60/2016	Opening and closing of toilets in Newcastle	<p>It was agreed on the proposal of Councillor Hanna, seconded by Councillor O'Gribin, that 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;</p>	Ongoing.

		<p>extended opening hours during busy periods.</p> <p>It was agreed a report be brought back to a subsequent R&amp;TS Meeting on these issues.</p>	
RTS/68/2016	Lease of land at Greenbank Industrial Estate Newry	<p><b>CLOSED SESSION ITEM</b></p> <p>It was agreed on the proposal of Councillor Stokes, seconded by Councillor Hanna, to grant approval for 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.</p>	Lease being progressed
RTS/69/2016	Capital Expenditure Projects	<p><b>CLOSED SESSION ITEM</b></p> <p>It was agreed on the proposal of Councillor Hanna, seconded by Councillor Stokes, to grant approval for Council Officials to initiate steps, including issuing of tenders, to complete capital projects agreed for this financial year:-</p> <ul style="list-style-type: none"> <li>• Provision of new central heating system to Bunscoil an luir</li> <li>• Provision of new Christmas illuminations/decorations</li> <li>• Refurbishment works to Castlewellan Community Centre</li> </ul>	In progress
<b>END</b>			

## Regulatory & Technical Services Business Plan

Period: 2015-16

Business Plan Version 3

Key Result Area 1: To serve our customers & community								
Ref.	Key Activities	Owner	Target	Q1 A-J 2015	Q2 J-S 2015	Q3 O-D 2015	Q4 J-M 2016	Comment
<b>Licensing</b>								
A1	To integrate a new dog licensing section into our Department		By Dec 2015					Dog licensing section is currently based within the EH section. Purpose is to issue dog licences, collect stray dogs and deal with reports on attacks on the public; no progress until Tier 4 complete.
A2	To deliver an annual inspection service on our licenced premises		100%					Carry out an annual inspection on all Licensed premises and carry out DPIs on high risk premises. Entertainment Licenses, Amusement, Cinema & places of Marriages. Complete for Newry, incomplete for Downpatrick. ( Issue with Cinema complex )
A3	To regulate the street trading licences		ongoing					
A4	To process all postal numbering queries within 14 days		90%					
A5	To process requests for development naming within 28 days		80%					
A6	To inspect all petrol stations annually under the Petroleum Licensing Legislation		100%					
A7	Provide advice and service to the public in respect of dog control		97% within 3 days					Not transferred from EH yet; no progress until Tier 4 is complete.
<b>Building Control</b>								
A8	To respond to Dangerous Structure notifications within 24 hours		90%					Carry out on-site inspection to determine risk to the public.
A9	To integrate all new staff in to the Section (previous Group Staff)		By Dec 2015					Staff transfered but structure not yet in place.
A10	To re-locate transferring staff into the Newry and Downpatrick offices		By Oct 2016					Staff transfer but structure not yet in place.
A11	To improve living conditions via the enforcement of the Building Regulations		100%					Examples - energy conservation, fire safety and disabled access. 100% of applications to be assessed within 56 days
A12	Fire Risk Assessment - Annual review of Council buildings		100%					Annual FRAs complete for Newry; incomplete for Downpatrick but on course for completion in May 16
<b>Energy Performance of Buildings</b>								
A13	Protect the environment via the enforcement of the EPB legislation		ongoing					Ongoing energy conservation. Continual monitoring of Estate Agents for compliance.
<b>Planning</b>								
A14	All major planning applications determined within 30 weeks							Not achieved - resources required to address backlogs were not in place until Q4. Legacy applications from DOE impacting on this target.
A15	To reduce by 50% the number of planning applications over 12 months old.							Not achieved - resources required to address backlogs were not in place until Q4. Legacy applications from DOE impacting on this target.



## Regulatory & Technical Services Business Plan

Period: 2015-16

Business Plan Version 3

A16	To process all priority applications within 15 weeks (applications involving job creation,							Not achieved - resources required to address backlogs were not in place until Q4. Legacy applications from DOE impacting on this target.
A17	To process 75% of enforcement cases to an end point (case closure or service of an							Not achieved - resources currently not at a level capable of achieving the target. Available resources have been directed to the processing of applications.
<b>Facilities</b>								
A18	Create and implement centralised control of staff and budgets for Security, Reception and Canteens in Monaghan Row, Downpatrick Civic Centre and Greenbank	By end of Q4						Some progress made but until structures are agreed and staff aligned to posts within new department progress will be limited.
A19	Introduce standardised, safe and secure procedures for burials across Council's five public cemeteries	By end of Q4						Some progress made but until structures are agreed and staff aligned to posts within new department progress will be limited.
A20	Develop and agree Council policy for undertaking testing of Council portable electric appliances.	By end of Q4						PAT Testing contractor has been appointed and testing has commenced but not complete. Once first year testing is complete a policy will be drawn up for future testing for presentation/agreement with SMT.
A21	assist Council with its statutory obligations to control water borne bacteria within its	By end of Q3						Currently continuing with contracts established by legacy Council's pending appointment of single contractor to cover all of new Council.
<b>Maintenance</b>								
A22	Devise and implement staff procedures to allow the "sharing" of skilled and unskilled staff across Building Maintenance and Grounds Maintenance	By end of Q4						Some progress made but until structures are agreed and staff aligned to posts within new department progress will be limited.
A23	Periodic inspection of fixed electrical wiring in all Council properties (1/3 circuits) and address any remedial actions identified as having a safety consequence.	By end of Q4						
A24	Annual inspection of all Council building emergency lights and completion of any remedial action.	By end of Q4						
A25	Undertake portable appliance testing on all Council's portable electric appliances and address any remedial action required.	By end of Q4						
A26	Develop and implement an automated "planned maintenance schedule" within the context of a broader council wide asset management strategy.	By end of Q4						Some progress made but until structures are agreed and staff aligned to posts within new department progress will be limited.
<b>Refuse Collection</b>								
A27	Deliver a refuse collection service that meets the needs of our customers.	>95%						Bins collected is above 95%.

### Regulatory & Technical Services Business Plan

Period: 2015-16  
Business Plan Version 3

Environmental Cleansing								
A28	Deliver a street cleansing service that meets the needs of our customers		>80%					
Recycling								
A29	Ensure that we avoid EU fines by meeting Recycling and Landfill targets		NILAS					Council is meeting present NILAS targets
A30	Provide Quarterly reports to NIEA within time limits (NILAS, WDF, SIC, TRAN STAT)		Quarterly					
A31	Provide details of collection days to householders and trade waste customers		Annually <1% returns					Calendars provided to all households
A32	Complaints management & reporting		Monthly					
A33	In partnership develop recycling and litter campaigns							
A34	Maintain school recycling and Eco Schools membership via education		2 visits per school					
Waste Disposal / Processing								
A35	Manage Drumanakelly & Aughnagun within the requirements of the PPC permit		Compliance					
Fleet Management								
A36	Ensure refuse fleet capable of delivering collection services		<10% down time					Still issues with fleet hampering the refuse service
General								
A37	Quarterly updates on Business Plan, Risk Registers & Assurance Statements		Quarterly					Updates still required

**Key Result Area 2: Manage Our Costs** **Continue, unless it requires newly identified efficiencies**

Ref.	Key Activities	Owner	Target	Q1 A-J 2014	Q2 J-S 2014	Q3 O-D 2014	Q4 J-M 2015	Comment
	<b>Planning</b>							

## Regulatory & Technical Services Business Plan

Period: 2015-16

Business Plan Version 3

B1	Planning costs to be within 5% of budget.							Not achieved - additional resources(staff) required to address backlog of planning applications.
B2	Review / reduce advertising costs associated with the planning function.							Achieved - reduction in the number of newspapers carrying planning adverts.
B3	Review range of planning functions to identify where charging mechanisms can be applied.							Not achieved -- work is ongoing but cannot be concluded until backlog is cleared and Department is in a position to deliver a level of service for which the levying of a charge can be justified.
<b>All</b>								
B4	Demonstrate overtime control/reduction (planned & unplanned)		<7% of staff costs					Overtime has been controlled, but in the absence of final budget statements, we don't know the percentage decrease
B5	Progress proposals for best solution for Residual Waste management post 2015		ongoing					Still no firm solution to dealing with residual waste long term.
B6	Monitor & report on data returns of ARC 21 contracts		Monthly					
B7	Departmental budget to be on or below budget		+/- 3%					Year end budgets not yet available, but Directorate is likely to be on or very close to budget
B8	All capital projects to come in on or below budget		+/- 10%					Year end budgets not yet available, but Directorate is likely to be on or very close to budget
B9	Total income to match budget predictions		not more than 5% under					Year end budgets not yet available, but while total income may be less than anticipated, the Directorate is likely to be on or very close to budget
B10	No work related accidents resulting in staff time loss or damage to Council equipment/property		No work related accidents					There have been a number of work related accidents and while there has been damage to equipment, none of the accidents resulted in serious personal harm

### Key Result Area 3: To improve our business processes

Ref.	Key Activities	Owner	Target	Q1 A-J 2014	Q2 J-S 2014	Q3 O-D 2014	Q4 J-M 2015	Comment
<b>Building Control</b>								
C1	Integrated application process and administrative support with Planning							Part of the integration process.
C2	Provide realistic and challenging Service Level Agreement and monitored via KPIs		100%					Set annual targets and review. 100% of applications to be assessed within 56 days
C3	Integrated licensing service throughout the District		By Oct 2016					No progress until Tier 4 is complete.
C4	To achieve external accreditation (CSE)		By Oct 2016					No progress.
C5	To control BC and Planning infringements through consultation and inspection procedures							Consultation process commenced Feb 2016.

