

February 16th, 2017

Notice Of Meeting

You are invited to attend the Regulatory and Technical Services Committee Meeting to be held on **Wednesday, 22nd February 2017 at 5:00 pm in the Boardroom Monaghan Row Newry.**

The Committee Members are:

Chair: Councillor R Mulgrew

Vice: Councillor T Andrews

Members:

- Councillor S Burns**
- Councillor C Casey**
- Councillor G Craig**
- Councillor D Curran**
- Councillor G Fitzpatrick**
- Councillor V Harte**
- Councillor D Hyland**
- Councillor J Macauley**
- Councillor P O'Gribin**
- Councillor G Stokes**
- Councillor D Taylor**
- Councillor J Tinnelly**
- Councillor J Trainor**

Agenda

1. Apologies.
2. Declarations of "Conflicts of Interest".
3. Action Sheet of the Regulatory and Technical Services Committee Meeting held on Wednesday 25 January 2017. (Attached).

📎 *RTS Updated Action Sheet.pdf*

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4. Regulatory and Technical Services Business Plan - update Q3. (Attached).

📎 *RTSBusPlan-Feb17 - Q3 update.pdf*

Page 3

For Consideration and/or Decision - Planning

5. January 2017 Planning Committee Performance Report. (Attached).

📎 *JANUARY 2017 Planning Committee Performance Report.pdf*

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6. Record of Meetings between Planning Officers and Public Representatives. (Attached).

📎 *Record of mtgs between Planning Officers and Public Representatives.pdf*

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For Consideration and/or Decision - Facilities Management and Maintenance

7. Report re: bus shelter requests. (Attached).

📎 *Report - Bus Shelter Requests.pdf*

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For Consideration and/or Decision - Waste Management

8. Report re: standardisation in the use of caddy liners. (Attached).

📎 *Report - Standardisation in the use of caddy liners.pdf*

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For Noting

- 9. Report re: Roads (Miscellaneous Provisions) Act - road closures for special events. (Attached).**
📄 *Report - Road Closures for Special Events.pdf* *Page 27*
- 10. Arc21 Joint Committee Members' Monthly Bulletin 26 January 2017. (Attached).**
📄 *ARC 21 JC 26Jan17-Members' Bulletin.pdf* *Page 34*
- 11. Arc21 Joint Committee Meeting - Minutes of Thursday 1 December 2016. (Attached).**
📄 *ARC21 JC Minutes Dec16.pdf* *Page 38*
- 12. Report re: Drumnakelly Wind Turbine. (Attached).**
📄 *Update on Drumanakelly Wind Turbine - for noting.pdf* *Page 43*
- 13. Historic Actions Tracking Update. (To follow).**

Items Restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (NI) 2014

14. Report re: Cemetery/Burial Charges 2017/2018. (Attached).

This item is deemed to be exempt under Paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (NI) 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.

📄 *Report - Cemetery, Bural Charges 2017-18.pdf* *Page 46*

ACTION SHEET ARISING FROM RTS MEETING HELD ON 25 JANUARY 2017

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
RTS/5/2017	Implementation of the Licensing of Pavement Cafes Act (NI) 2014 Policy	It was unanimously agreed to accept the officer's recommendation regarding Implementation of the Licensing of Pavement Cafes Act (NI) 2014 Policy.	C Jackson	Policy implemented from the 13 Feb 2017 and to be reviewed on the 13 Feb 2020.	Yes
RTS/9/2017	Report – Potential Visit to Re-Gen Processing Plant	It was unanimously agreed that Council officials organise an education visit to the Re-Gen waste processing site, open to all Elected Members prior to a Committee Meeting.	J Parkes	Ongoing	
RTS/10/2017	Moving to a Single Standard of No Glass in Blue Recycle Bins	The proposal to remove glass from the blue bins was agreed in principle, but this should be via a phased approach. While it was agreed that an environmental education and a communication programme should be implemented, and additional bottle banks should be procured and placed across the legacy Newry area, it was further agreed that officers would bring back more options to Committee at a future date taking regard of the concerns raised and indicating a timetable for implementation.	J Parkes	Council asked for more detailed report and options. Further report to subsequent committee.	

Items restricted in accordance with part 1 of schedule 6 of the Local Government Act (NI) 2014

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
RTS/17/2017	Report re: Preferred Borrowing Method for Arc21 Infrastructure	It was unanimously agreed to agree the preferred method of funding this land acquisition (assuming Council agree to the purchase) is for Arc21 to borrow the money and for Council to pay off the debt over a period of 20 years.	J Parkes		
RTS/18/2017	Report re Consideration for Revision of Cemetery/Burial Charges from April 2017	It was unanimously agreed that a report containing revised figures of the Cemetery/Burial Charges for Council's Municipal Cemeteries from April 2017 would be brought to a future Committee Meeting.	K Scullion	Report provided to February Committee.	