## Regulatory & Technical Services Business Plan

Period: 2015-16

Business Plan Version 3

Planning							
C6	Configure and roll out a pilot CRM project for Building Control / Environmental Health / Planning.	By end of Q4					Not achieved - work is ongoing but is partly dependent on wider Council decisions/actions.
C2	Introduce Pre application discussion procedure with an associated scale of fees.	By end of Q4					Pre application discussions already in place but charging mechanism cannot be justified until a steady state working arrangement is established within the Department, notably with the reduction in planning application backlogs.
Facilities Management							
C7	To agree and begin implementation of Facilities Management Organisational Structure.	By end of Q4					Agreement reached for Tier 4 post - Head of Facilities Management with JD being agreed at present. No agreement on remaining part of structure.
Maintenance							
C8	To agree and begin implementation of Maintenance Organisational Structure	By end of Q4					Agreement reached for Tier 4 post - Head of Maintenance with JD being agreed at present. No agreement on remaining part of structure.
Refuse Collection							
C9	Optimising Trade Waste Collection	cost neutral					Need to optimise and address a more uniform approach across the district
C10	Optimise bulky waste service	Ongoing					Need to optimise and address a more uniform approach across the district
C11	Optimise black and blue bin waste collection						Need to optimise and address a more uniform approach across the district
C12	Optimise organics waste collection service						Need to address service requirements within rural areas
C13	Rationalise rounds in line with NM&D council, taking into consideration TEEP requirements						Still issue on whether to take glass in the blue recycling bin.
C14	Bring Ballyward refuse collection service in house	Q1					Ballyward set to go in house April 2016
Environmental Cleansing							
C15	Promote various clean up initiatives within the district	Ongoing					There have been several clean up initiatives across the district
C16	Optimise street cleansing requirements, with one uniform service						Still need to progress
C17	Progress Risk Assessment for all relevant activities	Q1					Risk Assessments in place

## Regulatory & Technical Services Business Plan

Period: 2015-16

Business Plan Version 3

Recycling							
C18	Progress Wind Turbine scheme at Drumanakelly						See need to progress possible options
C19	Education programme re: inclusion of hard plastics in Blue Bins						Delay due to procurement issues
C20	Increase number of Bring To sites						Bringing service under one contract and will then develop
C21	Implement recycling of road sweepings						Sweeping materials now being recycled
C22	Implement recycling of Litter bin waste						Difficulty with processing, due to dog fouling waste
C23	Add charities, sports clubs, caravans to blue bin collections						Only some progress made on this.
C24	Promote recycling for trade waste customers						Need to role out to all customers.
C25	Continue delivery of updated Environmental Education Plan		ongoing				Delivery hampered, due to resource issues.
Waste Disposal / Processing							
C26	Improve gas management at Drumanakelly		Q1				Working with B-9 to improve gas output
C27	Progress Zero Waste going to Landfill						Part of Corporate Plan
C28	Implement Drumanakelly Closure Plan		Q4				Working towards closure, with alternative residual waste contract put in place.
C29	Implement Aghragun Closure Plan						Progressing closure plan, with final capping going out to tender.
C30	Progress Membership of Waste Management Group arc21		Ongoing				NMDDC now with agreed arc21
C31	Open new Downpatrick Household Recycling Centre						Still progressing, with proposed opening of site in 2017.
C32	Optimise waste disposal contracts in line with NM&D council						A number of waste contracts being merged to cover both areas.
C33	Review site licencing requirements for NM&D council (CA, Landfill sites)						In progress, with final closure plans being put in place for both landfills.

## Regulatory & Technical Services Business Plan

Period: 2015-16

Business Plan Version 3

C34	Standardise operation of HRC-sites							Still need to progress
C35	Address disposal requirements for waste taken to Drumanakelly							Alternative disposal arrangements in place for closure of Drumanakelly
C36	Provide a residual waste Transfer Station capability (Drumanakelly)		Q3					On hold while 3rd Party Transfer Station being used for this service requirement.
<b>Fleet Management</b>								
C37	Purchase & commission new vehicles		ongoing					Unable to purchase all vehicles during 15/16 time period due to time constraints
C38	Implement Fleet Telemetry system across entire fleet							Still need to progress
C39	Review fleet management requirements for NM&D council							Still ongoing
C40	Ensure Council meets Transport Operator Licence requirements		ongoing					Ongoing
<b>General</b>								
C41	Progress the Staff Structure process		By Sept 16					Staff structures are progressing with most of the tier 4 posts scheduled for appointment by September
C42	Comply with new Corporate CRM procedures when implemented		When Implemented					CRM procedures have not yet been implemented
C43	Progress collaborative service plans for Waste Disposal in NMD Council							Ongoing
C44	Progress collaborative service plans for Recycling in NM&Down Council							Ongoing
C45	Progress collaborative service plans for Enforcement in NM&Down Council							Still need to progress
C46	Apply ISO 14001 to Service Delivery in Env Services		Ongoing					

### Key Result Area 4: To develop our people

Ref.	Key Activities	Owner	Target	Q1 A-J 2014	Q2 J-S 2014	Q3 O-D 2014	Q4 J-M 2015	Comment
<b>Planning</b>								

## Regulatory & Technical Services Business Plan

Period: 2015-16

Business Plan Version 3

D1	Complete all stages of annual reporting cycle.							The DoE have continued to report Planning statistics, based on figures provided by the Planning Department
D2	Training provided in line with agreed personal development plans.							While training has been continuing, personal development plans have not yet been implemented
D3	H&S Training provided / updated.							H&S training has been delivered, particularly in areas of high risk.
<b>All</b>								
D4	Rigorously apply the Attendance Management Policy & Procedures		ongoing					
D5	Implement training matrix for staff		ongoing					Some progress made but until structures are agreed and staff aligned to posts within new department progress will be limited.
D6	Ensure department meets CSE assessment							New application to be submitted when staff are appointed following the office structure review.
D7	Standardise all staff terms and conditions		By Sept 16					Progress has been made in identifying and documenting variations in T&Cs, but unions want a 'big bang' / all or nothing approach, which is delaying implementation of changes to T&Cs.
D8	Implement appropriate New Council training & development		As appropriate					Where appropriate, council training has been made available
D9	Ensure department meets IIP & ISO requirements		Ongoing					Performance management standards, while identified as important, have not yet been implemented across council
D10	Staff familiarisation across former DDC & N&M							Staff familiarisation sessions have been conducted for all departments

## Newry, Mourne & Down District Council – April 2016

12

### 1. Live Applications

MONTH 2016	NEW APPLICATIONS	LIVE APPLICATIONS	LIVE APPLICATIONS OVER 12 MONTHS
January	112	1,596	387
February	134	1,545	387
March	120	1,431	426
April	138	1,389	436

### 2. Live Applications by length of time in system

Month 2016	Under 6 months	Between 6 and 12 months	Between 12 and 18 months	Between 18 and 24 months	Over 24 months	Total
January	656	553	182	64	141	<b>1,596</b>
February	660	498	181	58	148	<b>1,545</b>
March	604	401	218	61	147	<b>1,431</b>
April	583	370	222	66	148	<b>1,389</b>

### 3. Live applications per Case Officer

Month 2016	Average number of Applications per Case Officer
January	84
February	81
March	71
April	58



## Newry, Mourne & Down District Council – April 2016

13

### 4. Decisions issued per month

#### Decisions Issued

Month 2016	Number of Decisions Issued	Number of Decisions Issued under delegated authority
January	89	86
February	171	159
March	229	226
April	168	163

### 5. Decisions Issued YTD

Month 2016	Number of Decisions Issued	Average processing Time	Breakdown of Decisions	
			Approvals	Refusals
January	827	41.37 weeks	Approvals (753)	91%
			Refusals (74)	9%
February	998	41.38 weeks	Approvals (899)	90%
			Refusals (99)	10%
March	1,227	41.36 weeks	Approvals (1102)	90%
			Refusals (125)	10%
April	168	35.52 weeks	Approvals (156)	93%
			Refusals (12)	7%

### 6. Enforcement

#### Live cases

Month 2016	<=1yr	1-2 yrs	2-3 yrs	3-4 yrs	4-5 yrs	5+yrs	Total
January	187	117	93	40	24	74	535
February	182	111	93	45	23	74	528
March	191	114	98	49	24	74	550
April	185	119	97	56	23	78	558

## Newry, Mourne & Down District Council – April 2016

14

### 7. Planning Committee

Month	Number of Applications presented to Committee	Number of Applications Determined by Committee	Number of Applications Deferred for future meeting
15 April 2015	5	5	0
13 May 2015	5	4	1
10 June 2015	6	4	2
8 July 2015	5	5	0
5 August 2015	4	3	1
2 September 2015	2	2	0
30 September 2015	4	4	0
28 October 2015	2	2	0
25 November 2015	6	4	2
16 December 2015	2	2	0
20 January 2016	12	9	3
4 February 2016	4	4	0
17 February 2016	8	7	1
16 March 2016	8	6	2
13 April 2016	14	11	3
27 April 2016	10	5	5
<b>Totals</b>	<b>97</b>	<b>77</b>	<b>20</b>

### 8. Performance against PSA targets

	Major applications (target of 30 weeks)		Local applications (target of 15 weeks)		Cases concluded (target of 39 weeks)	
	Number decided/ withdrawn <sup>1</sup>	Average processing time <sup>2</sup>	Number decided/ withdrawn <sup>1</sup>	Average processing time <sup>2</sup>	Number brought to conclusion <sup>3</sup>	"70%" conclusion time <sup>3</sup>
April	0	-	20	24.8	36	64.1
May	3	53.4	67	30.6	5	115.8
June	5	61.2	60	26.0	21	30.6
July	1	102.0	80	32.9	13	79.3
August	0	-	74	33.6	17	65.9
September	4	35.9	116	35.4	12	177.2
October	4	56.1	124	32.1	18	29.6
November	2	40.7	90	36.2	26	73.9
December	4	171.7	75	36.4	14	111.7
January	2	122.9	85	43.4	23	98.3
February	5	46.4	155	38.4	30	50.7
March	0	-	0	-	0	-
<b>Year to date</b>	<b>30</b>	<b>53.7</b>	<b>946</b>	<b>34.2</b>	<b>215</b>	<b>65.6</b>

**Notes:**

1. CLUDS, TPOS, NMCS and PADS/PANs have been excluded from all applications figures

## Newry, Mourne & Down District Council – April 2016

15

2. The time taken to process a decision/withdrawal is calculated from the date on which an application is deemed valid to the date on which the decision is issued or the application is withdrawn. The median is used for the average processing time as any extreme values have the potential to inflate the mean, leading to a result that may not be considered as "typical".

3. The time taken to conclude an enforcement case is calculated from the date on which the complaint is received to the earliest date of the following: a notice is issued; proceedings commence; a planning application is received; or a case is closed. The value at 70% is determined by sorting data from its lowest to highest values and then taking the data point at the 70th percentile of the sequence.

### 9. Appeals

Area	Number of current appeals
Newry & Mourne	12
Down	4
<b>TOTAL</b>	<b>16</b>

## Record of meetings between Planning Officers and Public Representatives

DATE OF MEETING	PLANNING OFFICER'S NAME/S	PUBLIC REPRESENTATIVE'S NAME
8/01/2016	A McKay, P Rooney, D Watson	Seán Rogers MLA, Cllr Willie Clarke, Cllr Mark Murnin
12/01/2016	P Rooney, M Keane	Cllr Stephen Burns
14/01/16	A McKay	Margaret Ritchie MLA
20/01/2016	P Rooney	Cllr Cadogan Enright
25/01/2016	D Watson	Margaret Ritchie MLA
27/01/16	M Keane	Seán Rogers MLA
17/02/16	Jacqui McParland	Declan McAteer
19/02/16	Jacqui McParland	Jarlath Tinnelly
22/02/16	Jacqui McParland	Michael Ruane
22/02/16	Jacqui McParland	Gillian Fitzpatrick
24/02/16	David Watson	Seán Rogers MLA
25/02/16	Andrew Hay, James King	Seán Rogers MLA
25/02/2016	Annette McAlarney	Seán Rogers MLA
25/02/16	Anthony McKay	Margaret Ritchie MLA
26/02/16	M Keane	Cllr McGrath
15/03/16	J McParland	Cllr M Ruane
16/03/2016	J McParland	Sean Rogers
25/03/16	A Davidson	Cllr Taylor
30/03/16	J McParland	Seán Rogers MLA
5/4/16	A McKay	Seán Rogers MLA
8/4/16	A McKay	Margaret Ritchie MLA
12/04/2016	Annette McAlarney	Cllr Curran
14/04/2016	J McParland	Cllr Declan McAteer
25/04/2016	J McParland	Cllr Tinnelly
27/04/2016	J McParland	Cllr Tinnelly
28/04/2016	Annette McAlarney	Cllr Burgess
29/04/2016	Annette McAlarney	Cllr McGrath

<b>Agenda Item:</b>	Facilities Management and Maintenance
<b>Report to:</b>	Regulatory and Technical Services Committee
<b>Subject:</b>	Consideration of request for removal of trees at Kilbroney Municipal Cemetery, Rostrevor
<b>Date:</b>	18 <sup>th</sup> May 2016
<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:

Request for removal of 10 Silver Birch Trees, which lie along the boundary line between Kilbroney Old Cemetery and the Council's Municipal Cemetery, to be declined.

#### **1.0 Purpose & Background**

- 1.1 This department was requested by the Council's Strategy, Policy & Resources Committee in February this year to consider a request to investigate the possibility of removing the trees between the old and new graveyards at Kilbroney Cemetery, Rostrevor.

It is understood that the issue in this instance is the extra maintenance of grave owners on the Kilbroney Cemetery close to these trees resulting from leaf fall. Leaves are removed on the Council Municipal Cemetery by Council Staff.

#### **2.0 Key Issues**

- 2.1 There are approximately 10 silver birch trees that make up the boundary line of the 2 No. graveyards, with the trees located on the Council side of the boundary.

In previous years the Council have been approached by the Parish Cemetery requesting branches are cut back on their side as they wanted to reduce leaf fall on their side. These requests were accommodated.

The trees are currently in a healthy condition and act as a natural wind break to Council's section of the Cemetery. The trees add to the serenity of the Council Cemetery and by removing them may leave the graveyard quite open.

Should the Council proceed to remove the trees then work cannot to be undertaken in-house. A contractor would have to be required, and may cost in the region of £7000.00.

This is currently nesting season, and therefore the trees could not be felled until September

time.

Any such decision to proceed with such removal should consider the views of the Parish.

**3.0 Resource Implications**

3.1 These works have not been planned for in 2016/2017 Budget and if to proceed the estimated cost is £7000.00.

4.0 **Appendices** - None

<b>Agenda Item:</b>	Facilities Management and Maintenance
<b>Report to:</b>	Regulatory and Technical Services Committee
<b>Subject:</b>	Request to consider additional off road car parking at Kilbroney Municipal Cemetery, Rostrevor
<b>Date:</b>	18 <sup>th</sup> May 2016
<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 undertaking a feasibility study into whether additional off street parking is required and if so the impact of accommodating this within the Council's approved cemetery development.

#### **1.0 Purpose & Background**

- 1.1 At the Council's monthly meeting in February this year a recommendation arising from the Crotlieve DEA Forum that the relevant Council department explore the possibility of developing the unsuitable land at Kilbroney Graveyard for additional car parking is forwarded to the Regulatory and Technical Services Committee.

Officers from the Regulatory & Technical Services Department have considered this matter and the following report provided for consideration.

The Kilbroney Municipal Cemetery is located along the Kilbroney Road, Rostrevor, and is situated alongside the Roman Catholic Kilbroney Parish Cemetery, with access directly between both Cemeteries.

There are no parking facilities within the Kilbroney Parish Cemetery. However, there is currently limited availability for parking within the Council's Municipal Cemetery (15 to 20 spaces), at the bottom of the site (see attached Overall Layout Plan for Kibroney Municipal Cemetery).

Planning Permission was granted in 1985 for the development of the Municipal Cemetery, with development to be on a Phased basis. Phase 1 is operational and no work has been commenced on Phase 2 area which is currently leased for grazing.

It is understood that this request arises due to limited off road parking in the area which can result in congestion at this location during peak times such as burials taking place at either cemetery. There is an assumption, which has yet to be proved, that part of Phase 1 land at

the top of the site may prove to be unsuitable for burials due to hard rock in the area and the suggestion is that this land may be better used for off street parking.

At present within Phase 1 there are 280 new plots left. Burial rate at the cemetery is approximately 1 per month but this is expected to rise as greater limitation will arise in relation to use of Parish Cemetery. If it is assumed that each purchase of a grave is for a double plot then based on 1 burial per month the remaining life of Phase 1 of the cemetery is just under 12 years.

With the existing proposal the use of the top part of the site for car parking would remove 130 new plots for 28 car parking spaces which would reduce the life of Phase 1 to just over 6 years.

Any such change would require planning approval.

## 2.0 **Key Issues**

- 2.1
- It is possible to seek to provide additional off street parking within Kilbroney Municipal Cemetery at the expense of existing approved burial plots.
  - Such a proposal could provide 28 off street car parking spaces at the expense of 130 new burial plots but it is not known if this would be sufficient to address the perceived current intermittent on road parking issues at this site .
  - Such a proposal would reduce the life of Phase 1 of the cemetery from 12 years to 6 years.
  - Planning approval exists for a Phase 2 development of the cemetery in the adjoining field which includes for additional burial ground.
  - Planning approval would be required to change the approved land for burials to car parking.
  - The cost of such a scheme is not currently known nor is there approved funding to investigate the matter further.

## 3.0 **Resource Implications**

- 3.1
- Should the Council wish to proceed with the investigation of such a scheme further work will be required to determine its feasibility, impact and potential capital costs.
  - No budget assigned for such investigations.

## 4.0 **Appendices**

Appendix 1: Overall Layout Plan for Kilbroney Municipal Cemetery





<b>Agenda Item:</b>	<b><i>Arc21 Updated Standing Orders</i></b>
<b>Report to:</b>	<b><i>Regulatory and Technical Services Committee</i></b>
<b>Subject:</b>	<b><i>Arc21 Governance Arrangements – Updated Standing Orders</i></b>
<b>Date:</b>	<b><i>18 May 2016</i></b>
<b>Reporting Officer:</b>	<b><i>Canice O’Rourke</i></b>
<b>Contact Officer:</b>	<b><i>Joe Parkes</i></b>

<b><u>Decisions Required</u></b>	
Members are asked to note the contents of the attached arc21 report, and consider and agree to: <ul style="list-style-type: none"> <li>▪ <b><i>Agree to the adoption of the arc21 updated standing orders.</i></b></li> </ul>	
1.0	<b><u>Purpose &amp; Background</u></b>
1.1	The attached report was presented to the arc21 Joint Committee in April 2016 and require the respective Councils to agree the adoption of the arc21 updated Standing Orders.
1.2	Two primary changes to the arc21 Standing Orders: <ol style="list-style-type: none"> <li>1) Revert back to a quorum of four Councils represented at the arc21 Joint Committee to help bring the Standing Orders back into line with the Terms of Agreement. Past attendance of Councillors &amp; Councils at the Joint Committee would indicate this should not be a problem. The quorum had been three.</li> <li>2) Legal advice advised the Standing Orders are updated to bring it more formally into line with the Local Government (NI) Act 2014. It is to clearly demonstrate how the voting arrangements, specifically Simple Majority and Qualified Majority apply.</li> </ol>
2.0	<b><u>Key Issues</u></b>
2.1	Newry, Mourne and Down District Council are required to agree the adoption of the Updated arc21 Standing Orders.
2.2	The Quorum – Specifically bringing it back into line with the Terms of Agreement.
2.3	The Voting Arrangements – following the receipt of legal advice.

3.0	<b><u>Resource Implications</u></b>
3.1	No resource implications

**ITEM 12****Governance Arrangements – Updated Standing Orders****Purpose of Report**

To present the Joint Committee with updated Standing Orders for consideration prior to the document being presented to Participant Councils to be agreed and adopted in accordance with the Terms of Agreement.

**Executive Summary**

The Joint Committee, at its meeting held on 30 April 2015, was presented with Draft Standing Orders under which the proceedings of the Joint Committee would be regulated.

The Joint Committee recommended one change to the Draft Standing Orders that is in respect of Clause 9 (Quorum) where it wished to reduce the number of Participant Councils to be represented from 4 down to 3.

The Terms of Agreement refer to 4 Participant Councils being represented at a quorate meeting of the Joint Committee and Members are asked, in the light of experience to date, to consider reverting back to this number, thus keeping it in line with the Terms of Agreement.

In addition, following legal clarity around the voting arrangements as set out in the Local Government (Northern Ireland) Act 2014, the Joint Committee is asked to consider updating the Standing Orders, as they need to be brought more formally into line with the Act in this regard.

Following consideration of the updated Standing Orders, in accordance with Clause 6.4 of the Terms of Agreement, the Standing Orders require to be presented to Participant Councils to be agreed and adopted.

The Joint Committee is asked to approve the recommendations in order that the Standing Orders can be presented to Participant Councils to be agreed and adopted.

**Background**

In line with the constitution, the Terms of Agreement, the proceedings of the Joint Committee shall be regulated by Standing Orders to be agreed and adopted by the Participant Councils.

The Standing Orders primarily set out the formal arrangements within which the meetings of the Joint Committee are conducted.

Draft Standing Orders were presented to the Joint Committee at the meeting held on 30 April 2015 and, at that meeting, Members suggested one change to the document.

Clause 6.3 of the **Terms of Agreement** state that *“the quorum of the Joint Committee shall be six Members present, provided that at least four of the Participant Councils are represented”*.

The relevant Clause in the Draft Standing Orders in relation to the quorum is Clause 9 and the Joint Committee suggested that the quorum be amended so that at least **three** of the Participant Councils, instead of four, are represented together with at least six Members present in order for meetings to be quorate.

The Standing Orders are being prepared for presentation to Participant Councils and the Joint Committee is asked to take the opportunity to consider updating the document, prior to it being presented to Participant Councils, in relation to two areas:

- 1 The Quorum – specifically bringing it back into line with the Terms of Agreement; and
- 2 The Voting Arrangements – following the receipt of legal advice.