Regulatory & Technical Services Business Plan

2016 - 2017 Business Plan

Key Result Area 1: Resource Management								
Ref.	Key Activities	Owner	Target	Q1 A-J 2016	Q2 J-S 2016	Q3 O-D 2016	Q4 J-M 2017	Comment
Directorate								
A1	Manage Directorate budget within +/- 3% variance for the year 2016/17	All	+/- 3%					Significantly over budget
A2	Manage Capital Projects within budget and project timeline	All	+/- 3%					
A3	Build the four new Departmental structures, recruiting against all managerial positions	All	Q4					
A4	Deploy an effective holiday management protocol, to minimise impact on front line services	All	Q4					Impacted by sickness absence.
A5	Effectively implement sickness absence management procedures	All	Ongoing					Not yet implemented.
A6	Recruit against all vacancies in a timely fashion	All	Ongoing					
Building Control								
A7	Successfully integrate the administration functions of Building Control and Planning	CJ	Q4					On going - Planning BS staff relocated to the BC reception area in Newry, but full integration incomplete.

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2016 - 2017 Business Plan

A8	Introduce a joint inspection procedure for BC staff so that both BC and Planning infringements can be recorded during a single inspection	CJ	Q4				All relevant BC applications referred to Planning at validation stage. BC to notify Planning of all Uws identified on site.
A9	Design and implement a centralised Licensing Unit	CJ	Q3				Unit designed but structures not yet resolved.
A10	Rationalise the provision of bye-law enforcement and dog control services; to ensure district wide effective enforcement and dog control	CJ	Q4				Existing legacy Dog Control measures still in place, structures not yet resolved.
Planning							
A11	Address Planning Staffing complement (enforcement /development plan/development management)	AMK	Q3				Two planning officer vacancies have been filled. Four additional permanent planning posts agreed by Council, appointment ongoing. In target for completing staff complement review in Q3.
A12	Develop and implement agreed mechanism of charging for pre application discussions.	AMK	Q4				Work ongoing. On target for completion in Q4
Facilities							
A13	Implement centralised staff & budget control for Security, Reception & Canteens in Monaghan Row, Downpatrick Civic Centre & Greenbank	KS	By end of Q4				Some progress made but until structures are agreed and staff aligned to posts within new department progress will be limited.
A14	Devise and implement staff procedures to allow the "sharing" of skilled and unskilled staff across Building Maintenance and Grounds Maintenance	KS	By end of Q4				Some progress made but until structures are agreed and staff aligned to posts within new department progress will be limited.
A15	Standardise procedures for burials across the councils five municipal cemeteries.	KS	By end of Q4				Some progress made but until structures are agreed and staff aligned to posts within new department progress will be limited.

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A16	Review use of external contractors for maintenance tasks	KS	By end of Q4					Some progress made but until structures are agreed and staff aligned to posts within new department progress will be limited.
A17	Agree and implement rationalised departmental support for events.	KS	By end of Q4					New Events Committee established which is providing better and more informed co-ordination of Council support of events both Council run events and community events.
Waste								
A18	Develop a three year capital plan for the spend on Fleet Management	JP	Q4					
A19	Rationalise 4 day Vs 5 day week for refuse collection regimes	JP	Q4					
A20	Deliver a domestic Food Waste Collection services across the District	JP	End of Q4					
A21	Rationalise the HRC provision across the district, optimising the number of sites, each delivering the same level of service via the same operational procedures	JP	Q4					
A22	Progress design, build and opening of HRC for Downpatrick area.	JP	2017					
A23	Rationalise district wide street cleansing, optimising staff resources while delivering extended cleansing (up to 8.00pm) for tourist areas	JP	Q4					
Key Result Area 2: People Leadership								
Ref.	Key Activities	Owner	Target	Q1 A-J 2016	Q2 J-S 2016	Q3 O-D 2016	Q4 J-M 2017	Comment

Regulatory & Technical Services Business Plan

2016 - 2017 Business Plan

Directorate							
B1	Create an environment that encourages cultural change, bringing together the legacy Down, Newry & Civil Servant cultures into a new NMD culture	All	Ongoing				
B2	Build a strong Regulatory and Technical Services "Lead Team"	All	Ongoing				
B3	Create, monitor and deliver against an ambitious performance improvement plan	All	Ongoing				
B4	Ensure appropriate development opportunities are presented to Lead Team members	All	Ongoing				
B5	Create formal and informal member engagement opportunities (e.g. annual strategy workshop)	All	Ongoing				
B6	Deliver meaningful monthly Directorate updates to the SMT	All	Monthly				
Building Control							
B7	Implement effective administration management of off-street parking	CJ	Q3				3 year AA with TNI approved, Duty Manager appointed. Delegation of ownership of car parks by Directorate to be resolved
Planning							
B8	Successfully integrate the Administration functions of Planning and Building Control implementing newly developed administrative processes.	AMK	Q4				Work ongoing. On target for completion in Q4.

Regulatory & Technical Services Business Plan

2016 - 2017 Business Plan

B9	Implement an effective monitoring and reporting procedure to demonstrate effective enforcement control.	AMK	Q4					Work ongoing. On target for completion in Q4.
B10	Implement improvement plan and performance monitoring that delivers planning application turn round targets (15 weeks).	AMK	Q4					Work ongoing. On target for completion in Q4.

Key Result Area 3: Organisation Performance

Ref.	Key Activities	Owner	Target	Q1 A-J 2016	Q2 J-S 2016	Q3 O-D 2016	Q4 J-M 2017	Comment
Directorate								
C1	Create and publish a forward looking Directorate Business Plan	All	Annual					
C2	Deliver on the projects included in the Directorate Business Plan	All	Ongoing					
C3	Develop a targeted efficiency plan designed to lower costs and improve delivery	All	Q3					Not yet progressed.
C4	Identify and deliver against a number of critical projects	All	Ongoing					
C5	Report quarterly Business Plan updates to the R&TS Committee	All	Quarterly					
C6	Ensure member engagement via appropriate use of committee working groups, e.g.: Strategic Waste Working Group	All	Ongoing					

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Building Control							
C7	Implementation of street café trading / licensing	CJ	Q3				On-going Guidance docs, policies, procedures, forms and fees approved. Structures incomplete for full implementation.
C8	Implement an effective monitoring and reporting procedure to demonstrate effective performance	CJ	Q3				Fully implemented for BC, incomplete for Licensing - structure dependent.
Planning							
C9	Significantly improving planning department performance.	AMK	Q4				Work ongoing. Backlog reduction being achieved. Work on development plan restarted. On target for Q4
C10	Complete one off programme to significantly reduce backlog of historic planning applications.	AMK	Q2				Work ongoing. Backlog of historic applications reduced to 120. Q2 target not achieved due to competing priorities diverting staff resources.
C11	Removal of NI Direct and introduction of Directorate CRM	AMK	Q4				Work ongoing anticipated slippage of two months.
C12	Implement an effective procedure to monitor and manage correspondence	AMK	Q2				Procedures implemented. Monitoring ongoing to measure effectiveness.
Facilities							
C13	Review Monaghan Row Receptions (General, Building Control, Env Health)	KS	By end of Q2				Review underway of office accommodation at three main Council sites. Currently at data gathering point. First Project will be carried out at Downshire Site.
C14	Progress capital program to increase burial capacity of Loughinch Cemetery.	KS	By end of Q4				Planning permission has been received for extension to site. Delay in appointing Design Team to assist in drawing up tender specification and management of works on site. Delay due to resource issues.

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C15	Develop and implement an automated planned maintenance schedule within the context of a broader council wide asset management strategy.	KS	By end of Q4					Some progress made but until structures are agreed and staff aligned to posts within new departure progress will be limited.
C16	Develop and implement a christmas Tree/Lights plan for 2016	KS	By end of Q2					Agreed that this year that provision provided in 2015 would be provided in 2016. On course for installation of trees and lights as per last year and providing assistance for Christmas Switch on Events.
Waste								
C17	Devise strategy for managing local Authority Collected Municipal Waste that ensures we meet NILAS, Recycling and Landfill Diversion targets	JP	Q3					Strategic waste plan produced for the Strategic Waste Working Group & Committee, however further work required. Council will meet NILAS & Landfill Diversion targets. The recycling target of 50% by 2020, will require significant work to meet.
C18	Implement a programme of rounds optimisation based on the capability provided by GPS Tracking across entire fleet	JP	201700%					
C19	Implement the actions arising out of the Anti-Litter Task Force	JP	Ongoing					
C20	Set up the Strategic Waste Working Group and deliver recommendations to committee	JP	Q2					

Key Result Area 4: Advocacy, external Networking and Communications

Ref.	Key Activities	Owner	Target	Q1 A-J 2016	Q2 J-S 2016	Q3 O-D 2016	Q4 J-M 2017	Comment
Directorate								
D1	Provide DEA customised action plans for key R&TS directorate services	All	Q4					Not yet integrated with DEA groups.