## **Report**

### **The Quorum**

Following reconstitution in April 2015, the Joint Committee has met on 10 occasions and, in terms of representation by Participant Councils, on six of those occasions 6 Councils were represented. On the other four occasions, 5 Councils were represented.

The Standing Orders should reflect the position agreed by Participant Councils as set out in the Terms of Agreement and therefore the Joint Committee is asked to consider the current position in regards to the number of Councils required to be represented.

In light of the attendance record to date there does not appear to be a problem regarding the Council representation element of the quorum and therefore the Joint Committee is asked to consider bringing the Standing Orders back into line with the Terms of Agreement i.e. four Councils represented.

The Standing Orders regulate the conduct of the Joint Committee meetings and is therefore an internal document whilst the Terms of Agreement require to be submitted to the Department. Therefore, the suggested approach is much more straight forward from an administrative point of view as it does not involve the further steps of both individual Councils and the Department having to reconsider the Terms of Agreement.

### **Voting Arrangements**

Following a review by the legal advisor to the Joint Committee, the Town Solicitor from Belfast City Council, clarity has been received regarding the voting arrangements as set out in the Local Government (Northern Ireland) Act 2014.

Clause 9 of the Standing Orders has been updated to bring it more formally into line with the Act, and to more clearly demonstrate how the voting arrangements, specifically Simple Majority and Qualified Majority, apply.

A copy of the updated Standing Orders is attached at Appendix E.

**Recommendations**

It is recommended that the Standing Orders of the Joint Committee reflect the requirements of the Terms of Agreement in relation to the quorum and shall be six Members present provided that at least four of the Participant Councils are represented.

It is recommended that the Joint Committee accept the amendments to Clause 9 of the Standing Orders to more clearly reflect the application of the voting arrangements as set out in legislation.

**Action to be Taken**

The Joint Committee is asked to approve the recommendations in order that the Standing Orders can be presented to Participant Councils to be agreed and adopted.

**Officer to Contact**

George Craig  
Corporate Services Director  
Tel: 028 90726333 Ext: 6672  
Email: [george.craig@arc21.org.uk](mailto:george.craig@arc21.org.uk)

**APPENDIX E**



# **Standing Orders**

**These Standing Orders are made for the regulation of the business of arc21.**

**1. Meetings**

The Joint Committee shall meet as often as it is deemed necessary. The time and place of the first meeting shall be as decided by arc21 and thereafter at such places as shall be decided by the Joint Committee.

**2. Time and Hosting of Meetings**

Meetings of the Joint Committee shall be held monthly and shall commence at 10.30 a.m. usually on the last Thursday of the month, unless otherwise decided by the Joint Committee. Meetings shall be hosted by each Council in alphabetical order. Special meetings may be held in order to deal with specific matters should they arise and arrangements for such meetings will be decided as and when the circumstances arise.

**3. Chair**

Each meeting shall be chaired by the Chair or, in the absence of the Chair, by the Deputy Chair.

In the absence of the Chair and Deputy Chair at a Joint Committee meeting, the Members present must elect a Chair to conduct the business of the meeting.

In the event of the resignation of the Chair or Deputy Chair the Joint Committee must conduct an election for their replacement.

**4. Election of Chair and Deputy Chair**

The Chair and Deputy Chair will normally be elected on an annual basis at the Annual General Meeting, which will be held in April. The current Chair shall take the Chair for the purposes of announcing that the first item on the agenda will be the election of the Chair and Deputy Chair to serve for the next twelve months.

The Chair may address the meeting before stepping down to allow the election to take place.

The procedures for the election of the Chair and Deputy Chair are shown in Appendix 1.

**5. Proceedings of the Joint Committee**

The Joint Committee is established to receive and consider reports in accordance with the provisions of the Terms of Agreement.

**6. Attendances**

The Chief Executive shall record the names of all Members present at meetings of the Joint Committee.



## 7. Order of Business

At each meeting of the Joint Committee, the order of business shall be as follows:

- a) Confirmation of the main minutes of the last meeting and matters arising therefrom
- b) Consideration of reports presented
- c) Confirmation of the in-committee minutes of the last meeting and matters arising therefrom
- d) Any special resolutions submitted by Elected Members
- e) Any other Business

## 8. Declarations of Interest

The Chair will remind Members of their obligation to declare any interest they may have in respect of matters under consideration at the meeting. Such declarations will be recorded by the Chief Executive.

## 9. Quorum

The quorum for meetings shall be **six** elected Members nominated to the Joint Committee provided that at least **four** Participant Councils are represented.

## 10. Decision Making - Delegated Authority, Membership and Voting Rights and Voting Procedure

### Delegated Authority

The Principle of Consensus in the Terms of Agreement state that all policy decisions and decisions with significant financial implications for the Joint Committee shall be taken on the basis of the consensus of all the Participant Councils.

For the avoidance of doubt, significant financial implications shall relate to the amount shown in Clause 4.2 of the Terms of Agreement, £250,000.

Again for the avoidance of doubt, in terms of the awarding of a contract by Participant Councils, as recommended by the Joint Committee, only the consensus of those Participant Councils actually participating in such contracts is required.

### Membership and Voting Rights

The Joint Committee shall comprise of three elected Members nominated from each of the Participant Councils with each Member being eligible to one vote.

### Voting Procedure

Voting in the Joint Committee is governed by Section 39 (simple majority) and Section 40 (qualified majority) of the Local Government (Northern Ireland) Act 2014.

Section 39 states that every decision must be taken by a simple majority.

Section 40 states that Standing Orders must specify decisions which are to be taken by a qualified majority – 80% of the Members present and voting on the issue.

In relation to Section 40, Standing Orders are required to specify decisions which are to be taken by a qualified majority and, in this regard, the Joint Committee has decided that :

*Any decision in relation to the suspension or amendment of Standing Orders shall be taken by a qualified majority where not less than 80% of the Members present and voting shall be required for the decision to be carried.*

Members may vote in favour or against decisions presented at the Joint Committee meeting. Members may also abstain from voting and, in that event, the Chair of the Joint Committee will decide on the basis of the Members who voted whether or not a specific issue is approved.

In the case of an equality of votes, the Chair shall have a second and casting vote.

For the avoidance of doubt, the Principle of Consensus does not apply to decisions of the Joint Committee as this would be contrary to Sections 39 and 40 of the Local Government (Northern Ireland) Act 2014.

#### **11. Order of Address**

The Chair shall determine the order of speaking by the Members.

#### **12. Admission Rights**

All meetings of the Joint Committee shall be closed to the public, unless otherwise decided for any particular occasion by the Joint Committee. Should members of the public be allowed to attend a meeting, they shall be excluded during an item of business which is deemed to be of a commercially sensitive nature or confidential.

#### **13. Conduct of Meetings**

While it is intended that free and open discussion will be permitted, nevertheless the ruling of the Chair at each meeting of the Joint Committee in relation to all questions of order, and all matters arising in debate, shall be final and shall be not be open to discussion.

In the event of any dispute in relation to the conduct of debate, the Chair shall have the right to refer to the legal advisor to the Joint Committee, the Town Solicitor, Belfast City Council.

#### **14. Code of Conduct**

Members must have due regard to the provisions of the Northern Ireland Local Government Code of Conduct for Councillors in relation to their conduct during the whole of the proceedings of a meeting of the Joint Committee.

**15. Ruling of the Chair**

The ruling of the Chair upon all questions of order, and matters arising in debate, shall be final, and shall not be open to discussion.

**16. Suspension of Standing Orders**

For the purpose of affording greater freedom of debate any of the Standing Orders may be suspended at any meeting of the Joint Committee so far as regards any business at such meeting, upon a motion duly made, seconded, and carried. Previous notice of any such motion shall not be necessary.

## Appendix 1

**ARC21 JOINT COMMITTEE**  
**PROCEDURES FOR THE ELECTION OF**  
**CHAIR AND DEPUTY CHAIR**

The positions of Chair and Deputy Chair of the Joint Committee will be elected on an annual basis at the Annual General Meeting, which will be held in September. In the absence of the Chair, the Deputy Chair will conduct the business at the Joint Committee meetings.

In the event of the resignation of the Chair or Deputy Chair the Joint Committee must conduct an election for their replacement.

The following procedures for conducting the election of the positions of Chair and Deputy Chair will apply.

1. **The outgoing Chair takes the Chair and announces that the first item on the agenda will be the election of the Chair and Deputy Chair to serve for the next twelve months.**
2. **Before stepping down the Chair may address the meeting.**
3. **The Deputy Chair will take the Chair for the purposes of conducting the election of Chair. (In the absence of a Deputy Chair, a Member, who is not seeking election, will be elected as Temporary Chair, from the Members present (proposed and seconded), for the purposes of conducting the election.)**
4. **The Deputy Chair or Temporary Chair will ask for nominations for the position of Chair.**
5. **Nominations for the positions of Chair and Deputy Chair must be proposed and seconded by Members present.**
6. **A Member seeking election can be nominated in absentia.**
7. **The names of the Member(s) nominated, together with the proposer and seconder will be formally recorded.**
8. **All Members will have one vote.**
9. **Only the Members present are entitled to vote.**
10. **A Member may abstain from voting.**
11. **A Member cannot vote in absentia.**
12. **The Chair will also have one vote.**

13. In accordance with normal practice the Chair will have a casting vote.
14. Members nominated can also vote for themselves.
15. Voting will be by way of a show of hands.
16. Voting will be formally recorded.
17. If there are two candidates nominated the candidate with the highest vote will be elected.
18. If there are more than two candidates nominated, the candidate who receives an overall majority of the votes from Members, present and voting, will be elected.
19. If there are more than two candidates nominated and no-one receives an overall majority of the votes, the candidate with the least votes will be eliminated and a further vote will take place.
20. This process will continue until two candidates remain and, at that stage, the candidate with the most votes will be elected.
21. Once elected, the Chair will take up the position and may address the meeting before announcing that the next item of business will be the election of the Deputy Chair.
22. The election procedures applicable to the position of Deputy Chair will be the same as those which apply to the position of Chair.

## **Licensing Report Items for Noting**

### **1. Dog Kennelling Contract**

As agreed at a previous Regulatory and Technical Services Committee meeting, we initiated a tender process to secure a dog kennelling facility within the district for the purpose of providing a temporary facility for the housing of stray and unwanted dogs. Both legacy Councils had their own contracts which were due to expire.

The tender process is now complete and Corran Kennels submitted a competitive tender within budget and have been awarded a 3 year contract.

Corran Kennels are based at 40 Tobercorran Road, Downpatrick. Stray and unwanted dogs are to be kept at this facility for 5 days before being re-homed or humanely destroyed.

### **2. Tender process for Dog Holding Facility and Street Nameplates**

As agreed at a previous Regulatory and Technical Services Committee meeting, the tender process for a dog holding facility near Newry has commenced and the contract shall be awarded shortly.

In addition the tender process for the supply of street nameplates has also commenced and a contract shall be awarded shortly.

### **3. Delay in supply of Street Nameplates**

Members may be aware of an unacceptable delay in the supply of street nameplates for the legacy Downpatrick area. There has been a delay in the manufacture of street nameplate signs from January 2015.

Staff in the Downpatrick office have made numerous attempts to contact the manufacturer to have this issue resolved. The manufacturer has contacted the Council and advised that all signs shall be delivered to the Strangford Road site on 4<sup>th</sup> May 2016.

We have initiated a tender process to secure a new contract for the supply of street nameplates and shall be in a position to award a new contract very shortly.

**Signed**

**Colum Jackson**

**Assistant Director of Regulatory and Technical Services**

## Current Appeals

35

**AUTHORITY**      **Newry, Mourne and Down**

<b>ITEM NO</b>	<b>1</b>		
<b>Planning Ref:</b>	P/2013/0896/F	<b>PAC Ref:</b>	2014/A0260
<b>APPELLANT</b>	Patsy Doran		
<b>LOCATION</b>	Adjacent And Immediately North Of 28 Kesh Road Belleeks		
<b>PROPOSAL</b>	Newry Erection of Dwelling with Detached Garage on Farm		

<b>APPEAL TYPE</b>	Plg Refusal: permissions		
<b>Appeal Procedure</b>	<b>Informal Hearing</b>	<b>Date Appeal Lodged</b>	<b>25/03/2015</b>
<b>Date of Hearing</b>			
<b>Date Statement of Case Due for Hearing</b>			
<b>Date Statement of Case Due - Written Representation</b>			
<b>Date of Site Visit</b>			

<b>ITEM NO</b>	<b>2</b>		
<b>Planning Ref:</b>	P/2014/0217/F	<b>PAC Ref:</b>	2015/A0115
<b>APPELLANT</b>	Mr Paul McAteer		
<b>LOCATION</b>	77m South West Of No. 56 Chapel Road Ballyholland		
<b>PROPOSAL</b>	Co. Down Erection of agricultural building and four silo tanks to provide feedstock for existing farm business. (additional information and Layout received.)		

<b>APPEAL TYPE</b>	Plg Refusal: permissions		
<b>Appeal Procedure</b>		<b>Date Appeal Lodged</b>	<b>27/08/2015</b>
<b>Date of Hearing</b>			
<b>Date Statement of Case Due for Hearing</b>			
<b>Date Statement of Case Due - Written Representation</b>			
<b>Date of Site Visit</b>			

## Current Appeals

36

**ITEM NO** 3  
**Planning Ref:** P/2013/0459/F **PAC Ref:** 2015/A0117  
**APPELLANT** Mr Michael Matthews  
**LOCATION** 37m South-east Of No.69 Upper Fathom Road  
 Kileen  
**PROPOSAL** Erection of Farm Dwelling and Garage

**APPEAL TYPE** Plg Refusal: permissions  
**Appeal Procedure** Informal Hearing **Date Appeal Lodged** 27/08/2015  
**Date of Hearing**  
**Date Statement of Case Due for Hearing**  
**Date Statement of Case Due - Written Representation**  
**Date of Site Visit**

---

**ITEM NO** 4  
**Planning Ref:** P/2014/0295/F **PAC Ref:** 2015/A0144  
**APPELLANT** Mr Sean Nugent  
**LOCATION** 405 Metres North Of No 52 Slatequarry Road  
 Cullyhanna  
 RT35 NPII  
**PROPOSAL** Erection of farm dwelling

**APPEAL TYPE** Plg Refusal: permissions  
**Appeal Procedure** Informal Hearing **Date Appeal Lodged** 21/10/2015  
**Date of Hearing**  
**Date Statement of Case Due for Hearing**  
**Date Statement of Case Due - Written Representation**  
**Date of Site Visit**

---



## Current Appeals

37

**ITEM NO** 5  
**Planning Ref:** R/2015/0089/F **PAC Ref:** 2015/A0150  
**APPELLANT** Rob Jennings  
**LOCATION** Land 200m North Of 97 Crossgar Road  
 Saintfield  
**PROPOSAL** Restoration and extension dwelling  
 (Amended access details received).

**APPEAL TYPE** Plg Refusal: permissions  
**Appeal Procedure** **Date Appeal Lodged** 03/11/2015  
**Date of Hearing**  
**Date Statement of Case Due for Hearing**  
**Date Statement of Case Due - Written Representation**  
**Date of Site Visit**

---

**ITEM NO** 6  
**Planning Ref:** P/2013/0290/F **PAC Ref:** 2015/A0176  
**APPELLANT** Brendan Morgan  
**LOCATION** 40metres South East Of 20 Newtown Road  
 Cloughoge  
 Newry  
**PROPOSAL** Dwelling on farm

**APPEAL TYPE** Plg Refusal: permissions  
**Appeal Procedure** **Date Appeal Lodged** 14/12/2015  
**Date of Hearing**  
**Date Statement of Case Due for Hearing**  
**Date Statement of Case Due - Written Representation**  
**Date of Site Visit**

---

## Current Appeals

<b>ITEM NO</b>	<b>7</b>		
<b>Planning Ref:</b>	P/2014/0578/F	<b>PAC Ref:</b>	2015/A0178
<b>APPELLANT LOCATION</b>	Mr Shane Quinn Adjacent And South West Of No.56 Drumalt Road Dorsey		
<b>PROPOSAL</b>	Cullyhanna Erection of domestic shed and associated hardstanding, access provision and site works with associated change of use of agricultural lands to domestic purposes (and access via existing laneway immediatly north of No. 56 Drumalt Road. with extended section)		
<b>APPEAL TYPE</b>	Plg Refusal: permissions		
<b>Appeal Procedure</b>		<b>Date Appeal Lodged</b>	<b>16/12/2015</b>
<b>Date of Hearing</b>			
<b>Date Statement of Case Due for Hearing</b>			
<b>Date Statement of Case Due - Written Representation</b>			
<b>Date of Site Visit</b>			

<b>ITEM NO</b>	<b>8</b>		
<b>Planning Ref:</b>	R/2015/0084/F	<b>PAC Ref:</b>	2015/A0184
<b>APPELLANT LOCATION</b>	Mr A Chambers Lands 180m S/E Of 16 Kennel Road Clough		
<b>PROPOSAL</b>	Downpatrick Dwelling and garage on a farm in substitution of R/2009/0909/O		
<b>APPEAL TYPE</b>	Plg Refusal: permissions		
<b>Appeal Procedure</b>		<b>Date Appeal Lodged</b>	<b>07/01/2016</b>
<b>Date of Hearing</b>			
<b>Date Statement of Case Due for Hearing</b>			
<b>Date Statement of Case Due - Written Representation</b>			
<b>Date of Site Visit</b>			

## Current Appeals

39

**ITEM NO** 9  
**Planning Ref:** P/2014/0054/O **PAC Ref:** 2015/A0188  
**APPELLANT** Mr Michael McCarthy  
**LOCATION** 40m North East And Adjoining 11 Rock Road  
 Newry  
 RT34 1PI  
**PROPOSAL**

**APPEAL TYPE** Plg Refusal: permissions  
**Appeal Procedure** **Date Appeal Lodged** 12/01/2016  
**Date of Hearing**  
**Date Statement of Case Due for Hearing**  
**Date Statement of Case Due - Written Representation**  
**Date of Site Visit**

---

**ITEM NO** 10  
**Planning Ref:** P/2015/0002/F **PAC Ref:** 2015/A0193  
**APPELLANT** Mr J Perry  
**LOCATION** Council Road  
 (450m West Of Ballykeel House  
 & Anthony Road ) Ballykeel Td  
**PROPOSAL** Erection of dwelling and garage (Proposed change of house type from  
 that previously approved under P/2008/0825/RM)

**APPEAL TYPE** Plg Refusal: permissions  
**Appeal Procedure** **Date Appeal Lodged** 15/01/2016  
**Date of Hearing**  
**Date Statement of Case Due for Hearing**  
**Date Statement of Case Due - Written Representation**  
**Date of Site Visit**

---

## Current Appeals

40

**ITEM NO** 11  
**Planning Ref:** R/2014/0678/F **PAC Ref:** 2015/A0233  
**APPELLANT** Mr And Mrs G Stewart  
**LOCATION** 39 Killybawn Road  
 Clontagnaglar  
 Saintfield  
**PROPOSAL** Demolition of existing dwelling and erection of replacement dwelling

**APPEAL TYPE** Plg Refusal: permissions  
**Appeal Procedure** **Date Appeal Lodged** 01/04/2016  
**Date of Hearing**  
**Date Statement of Case Due for Hearing**  
**Date Statement of Case Due - Written Representation**  
**Date of Site Visit**

---

**ITEM NO** 12  
**Planning Ref:** LA07/2016/0048/F **PAC Ref:** 2015/A0247  
**APPELLANT** Mr James & Mr John McKibbin  
**LOCATION** 85m Northeast Of 181 Moyad Road  
 Kilkeel  
 RT24 4H1  
**PROPOSAL** Infill dwelling and associated domestic garage

**APPEAL TYPE** Non Determination: Plg Permission  
**Appeal Procedure** **Date Appeal Lodged** 24/03/2016  
**Date of Hearing**  
**Date Statement of Case Due for Hearing**  
**Date Statement of Case Due - Written Representation**  
**Date of Site Visit**

---

## Current Appeals

<b>ITEM NO</b>	<b>13</b>		
<b>Planning Ref:</b>	P/2014/0303/O	<b>PAC Ref:</b>	2016/A0005
<b>APPELLANT LOCATION</b>	Michael Horner Adjacent To And North Of 36 Belmont Road Kilkeel		
<b>PROPOSAL</b>	Newry Erection of Infill Dwelling and Detached Garage		

<b>APPEAL TYPE</b>	Plg Refusal: permissions		
<b>Appeal Procedure</b>		<b>Date Appeal Lodged</b>	<b>05/04/2016</b>
<b>Date of Hearing</b>			
<b>Date Statement of Case Due for Hearing</b>			
<b>Date Statement of Case Due - Written Representation</b>			
<b>Date of Site Visit</b>			

<b>ITEM NO</b>	<b>14</b>		
<b>Planning Ref:</b>	P/2014/0798/O	<b>PAC Ref:</b>	2016/A0009
<b>APPELLANT LOCATION</b>	Mr And Mrs McParland Adjacent To No. 63 Ballycoshane Road Rathfriland		
<b>PROPOSAL</b>	Newry Site for farm dwelling and garage (Farm Maps and supporting information date received 20 October 2014 and 27 October 2014)		

<b>APPEAL TYPE</b>	Plg Refusal: permissions		
<b>Appeal Procedure</b>		<b>Date Appeal Lodged</b>	<b>07/04/2016</b>
<b>Date of Hearing</b>			
<b>Date Statement of Case Due for Hearing</b>			
<b>Date Statement of Case Due - Written Representation</b>			
<b>Date of Site Visit</b>			

## Current Appeals

42

**ITEM NO** 15  
**Planning Ref:** R/2013/0347/F **PAC Ref:** 2016/A0010  
**APPELLANT LOCATION** Mr & Mrs Peter O'Hare  
 Adjacent 15 Blacks Lane Glasdrumman Ballynahinch (Amended Address)  
**PROPOSAL** Proposed general purpose agricultural/forestry shed and part retrospective access arrangements, foundation and hard standing area.