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D2	Work with key partners to deliver priority projects, e.g. DFI - Planning Policy/EPIC; DAERA, - Waste Management; BCNI - Building Control standards	All	Ongoing					BCNI implementing effective BC standards across NI.
D3	Work with the wider community to change cultural view on littering	All	Ongoing					
D4	Work with Agents and Developers to cooperatively streamline regulatory processes	All	Q4					Effective consultation with stakeholders complete.
Planning								
D5	In partnership with Dept for Infrastructure and other Councils, develop EPIC replacement.	AMK	Jul-05					Work ongoing
D6	Publish a time line for the production of the Area Plan.	AMK	Q3					Completed
Waste								
D7	In partnership AHC, get community involvement in litter management	JP	Ongoing					

Newry, Mourne & Down District Council – January 2017

1. Live Applications

MONTH 2016/17	NEW APPLICATIONS	LIVE APPLICATIONS	LIVE APPLICATIONS OVER 12 MONTHS
April	138	1,389	436
May	121	1,335	455
June	162	1,178	418
July	106	1,147	425
August	131	1,089	405
September	133	1,048	394
October	132	1,026	392
November	132	1,007	355
December	124	1,016	333
January 2017	118	1,029	326

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2. Live Applications by length of time in system

Month 2016/17	Under 6 months	Between 6 and 12 months	Between 12 and 18 months	Between 18 and 24 months	Over 24 months	Total
April	583	370	222	66	148	1,389
May	549	331	222	86	147	1,335
June	511	249	195	77	146	1,178
July	501	221	196	78	151	1,147
August	480	204	162	99	144	1,089
September	472	182	150	97	147	1,048
October	462	172	135	103	154	1,026
November	483	169	115	100	140	1,007
December	496	187	99	97	137	1,016
January 2017	523	180	90	97	139	1,029

3. Live applications per Case Officer

Month 2016/17	Average number of Applications per Case Officer
April	58
May	56
June	47
July	46
August	44
September	40
October	41
November	46
December	51
January 2017	54

Newry, Mourne & Down District Council – January 2017

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4. Decisions issued per month

Month 2016/17	Number of Decisions Issued	Number of Decisions Issued under delegated authority
April	168	163
May	174	169
June	298	273
July	141	114
August	180	162
September	160	140
October	145	122
November	141	102
December	106	85
January 2017	102	79

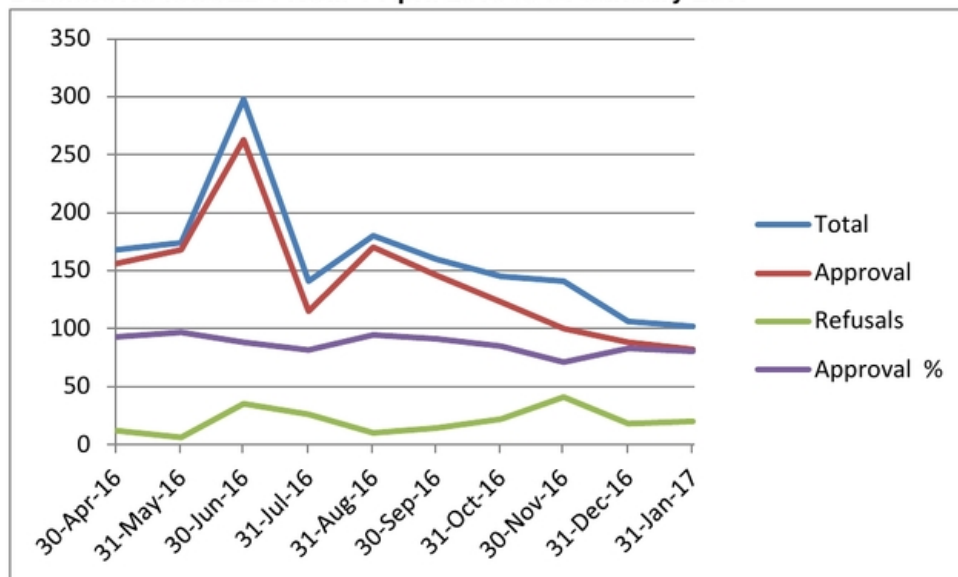
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5. Decisions Issued YTD

Month 2016/17	Number of Decisions Issued	Breakdown of Decisions	
		Approvals	Refusals
April	168	Approvals (156)	93%
		Refusals (12)	7%
May	342	Approvals (324)	95%
		Refusals (18)	5%
June	640	Approvals (587)	92%
		Refusals (53)	8%
July	781	Approvals (702)	90%
		Refusals (79)	10%
August	961	Approvals (872)	91%
		Refusals (89)	9%
September	1,121	Approvals (1018)	91%
		Refusals (103)	9%
October	1,266	Approvals (1141)	90%
		Refusals (125)	10%
November	1,407	Approvals (1241)	88%
		Refusals (166)	12%
December	1,513	Approvals (1329)	88%
		Refusals (184)	12%
January 2017	1,615	Approvals (1,411)	87%
		Refusals (204)	13%

Newry, Mourne & Down District Council – January 2017

DECISIONS ISSUED FROM 1 April 2016 to 31 January 2017



6. Enforcement Live cases

Month 2016/17	<=1yr	1-2 yrs	2-3 yrs	3-4 yrs	4-5 yrs	5+yrs	Total
April	185	119	97	56	23	78	558
May	190	113	101	58	24	77	563
June	217	119	104	56	27	79	602
July	220	117	94	64	28	77	600
August	231	125	87	72	32	75	622
September	240	129	86	83	35	77	650
October	248	129	90	84	34	80	665
November	285	126	90	83	35	77	696
December	283	133	82	85	37	83	703
January 2017	296	129	90	87	41	84	727

Newry, Mourne & Down District Council – January 2017

7. Planning Committee

Month	Number of Applications presented to Committee	Number of Applications Determined by Committee	Number of Applications Withdrawn/ Deferred for future meeting
13 April 2016	14	11	3
27 April 2016	10	5	5
11 May 2016	15	13	2
26 May 2016	17	12	5
8 June 2016	13	9	4
29 June 2016	35	25	10
6 July 2016	22	9	13*
3 August 2016	27	14	13
10 August 2016	4	2	2
31 August 2016	12	10	2
28 Sept & 5 Oct 2016	59	31	28
26 October 2016	30	21	9
10 November 2016	30	23	7
23 November 2016	31	22	9
7 December 2016	30	14	16
21 December 2016	22	14	8
18 January 2017	34	19	15
Totals	405	254	151

*2 Applications called in by DfI

8. Appeals

Planning Appeal Commission Decisions issued during January 2017

Area	Number of current appeals	Number of decisions issued	Number of decisions Allowed	Number of decisions Dismissed	Other decisions
Newry & Mourne	28	3	1	2	0
Down	8	0	0	0	0
TOTAL	36	3	1	2	0

Newry, Mourne & Down District Council – January 2017

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9. Statutory Targets Performance Data

Statutory targets monthly update to April to December 2016
(unvalidated management information)

Newry, Mourne and
Down

	Major applications (target of 30 weeks)			Local applications (target of 15 weeks)			Cases concluded (target of 39 weeks)		
	Number decided / withdrawn ¹	Average processing time ²	% of cases processed within 30 weeks	Number decided / withdrawn ¹	Average processing time ²	% of cases processed within 15 weeks	Number brought to conclusion ³	"70%" conclusion time ³	% of cases concluded within 39 weeks
April	3	42.6	33.3%	164	31.0	18.9%	13	37.2	69.2%
May	2	149.3	0.0%	168	25.5	23.8%	31	92.5	45.2%
June	4	68.9	0.0%	285	27.0	22.5%	2	0.0	0.0%
July	1	159.2	0.0%	133	22.4	36.8%	25	83.4	44.0%
August	3	90.0	0.0%	173	19.4	42.8%	-	0.0	0.0%
Sept	6	163.4	0.0%	158	19.5	42.4%	7	42.0	71.4%
Oct	1	75.2	0.0%	129	16.4	47.3%	4	19.8	100.0%
Nov	2	121.6	0.0%	145	28.0	33.1%	23	58.4	39.1%
Dec	1	30.0	100.0%	108	22.8	39.8%	22	29.6	81.8%
Jan	-	0.0	0.0%	-	0.0	0.0%	-	0.0	0.0%
Feb	-	0.0	0.0%	-	0.0	0.0%	-	0.0	0.0%
Mar	-	0.0	0.0%	-	0.0	0.0%	-	0.0	0.0%
Year to date	23	88.4	8.7%	1,470	23.3	34.1%	127	56.7	56.7%

Source: NI
Planning Portal

Note

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

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.

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
18/05/2016	Annette McAlarney	Cllr Curran
23/05/2016	A McKay	Cllr Ó Gribín
10/6/16	P Rooney & J McParland	Carla Lockhart MLA
14/06/2016	J McParland	Cllr Quinn
14/06/2016	J McParland A McKay P Rooney	Cllr Tinnelly
15/6/16	P Rooney	Cllr G Fitzpatrick
15/06/2016	P Rooney A McKay	Harold McKee MLA, J Tinnelly & G Fitzpatrick
16/06/2016	J McParland	Cllr Quinn
20/06/2016	Clare Miskelly	Cllr Dermot Curran
21/06/2016	J McParland	Cllr Taylor
21/06/2016	J McParland	Cllr Hanna
27/06/2016	J McParland	Cllr Tinnelly