**APPEAL TYPE** Plg Refusal: permissions  
**Appeal Procedure** **Date Appeal Lodged** 07/04/2016  
**Date of Hearing**  
**Date Statement of Case Due for Hearing**  
**Date Statement of Case Due - Written Representation**  
**Date of Site Visit**

---

**ITEM NO** 16  
**Planning Ref:** P/2015/0097/F **PAC Ref:** 2016/A0011  
**APPELLANT LOCATION** Carlingford Lough Pilots Ltd  
 Adjacent To 92 Greencastle Pier Road  
 Greencastle  
 Kilkree  
**PROPOSAL** Retention of existing office

**APPEAL TYPE** Plg Conditions  
**Appeal Procedure** **Date Appeal Lodged** 08/04/2016  
**Date of Hearing**  
**Date Statement of Case Due for Hearing**  
**Date Statement of Case Due - Written Representation**  
**Date of Site Visit**

---

Canice, can you take to the relevant meeting and advise me of the outcome in due course.

thank you

Jacqueline Turley  
Facilities Administrator  
Teach Éigse Sheán Uí Chuileannáin  
Sean Hollywood Arts Centre, Newry.  
Tel: 028 3031 3180

----- Forwarded by jacqueline turley/Newry&Mourne/NI on 04/05/2016 11:49 -----

**"Ruddy, Maureen"**

**<Maureen.Ruddy@a To "jacqueline.turley@newryandmourne.gov.uk"  
lzheimers.org.uk> <jacqueline.turley@newryandmourne.gov.uk>**

03/05/2016 16:42

cc

Su colour light request for Newry City Hall

bje

ct

Hi Jacqueline

Further to our conversation on the phone I would be very grateful if on our behalf you could contact Canice O Rourke asking him if we could have the City Hall lit up blue for Dementia Awareness week 15<sup>th</sup> to 21<sup>st</sup> May to promote the work of the Alzheimer's Society within the Newry and Mourne area. Thank you so much for your help

Regards

Maureen Ruddy  
07858990553

## Newry, Mourne and Down District Council Membership

### Purpose of Report

The Council is asked to approve the supplementary proposal received from Newry, Mourne and Down District Council seeking a continued progressive approach to its membership contributions to enable it to honour its legacy obligations in respect of the former Newry and Mourne component of that Council.

### Executive Summary

Under Local Government Reform, Newry, Mourne and Down District Council found itself in the unique position of being involved in two of the three Waste Management Groups in Northern Ireland, both arc21 and SWAMP2008.

The Joint Committee wished to encourage the new Council to join the reconstituted arc21 and an initial proposal from Newry, Mourne and Down District Council was accepted by the Joint Committee and Participant Councils. This arrangement came into effect on 1 April 2015 and applied to the first year of the new Council structures.

The initial proposal enabled the new Council to meet its obligations to both arc21, on behalf of the former Down District Council as well as deal with legacy waste management issues on behalf of the former Newry and Mourne District Council.

As the Newry and Mourne component of the new Council did not require any services from arc21 the initial membership contribution proposal, approved by the other Participant Councils, was that which was already anticipated for the former Down District Council – i.e. £103k in 2015/16.

A supplementary proposal has been received from Newry, Mourne and Down District Council seeking a continued progressive approach, over the next two years, to enable it to honour its legacy commitments to the former Newry and Mourne District Council during this transitional period.

The proposal, in principle, is based on being able to access the range of services offered by arc21 for the Newry and Mourne component, on a graduated basis during the transitional period, whilst, at the same time, enabling the Council to fulfil its legacy obligations.

In addition, the Council will continue to make the appropriate contribution on behalf of the former Down District Council component.

The Joint Committee accepts the business case to continue to allow Newry, Mourne and Down District Council the support sought during this transitional period and the additional contributions proposed during this period equate to the following:

- |                               |          |
|-------------------------------|----------|
| • 2016/17 (One Third)         | £43,596  |
| • 2017/18 (Two Thirds)        | £115,687 |
| • 2018/19 (Full Contribution) | £157,559 |



As the costs of operating the Joint Committee are apportioned on the basis of population, the additional contribution payable will be credited pro rata to each of the other Participant Councils thus reducing the contributions payable by them.

The Joint Committee has considered the supplementary proposal and is in favour of its acceptance by Participant Councils.

In accordance with the Terms of Agreement, Participant Councils are also required to approve the proposal and are now asked to make the necessary arrangements.

### **Background**

Under the Local Government Reform process the former Down District Council and the former Newry and Mourne District Council became part of Newry, Mourne and Down District Council.

Uniquely, the former Down District Council was a member of the arc21 waste management group and the former Newry and Mourne District Council was a member of the SWaMP2008 waste management group.

In these unique circumstances, the new Shadow Council needed to decide how best to deliver its waste management strategy and it expressed an interest in becoming a member of the arc21 Joint Committee.

The view of the Joint Committee, at its meeting held on 23 October 2014, was that it would be amenable to Newry, Mourne and Down District Council being a Participant Council in the arc21 waste management group and that, given the unique circumstances and the transitional nature of the Local Government Reform process, it would be in favour of a progressive contribution mechanism which was commensurate with the services it required to access from arc21 over time in respect of the Newry and Mourne component.

The Council confirmed its commitment to meet the obligations to arc21 in respect of the former Down District Council but needed support to deal with legacy issues arising from the waste management commitments entered into by the former Newry and Mourne District Council.

The Council then proposed that its contribution be that which would enable it to comply with its statutory obligations to the former Down District Council as it did not require any immediate access to the services provided by arc21 for the former Newry and Mourne component. In addition, it was recognised that the Newry and Mourne component of the new Council would not drive any increase in costs for arc21.

Newry Mourne and Down District Council proposed that the arrangement be reviewed after an initial twelve months period.

Following the endorsement of the Joint Committee in October 2014, Participant Councils, over the subsequent three months, also approved the proposal.

Having reviewed its position in October 2015, Newry Mourne and Down District Council presented a supplementary proposal seeking the continued support to enable it to honour its legacy obligations on behalf of the former Newry and Mourne component, in particular waste contract commitments, whilst at the same time enabling access to the range of services available from arc21 on a graduated basis during this transitional period.

This supplementary proposal makes provision for an additional membership contribution for the Newry and Mourne component broadly in line with the completion of legacy arrangements over the next two years. It provides for a contribution increasing by one third each year so that, in effect, by year three the contribution payable by Newry, Mourne and Down District Council will be on the same basis as all other Participant Councils.

The Joint Committee, at its meetings held on 5 November 2015 and 7 April 2016, acknowledged the need to continue with the progressive approach to facilitate the transitional nature of Newry, Mourne and Down District Council.

In accordance with the Terms of Agreement, the approval of the proposal by the other Participant Councils is now required.

### **Report**

Following the initial period agreed, Newry, Mourne and Down District Council has reviewed its position regarding the legacy arrangements of the former Newry and Mourne component and has submitted a supplementary proposal seeking a continued progressive approach by the Joint Committee and Participant Councils to enable it to honour its commitments and liabilities from the former Newry and Mourne District Council.

During this transitional period the Council will, on a graduated basis, require access to the range of services offered by arc21 in respect of the former Newry and Mourne component.

The supplementary proposal makes provision for an additional contribution for the Newry and Mourne component equal to one third in 2016/17, two thirds in 2017/18 leading up to its full contribution in year three, 2018/19. In effect, the support requested by Newry, Mourne and Down District Council is for a two year transitional period as, in year three, the contribution payable towards the operating costs of arc21 will be on the same basis as all other Participant Councils, i.e. the population of the entire district.

As indicated earlier the proposal by Newry, Mourne and Down District Council reflects the graduated approach of accessing the services provided by arc21 as the legacy contractual arrangements expire.

By way of services required by the Newry and Mourne component, there will be a need to access some of the arc21 waste contracts when their current contracts come to an end.

The activities involving the management and monitoring of contracts by arc21 staff reflect the value of those contracts. The higher the value, the greater the concentration of activity involved. It is not anticipated that the two highest value contracts, Landfill and Organics, will be required by the Newry and Mourne component in the immediate future, due to legacy contracts.

In terms of the MRF service, a new contract is in place from April 2016 and includes provision for the whole of the Newry, Mourne and Down area but the Council will be undertaking a level of monitoring of the service specifically for the Newry and Mourne area.

From April 2016, the Newry and Mourne area will be fully incorporated into 3 of the 4 Bring Bank Collection service contracts. The Paper waste stream of the Bring Bank Collection service contracts will not be incorporated due to the Council having their own legacy contract in place.

In order to meet the incremental needs of the Newry and Mourne component to access the range of services provided by arc21 the Council has proposed that, in addition to the contribution payable on behalf of the former Down District Council, it would pay contributions equivalent to one third of the population of the former Newry and Mourne area for the 2016/17 year, followed by two thirds in 2017/18 and then, in year three 2018/19, the full contribution, as shown below.

YEAR	Down	Newry & Mourne	Total
2015/16	£103,836	Nil	£103,836
2016/17	£103,714	£43,596	£147,310
2017/18	£142,237	£115,687	£257,924
2018/19	£133,347	£157,559	£290,906

As can be seen below, the additional contribution payable for the Newry and Mourne component would be applied directly in reducing the amounts payable by the other Participant Councils. The reductions for each of the other Participant Councils are :

YEAR	2016/17	2017/18	2018/19	Total
Antrim and Newtownabbey	£6,708	£17,800	£24,242	<b>£48,750</b>
Ards and North Down	£7,565	£20,076	£27,342	<b>£54,983</b>
Belfast	£16,137	£42,820	£58,321	<b>£117,128</b>
Lisburn & Castlereagh	£6,641	£17,622	£24,000	<b>£48,263</b>
Mid and East Antrim	£6,545	£17,369	£23,654	<b>£47,568</b>
	<b>£43,596</b>	<b>£115,687</b>	<b>£157,559</b>	<b>£361,842</b>

In terms of the wider interests of the Joint Committee and Participant Councils, there are a number of important benefits that will derive from the inclusion of the Newry and Mourne component of Newry, Mourne and Down District Council and include:

**Contribution Apportionment** – As shown above, a greater spreading of the costs of operating the Joint Committee to the benefit of the other Participant Councils.