Record of meetings between Planning Officers and Public Representatives

30/06/2016	A McKay	Margaret Ritchie MP
4/07/2016	Andrew Hay	Jim Shannon MP
08/07/2016	J McParland	Cllr Quinn Cllr Doran
14/07/2016	P Rooney	Cllr W Clarke
21/07/2016	Anthony McKay	Margaret Ritchie MP
26/7/2016	J McParland	Sean Doran
27/07/2016	J McParland	J Tinnelly
08/08/2016	J McParland	J Tinnelly
8/08/16	A Hay M Keane	Colin McGrath MLA
11/08/16	Andrew Hay	Cllr Walker Cllr Curran
25/08/16	Anthony McKay	Cllr O'Gribin
30/08/16	Pat Rooney	Cllr Ruane
1 /9/16	Anthony McKay	M Ritchie MP
02/09/2016	A McAlarney Mark Keane	Cllr Willie Clarke
02/09/2016	A McAlarney	Cllr Willie Clarke
06/09/2016	Pat Rooney/Andrew Davidson	Cllr Terry Hearty
08/09/2016	Annette McAlarney Catherine Moane	Colin McGrath MLA
08/09/2016	Pat Rooney	Cllr David Taylor MLA and Danny Kennedy MLA
14/9/16	Pat Rooney	Cllr Terry Hearty
14/9/16	Anthony McKay	Wm Erwin MLA
15/09/2016	Pat Rooney	Cllr Terry Hearty
23/09/2016	Pat Rooney/Andrew Davidson	Harold McKee MLA, David Taylor MLA
29/09/2016	Pat Rooney	Cllr Terry Hearty
11/10/16	Andrew Davidson	Cllr Tinnelly
13/10/16	Andrew Hay	Margaret Ritchie MP
14/10/16	Pat Rooney & Andrew Davidson	Justin McNulty MLA
14/10/2016	Jacqui McParland	Cllr B Quinn
17/10/2016	Annette McAlarney	Cllr Curran
18/10/2016	Jacqui McParland	Cllr Doran
01/11/2016	Annette McAlarney	Cllr Harvey & Cllr Walker
3/11/16	Anthony McKay	Margaret Ritchie MP
07/11/2016	Jacqui McParland Anthony McKay	Cllr Reilly
	Anthony McKay	Cllr Naomi Bailie
11/11/2016	Annette McAlarney	Cllr Walker
14/11/2016	Annette McAlarney	Cllr Andrews
18/11/2016	Annette McAlarney	Cllr Walker
18/11/2016	Annette McAlarney	Colin McGrath MLA
24/11/2016	David Watson	Colin McGrath MLA
24/11/2016	Anthony McKay	M Ritchie MP

Record of meetings between Planning Officers and Public Representatives

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25/11/2016	Jacqui McParland	Cllr Taylor
02/12/2016	Annette McAlarney	Cllr Andrews and Walker
15/12/16	Anthony McKay	Margaret Ritchie MP
5/1/17	Anthony McKay	Margaret Ritchie MP

Report to:	Regulatory & Technical Services Committee
Date of Meeting:	22 nd February 2017
Subject:	Report on Bus Shelter Requests
Reporting Officer	Canice O'Rourke
Contact Officer	Kevin Scullion

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

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

Appendix 1: Report on Bus Shelter Request

Section A: Implementation of Bus Shelters Requests previously approved

At the Committee Meetings in June and September 2016 approval was given to proceed with installation of 9 bus shelters as detailed in the table below.

Location	Type of Shelter
Roxborough Road Dorsey	Canteliver structure with perspex back
Mc Geough's, Crossmaglen Road, Aughanduff (Newry direction)	Enclosed shelter with concrete panels
Cloughreagh Park, Bessbrook	Canteliver structure with concrete back
Patrician Park, Carrivemaclone, Newry	Canteliver structure with concrete back
Drumaroad Hill, Drumaroad	Enclosed shelter with concrete panels (no front)
Bells Hill, Belfast Rd, Crossgar	Canteliver structure with perspex back
Newcastle Rd, Ballynahinch	Canteliver structure with perspex back
Castlewellan Rd, Clough	Canteliver structure with perspex back
Ballyholland Rd, Ballyholland	Canteliver structure with perspex back

Works to complete these installations are well advanced with all expected to be in location before end of February.

Section B: Bus Shelters Requests for consideration to Approve/Decline

1. Turleys Crossroads, Moneyslane

Background & Summary of Findings to date

This request is to provide a bus shelter for children being collected by buses to take them to school. There is no official bus stop at this location but the site is well used with two buses stopping to collect school children.

One of the local business's had offered to allow the Council to convert part of a Store owned by them but this location proved unsatisfactory from a road safety perspective.

A local business owner currently allows the children to stand in the foyer of his Hardware Store. Others it is claimed will stand in the recently constructed Smoking Shelter associated with a local Public House.

The Council has identified two possible locations for a bus shelter at this location, one at Prospect Road which given its distance from Turely's Crossroads may if installed prove unpopular and another on the Ballymackilreiny Road, beside the crossroads, which is in private ownership.

The owner of the Public House has requested that the Council take note that children are using the Smoking Shelter provided for the Public House and give consideration to making a contribution to the construction of this facility.

Recommendation: Council is not in a position to part fund the construction of a Smoking Shelter as requested. Council to consider and give direction on whether it should continue to pursue either of the two possible locations identified as a bus shelter or to remove this request from the list.

Section C: Bus Shelter Requests under Consideration

Table 2 below lists the remaining requests under consideration.

Table 2

Location	Date Request Made	Comment on Progress/Recommendation
Glassdrumman Road, Annalong– new bus shelter (x2)	August 2014	Awaiting response from TNI and Translink
Sandbank/Hilltown Road, Mayobridge – new bus shelter	October 2014	Unable to find suitable site. Remove from list.
Clanvaraghan Road, Castlewellan – new bus shelter. (See item 2 in section A)	June 2015	Unable to find suitable site which meets Translink and TNI requirements. Remove from list.
Bryansford Road, Newcastle – new bus shelter	September 2015	Previous application for this site turned down by TNI. Re-consultation to issue.

Belfast Road, Newry close to Park n Share car park at Sheepbridge – new bus shelter	January 2016	Awaiting reponse from TNI
Carnaney/Bavan Road Mayobridge – new bus shelter	February 2016	Previous application for this site turned down by TNI. Re-consultation to issue.
Ballyhornan village in the main square	July 2016	Awaiting response from Translink
Killough Rd, Coney Island. Opposite the Caravan park	July 2016	Awaiting response from Translink
Bus Shelter - Drummond Rd / Gosford Road, Newry	September 2016	Intial request from TNI was for refusal. Revised proposal submitted to TNI. Awaiting response.
Killard Road/Avenue, Ballyhornan	June 2016	Awaiting response from Translink
Longstone Road Ballymartin	September 2016	Awaiting response from TNI, Newry, Mourne Community Transport and Education Authority NI
Two bus shelters for collection of school children in Forkhill (St Pauls, Bessbrook and St Joseph's Crossmaglen)	September 2016	Insufficient footpath sapce to proceed with request for bus to St Joseph's School.
Mc Geough's, Crossmaglen Road, Aughanduff (Crossmaglen direction)	September 2016	No progress to date

Report to:	Regulatory and Technical Services Committee
Date of Meeting:	22 February 2017
Subject:	Standardisation in the use of Caddy Liners
Reporting Officer (Including Job Title):	Canice O'Rourke Director, Regulatory and Technical Services
Contact Officer (Including Job Title):	Joe Parkes Assistant Director, Waste Management

Decisions required:

To agree a more standardised approach across the district in the use of compostable liners as part of the food waste scheme.

1.0	Purpose and Background:
1.1	In the legacy Newry and Mourne area, compostable liners are allowed to be used in the kitchen caddy, as part of the food waste collection scheme. At present, householders can get a pack of free kitchen caddy liners from council facilities at Monaghan Row and Greenbank. They can also buy compostable caddy liners from local shops, as long as the bags have the compostable seedling logo on them and are EN13432 compliant (See Appendix 1). Please note biodegradable/degradable liners are not acceptable. In legacy Down, householders were encouraged to use the kitchen caddy without liners and if they wanted, line the inside with newspapers.
1.2	The implementation of new food waste legislation, has prompted the introduction of the rural 27,500 brown bin food collection scheme in April 2017. As part of this scheme, each of the 27,500 households will receive one free pack of caddy liners, with the caddy and brown bin. The food kitchen caddy liners are being given out to help encourage the use of the kitchen caddy and divert food waste from the black residual waste bin to the brown food collection bin.
2.0	Key issues:
2.1	At present we do not have a uniform approach in the use of kitchen caddy liners across the district.
2.2	Further confusion may be caused on the use of food liners, with the introduction of the rural food waste collection scheme.
3.0	Recommendations:
3.1	A clear message to householders, that compostable kitchen liners can be used right across the Council area. The bags must have the seedling logo on them and must be EN13432 compliant.
3.2	The Council will still give out free liners, one per household, at Monaghan Row and Greenbank, but also Downshire CC to help promote liners in the Down area.
3.3	Householders can purchase food caddy liners, which have the seedling logo, from local outlets.

3.4	Householders can still use their kitchen caddy without liners, if they want.
3.5	As part of promotions, such as compost week, free liners may be given out to the public.
4.0	Resource implications
4.1	No resource implications.
5.0	Equality and good relations implications:
5.1	No impact on equality and good relations.
6.0	Appendices
	Appendix I: Seedling Logo

Appendix I



Report to:	Regulatory and Technical Services Committee Meeting
Date of Meeting:	22 nd February 2017
Subject:	Roads (Miscellaneous Provisions) Act – Road Closures for Special Events
Reporting Officer (Including Job Title):	Colum Jackson, Assistant Director of Regulatory and Technical Services
Contact Officer (Including Job Title):	Fintan Quinn, Head of Enforcement and Licensing

Decisions required: FOR NOTING

Members are asked to note the contents of the report.