**Political Influence** - A much larger Joint Committee provides a stronger base from which to lobby Central Government and also provides greater potential to influence Waste Strategy and Policy.

The Joint Committee now represents the majority of the Councils in Northern Ireland (6 out of 11), the majority of the population of Northern Ireland and the majority of the waste arisings in the Province.

The additional population of the Newry and Mourne area, and the associated additional waste arisings, consolidates the position of the Joint Committee in a Northern Ireland context.

In terms of the debate around the future delivery of Local Government waste management services, a larger Joint Committee would have a greater part to play.

**Greater Purchasing Power** - The inclusion of additional waste arisings increases the potential for achieving economies of scale.

**Residual Waste Treatment Project Minimum Guaranteed Tonnage** – The principle of achieving greater economies of scale as outlined above are equally applicable in relation to the project.

**Collaboration by Councils in waste management** - The Joint Committee has been in existence since 2003 and the collaborative approach adopted by Participant Councils has been stated independently to be a successful strategy, providing the opportunity for a number of Councils to act together in a common cause to get the benefits of economies of scale and therefore enable the Participant Councils to achieve greater value for money for the ratepayer.

**The Department approach to waste management** - The waste management approach currently being pursued by Central Government is founded on the principle of encouraging Councils to collaborate.

By way of compliance by Participant Councils with the Departmental waste strategy, the statutory Waste Management Plans, required by each Council, have been developed at the arc21 region level, rather than individual Council level, using the expertise available within arc21 to support Councils in what is, arguably, a more efficient manner.

### **Governance Steps**

In accordance with the Terms of Agreement, both the Joint Committee and the Participant Councils are required to approve the arrangement.

The Joint Committee has considered the proposal and expressed support for a continued progressive approach to the membership of Newry, Mourne and Down District Council to enable it to honour its legacy commitments and would ask Participant Councils to approve the proposal.

It should be noted that, as the proposal has been made by Newry, Mourne and Down District Council, then that Council will not be required to approve its own proposal but should note that the matter is now being referred to the other Participant Councils for consideration.

### **Recommendation**

The Council is asked to approve the supplementary proposal from Newry, Mourne and Down District Council in order to facilitate that Council in meeting its commitments and liabilities arising from the former Newry and Mourne component, during a transitional period commencing in April 2016, as set out in this report.



Department for  
**Regional  
Development**

www.drdni.gov.uk

Comhairle Ceantair an Iúir  
Mhúrn agus an Dúin  
Newry, Mourne and Down  
District Council



Date 21 APR 2016

**Chief Executive**

Liam Hannaway

FAO Liam Hannaway  
Newry, Mourne and Down District Council  
District Council Offices  
O'Hagan House  
Monaghan Row  
Newry  
BT35 8DJ

Water Policy and Shareholder Division  
Room 126, Clarence Court  
10-18 Adelaide Street  
Belfast BT2 8GB  
Tel: (028) 9054 0836  
Email: julie-ann.dutton@drdni.gov.uk  
Date: 18 April 2016

cc: see below

Dear Liam

## **WATER & SEWERAGE SERVICES ACT (NORTHERN IRELAND) 2016**

I am writing to advise you that the Water and Sewerage Services Act (Northern Ireland) 2016 has now received Royal Assent and came into operation on 23 March 2016

Sections 4, 5 and 6 of the Act relating to Sustainable Drainage Systems, Refusal of Surface Water Connections and Adoption Agreements will come into operation two months after the Act received Royal Assent, on 23 May 2016. The purpose of the two month delay is to facilitate the issue of information and guidance to stakeholders, including local Council Building Control and Council Chief Planners.

As key stakeholders of the new Act, further collaboration with Building Control and Planners will be necessary, particularly in relation to planning applications which contain sustainable drainage systems. We propose to channel this collaboration through the Society of Local Authority Chief Executives (SOLACE).

A copy of the Act is attached for your information; please contact me, Jackie King or Gavin Hamilton should you require any further information.

Additional Copies can be downloaded for free from  
<http://www.legislation.gov.uk/nia/2016/7/contents/enacted>

Yours sincerely



PP

**JULIE ANN DUTTON**  
Water Policy & Shareholder Division

cc A Kerr DOE  
SOLACE

COR  
ANCK J Info.

L Hamway - Info.



**Planning Policy Division**  
Department of the  
Environment  
Level 4 Causeway Exchange  
1-7 Bedford Street  
Town Parks  
Belfast  
BT2 7EG

Tel: (028) 9082 3497

6 May 2016

Dear Sir/Madam

### **CONSULTATION ON PERMITTED DEVELOPMENT RIGHTS**

I am writing to inform you that the Department of the Environment has issued a consultation paper on proposals to amend permitted development rights.

The purpose of the consultation is to obtain views on a range of proposals in relation to permitted development rights for:

- Development by Electronic Communications Code Operators;
- Non-Domestic Roof Mounted Solar Photovoltaic Panels;
- Shops, Financial and Professional Services Establishments; and
- Electric Vehicle Charging Points.

Copies of the Consultation Paper may be downloaded from the Planning Portal website at [www.planningni.gov.uk](http://www.planningni.gov.uk). Alternatively you can request a copy by telephone: (028) 90823497, by text phone: (028) 90540642; by email: [ppdconsultations@doeni.gov.uk](mailto:ppdconsultations@doeni.gov.uk) or from the postal address below.

Review of Permitted Development Rights Consultation  
Planning Policy Division  
Department of the Environment  
Level 5 Causeway Exchange  
1-7 Bedford Street  
Town Parks  
Belfast  
BT2 7EG

The closing date for the receipt of comments is 30th June 2016.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Angus Kerr', is written over a faint, light-colored signature line.

**ANGUS KERR**

**COMHAIRLE CEANTAIR  
AN IÚIR AGUS AN DÚIN  
NEWRY, MOURNE AND DOWN  
DISTRICT COUNCIL**



A Meeting of the Anti-Litter Working Group was held at the Nautilus Centre, Kilkeel on Friday 8<sup>th</sup> April 2016 at 2.45 pm

**Present at the Meeting were:**

Cllr H Mc Kee  
Cllr G Stokes  
Cllr J Tinnelly

Mr J Parkes Assistant Director (Waste Management)  
Mr L Dinsmore Management Services Officer

Mr K Quigley Chief Executive NIFHA  
Mr M Rowland Harbour Master Kilkeel  
Mr Jj Smyth Harbour Master Annalong

Apologies were recorded for Cllr Walker and for Cllr Casey.

1. ***Election of Chairman***

In accordance with an agreement that the Chair should rotate amongst the members of the Working Group, Cllr MC Kee was appointed to assume the Chair.

2. ***To consider Minutes of Meeting held on 5 February 2016.***

The Minutes were approved, following proposal by Cllr Stokes as seconded by Cllr Tinnelly.

There were no matters arising.



3. ***To Discuss with Representatives from NI Fisheries, as to Measures to control Marine Litter.***

Cllr MC Kee thanked the representatives for their attendance, advising that he had specifically asked for a contribution from the NI Fisheries. Cllr MC Kee asked Mr Dinsmore to provide some comments by way of introduction.

Mr Dinsmore advised that the Council had agreed to formulate a strategy with respect to litter and that as part of such strategy, it was recognised that different groups including the NI Fisheries and duty bodies, had a significant role to play, regarding litter on and arising from their operations.

Mr Dinsmore went on to say that the Council had recently considered a report addressing the issue of Marine Litter as did specifically identify higher levels of litter, around Harbours and that the aspiration was to form a partnering arrangement with the Harbour Authority to seek to address such issue, with a reduction in levels to be sought, as measured in a future survey.

Mr Quigley thanked Councillors for their invitation and advised that both he and his staff were very aware as to Marine Litter and advised that John Smith would give details regarding a scheme which was currently in operation to remove litter from the Marine Environment, whereby fishermen were actively removing debris from the sea.

Mr Smith informed all at the meeting by advising that fishermen were currently equipped with large bags, similar to one tonne bags used in the building industry, into which debris caught in nets at sea, would be placed and returned to the harbour.

Cllr MC Kee enquires as to the incentive for this with Mr Smith advising as to the fact that fishermen were demonstrating responsible fishing and that by providing such voluntary work, were looking out for the marine environment for future generations.

In response to Mr Parkes, confirmation was given that the bulk of materials recovered, came from the sea-bed, with details given relating to the catchment areas in the Irish Sea.

It was further noted that additional measures were also in place, where specific vessels were constantly engaged to remove debris from the sea, with Mr Smith advising that a definite difference had been made.

Cllr MC Kee asked for information to be sought regarding responsibility for clearance of the coastline.

Cllr Tinnelly referred to the nature of materials found on the shoreline and discussion was held as to where such materials did come from. Cllr Tinnelly advised that groups had informed him as to gloves and other materials which came from boats.

Mr Dinsmore, at this stage, explained the work in progress to map the coastline and to identify and work with voluntary groups to undertake regular beach cleansing, with assurances sought from such groups to commit to several clean-ups each year. Mr Dinsmore went on to request that the Harbour Authority commit in this manner, detailing that such clean-up was scheduled for Kilkeel North, on the following week.

Mr Smith gave information as to a similar situation which took place at Ardglass. Mr Dinsmore advised that all which was sought was as to notification of same to include dates and numbers as an attempt was being made to recognise the very real voluntary efforts which were being made to cleanse beaches at regular times.

Discussion turned to the Warrenpoint Harbour and with respect to mussel fishermen, with an agreement made that such groups be contacted with regard to their involvement.

**Agreed: 3.1 Mr Dinsmore to forward details to Mr Quigley, as to beach cleans to date, in anticipation of support and involvement from the Harbour Authority, to ensure that beaches at Harbours were cleansed on a regular basis.**

**3.2 Harbour Authority to provide details as to clean-ups co-ordinated by them, so that same could be recorded within the Database currently being drawn up by the Council, to record the significant volunteer effort to keep beaches and shoreline clear.**

**3.3 Officers to review current legislation and guidance with respect to their responsibility for litter clearance along the shoreline, both to and above the high water mark.**

**3.4 Contact to be made, both to Warrenpoint Harbour Authority and to local mussel fishermen, to seek to secure their participation in initiatives to improve on the current situation with respect to litter on beaches.**

**4. *To review progress with respect to finalisation of an Anti-litter Strategy for Council*  
*(Read : Anti-Litter Strategy, Version 2 8 April 2016)***

Mr Parkes advised that an Anti-Litter Strategy document continued to be developed and invited Mr Dinsmore to provide additional information.

Mr Dinsmore distributed a copy of the current version, advising that several other Programmes had been added to the Draft Anti-Litter Document. Mr Dinsmore went on to say that as the Programmes covered different functional areas, that the Officers responsible for those areas needed to be consulted and to have input with respect to the delivery of the strategy within their functional area.

Mr Parkes advised that by way of example, that a meeting had been held with the Officer responsible for Marketing, as one programme covered 'Raising Public Awareness' as it is critical that public awareness issues and support is achieved.

It was noted that programmes had been added in relation to Mournes and Slieve Gullion Areas and that a separate programme applied for Marine Litter.

**Agreed: 4.1 Next meeting of Anti-Litter Strategy Group to be scheduled to be held at Newcastle, for 24 June 2016.**

**4.2 Representatives from Translink N.I. NIHE and Rivers Agency to be invited, to present as to their role as duty bodies, to keep lands under their control, free from litter.**

**5. *To review information from Keep Northern Ireland Beautiful, regarding current litter levels in Northern Ireland. (Read: Press Release, Keep Northern Ireland Beautiful, highlighting efforts to clean up Northern Ireland's Streets and Parks).***

A review of correspondence to report was made, noting that Keep Northern Ireland Beautiful had reported a significant improvement on litter levels throughout Northern Ireland .

**Agreed: 5.1 Report noted and agreed to review future similar statistics as issued from Keep Northern Ireland Beautiful.**

The meeting ended at 4.30pm

**Signed: P W Dinsmore  
13 April 2016**

**ITEM 2**  
**Minutes**  
**arc21 Steering Group Meeting No 009**  
**Tuesday 22 March 2016 at 10.30am**  
**Belfast Castle**

**Present:**

Antrim & Newtownabbey Borough Council	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	Liam Dinsmore
arc21	George Craig Ricky Burnett Karen Boal

**1. Apologies**

Apologies were received from Ms Heather Moore, Mr Nigel Martin, Ms Geraldine Garvin, Mr John Quinn, Mr John Green, Mr Nigel Grimshaw, Mr Michael Laverty, Mr Joe Parkes, Mr David Lindsay and Mr Nigel Martin.

**2. Minutes of Steering Group Meeting 008**

Minutes of Steering Group Meeting 008 held on 16 February 2016 were proposed by Ms Lisa Mayne.

**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 14.05% in February in relation to an overall collection of 2356 tonnes.

All Councils have now nominated their representative to the contamination Working Group. Suitable arrangements are being made for the inaugural meeting with a view towards the first week in April.

Driver induction sessions are being undertaken to take account of the new contractual arrangements scheduled to commence 1 April 2016.

The volatility and impact of the recyclables market on councils has been discussed previously. The situation has again been highlighted in a recent BBC Wales report which was the subject of discussion in regards to loss of recycling income.

Ms O'Malley requested details of the acceptable materials to allow Councils to prepare communications for public information. Mr Burnett agreed to this and suggested that the contamination group could have refined this in regards acceptable communication in conjunction with the MRF operator.

**Action: Mr Burnett**

### **Landfill**

The tonnage delivered to landfill in February was 15,545t. Excessive turnaround times were mainly due to vehicle breakdowns on sites, including a puncture. There was also an incident at one site where an engineer working on an area not active in landfill slipped and had to get escorted off site to receive medical treatment. The HSE were notified.

Mr Burnett also noted that Mullaghglass have also received an enforcement notice in regards to odour control in regards to daily cover material. arc21 will be taking this matter up with the contractor.

**Action: Mr Burnett**

### **Bring Sites**

The tonnage collected under the Bring site contract was 654t in February. No significant issues were identified.

**Organic Waste**

The tonnage collected under the Organics contract was 49,20t in February. The end of year is expected to be on a par with last year.

An update was requested for the next meeting in regards to the progress and plans for North Down and Ards waste plans.

**Action: Mr Lindsay/Mr Martin**

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

NWP are currently finalising arrangements for the delivery of bagged compost. The intention is however to start delivering during week commencing 17 April 2016. Once NWP confirm the schedule Councils will be advised.

Ms Boal noted that compost week 2015 there was 260t of compost issued of which 230t was bagged compost

***Transfer Station - Antrim***

Works on the development of the Antrim Transfer Station have been concluded (with the exception of some minor snagging) and it is intended that the site will become operational on Monday 21 March 2016.

Those drivers who will be utilising the facility have been inducted and all of the statutory approvals and consents are all in place.

**Haulage**

Mr Burnett noted that the winning bidder has withdrawn in regards to this contract and this was moved to the next highest score. Mr Burnett noted that this will mean a further Alcatel period and that this contract may be subject to further legal challenge.

**Contract Governance Arrangements**

Mr Burnett suggested that a proforma template will be circulated in order to update arc21 in regards when contract awards are passed through Council governance arrangements.

**Action: Noted**

**7. Waste Management Plan**

Mr Burnett presented a report to inform Officers on the latest position in respect of the Waste Management Plan (WMP).

As previously reported, the Department had notified that as a result of the Local Government Reform, it is necessary to amend the WMP "to ensure it covers the geographic area of the new arc21 waste management group". This was undertaken and a draft of the duly amended WMP was submitted to the Department on the 17 July 2015.

As also reported previously, the Department confirmed in September 2015 that they have formally determined that the WMP complies with the relevant statutory obligations as laid down in Article 23 of the Waste and Contaminated Land Order 1997.

Following this, and as previously advised, the statutory process is complete when the councils formally ratify the WMP as determined by the Department and thereafter provide the relevant transparency and accessibility means. Just recently, the Department have asked arc21 if we can confirm that the new participant councils (post local government reform) have all ratified the WMP.

arc21 has advised the Department that Antrim and Newtownabbey Borough Council have yet to ratify the WMP.

Following discussion the Steering Group noted the report.

**Action: Noted**

#### **8. 2013 WEEE Regulations – Proposed Collection Targets for 2016**

Mr Burnett presented a report noting that the consultation is to seek views on the issue of Environmental Governance in Northern Ireland.

The 2013 Waste Electrical and Electronic Equipment Regulations require the Secretary of State to set the amount of household WEEE collections falling within each category of Electrical and Electronic Equipment (EEE) that is to be financed by producers via their membership of a Producer Compliance Scheme (PCS).

On the 24 February 2016, BIS made contact with a number of key stakeholders in respect of proposals relating to the collection target for 2016. arc21 were one of the key stakeholders consulted.

The proposals set out the proposed collection targets for each of the 14 WEEE categories and outlined the methodology duly employed.

Comments were invited by 4 March 2016. Following consultation with a number of parties, a response was formulated and submitted within the prescribed timeframe.

Following discussion the Steering Group noted response.

**Action: Noted**

#### **9. Arc21 Customer Survey 2015/16**

Mr Burnett presented a report to advise the Steering Group on forthcoming annual arc21 Customer Survey.

The survey format will consist of ten multi-choice questions covering a number of aspects relating to the work of arc21. There will also be the provision for participants to offer comments after each question. It should only take a person approximately 10 minutes to complete the survey.

This follows a similar approach to that undertaken in the previous years. Further details will be e-mailed to members of the Joint Committee and the Steering group during the early part of April. All members of the Joint Committee and the Steering Group are encouraged to participate in the survey.

The results of the survey will be reported to a future meeting.

Following discussion the Steering Group noted the report.

**Action: Noted**

#### **10. NI Recycling Analysis**

Mr Burnett presented a report to the Steering Group to update the Steering Group on proposals to undertake a study in respect of NI council recycling performance.

As previously reported, the Waste Programme Board advocated a study into NI council recycling performance. In response to this, the DOE organised an exploratory meeting on the 9 March 2016 to consider the outline and development of a proposed project. The meeting involved a number of council officials that attend the Waste Programme Board.

It is proposed to adopt an approach entailing a modelling exercise with input from each individual council. The output will not only consider technical performance but will also include estimated transition costs for each of the scenarios to be agreed. This information could be fundamental for TEEP assessments.

It is proposed to involve councils in determining the scenarios and the various assumptions which will be necessary to undertake the modelling. Equally it is recognised that some data will be required from each council to facilitate the actual modelling. It is hoped to complete the analysis in June 2016.

It is intended that the output from this study will form the foundation of a bid for Government financial support aimed at improving council recycling performance. In view of all the potential benefits that may accrue from this work, councils are encouraged to fully participate and contribute to this piece of work.

Mr Walker noted that Mr Mills in WRAP will be completing this, noting that this has been completed in regards to London Boroughs previously and therefore the model already exists. Input from the NI councils would then allow further work in regards to scenarios for further analysis as part of the above modelling exercise.

Following discussion the Steering Group noted the report.

**Action: Noted**

#### **11. Nilas 2014/15 Final Reconciliation**

Mr Burnet presented a short report to the Steering Group noting the final reconciliation position for NILAS 2014/15. This noted that arc21 utilised 86.34% of available allowances for the 14/15 scheme year.

It was noted that one council was likely to draw upon the arc21 NILAS transfer protocol at year end 2015.

Following discussion the Steering Group noted the report.

**Action: Noted**



## 12. Council Update

DFP Innovation Labs Mr Walker noted that a recent Workshop indicated that the most preferred method of improving dry recycling was a reduction in the schedule of collections for residual bins and a decrease in the size of residual bins.

*Newry Mourne and Down District Council* - Mr Dinsmore noted that operational issues include the absorption of collection responsibilities in regards to previous Council areas in April 2016.

*Mid and East Antrim Council* – Mr Holgate noted that structures are in place and that further HR solidification is taking place.

*Lisburn and Castlereagh City Council* - Mr Reynolds noted that Council is currently working through harmonisation group in regards to terms and conditions and job descriptions and that organisation structure is settled.

*Belfast City Council* – Mr Walker reported that the Council is currently going through a period of structural re-alignment in regards to the City and Neighbourhood services. This includes the changes in reporting to Committee Structures noting that the period of change was expected to last for some time.

Mr Walker also noted that there is an ongoing food only collection from Christmas to June 2016. In addition to this a stacker box trial is also currently underway.

## 13. AOB

Mr Burnett requested any potential impactful operational changes are communicated as soon as possible.

Mr Reynolds queried the commencement of the Compositional study, Mr Burnett undertook to review this.

Mr Craig noted that the revenue share has been under pressure in regards to all materials and as such as advised previously Councils should make provision at £25/t.

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