1.0	Purpose and Background:
1.1	The Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 received Royal Assent on 13 August 2010. This legislation was due to come into effect on 1 st April 2013 but was deferred, it is now due to be enacted 4 th September 2017 and will provide Councils with the power to prohibit or restrict traffic using roads to facilitate special events taking place on roads. The new legislation provided clarity for relevant authorities e.g. Councils and Department of Infrastructure (DOI) who will be responsible for roads closures. Previously, the statutory power of any agency to close roads for anything other than a public safety issue was unclear.
1.2	The Act defines special event as any sporting event, social event, entertainment or film making on a public road. A person wishing to close a public road for a special event will be required to apply to the Council and, after public notification and consultation with various statutory bodies (PSNI, NIFRS, etc.) and with the consent of the Department of Infrastructure (DOI) Roads Services, the Council will decide if a road closure order is to be made. DOI will maintain responsibility for the closure of special roads e.g. all motorways.
1.3	If the Roads Service object to the proposal because of road safety or traffic progression concerns; its consent for the special event to be held on the road will be refused. The Act stipulates that a council may not make an order except with the consent of the DOI.
1.4	Currently there is no statutory basis to close roads for such special event. In the past, for events such as St Patrick's Day Celebrations, the PSNI had closed roads on the basis of their general powers to protect the safety of road users. This new legislation provides a legal mechanism to close roads in a timely and more measured fashion.

2.0	Key issues:
2.1	<p>Given the regulatory nature of this function the Licensing Section has been given the responsibility for administering the Act which will include duties such as:</p> <ul style="list-style-type: none"> • Processing applications • Publishing public notices and consulting with relevant agencies • Dealing with representations from interested parties • Preparing road closure orders and ensuring appropriate road closure and diversion signage is in place.
2.2	<p>At present Licensing Officials are working with Corporate Policy Officers to prepare policies, procedures, guidance documents and application forms for the delivery of the function which will be subject to Members consideration in due course.</p>
2.3	<p>The general intention would be to create a streamlined process, through delegated authority, which can be administered with the minimum of impact in terms of resource implications for the Council and regulatory burden for applicants. The Council have delegated powers of decision making to the Director of the Regulatory and Technical Services Department. However, for those applications where there are issues or objections or grounds for refusal, for such representations to be heard and considered, and a decision made, a proposal will be brought to the Regulatory and Technical Services Committee</p>
3.0	Recommendations:
3.1	The contents of this report are for noting.
4.0	Appendices
	Appendix I: Letter to the Chief Executive from the Department for Infrastructure
	Appendix II: Letter from the Department for Infrastructure, in relation to commencement date of legislation
	Appendix III: The Roads (Miscellaneous Provisions) (2010 Act) (Commencement No. 1) Order (Northern Ireland) 2017

Transport Legislation Branch



Department for

Infrastructure

An Roinn


Bonneagair

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The Chief Executive

Room 301
Clarence Court
10-18 Adelaide Street
Belfast
BT2 8GB

Tel: (028) 90540673
Email: garry.mckenna@infrastructure-ni.gov.uk
Your reference:
Our reference: DR1-10-4544

 February 2017

Dear Chief Executive

The Roads (Miscellaneous Provisions) (2010 Act) (Commencement No. 1) Order (Northern Ireland) 2017

Please find enclosed a copy of the above-mentioned Statutory Rule for your information.

The Order will commence provisions of the Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 ("the 2010 Act") which authorise a relevant authority to prohibit or restrict the use of public roads in connection with special events.

Special Events are defined as:

- a) Any sporting event, social event or entertainment which is held on a public road; or
- b) The making of a film on a public road.

For the purposes of the Act a relevant authority:

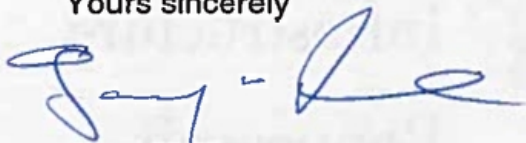
- a) for a special road is the Department; and
- b) for any other road is the Council for the district in which the road is situated.

The District Council needs the consent of the Department before making an order.

The 2010 Act also contained provisions for establishing a permit scheme to control the carrying out of specified works on specified roads. As a consequence the Order also repeals similar powers contained in the Street Works (Northern Ireland) Order 1995 and the Street Works (Amendment) (Northern Ireland) Order 2007 which are no longer required.

The Order was made on 25th January 2017 and will come into operation on 4th September 2017. The Minister agreed to the commencement on the later date to take account of potential concerns voiced by a number of Councils.

Yours sincerely



Garry McKenna
Head of Transport Legislation Branch



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Email: garry.mckenna@infrastructure-ni.gov.uk
Your reference:
Our reference: DR1-10-4544

KE
February 2017

Dear Mr. Hannaway

The Roads (Miscellaneous Provisions) (2010 Act) (Commencement No. 1) Order (Northern Ireland) 2017

The Minister for Infrastructure Chris Hazzard MLA was made aware of the concerns of a number of Councils with respect to the making of the above Order and the proposed commencement date of 1st January 2017.

The Minister carefully considered the concerns of those councils and agreed that whilst it was still necessary to make the Order as planned the commencement of the powers will be delayed until September 2017.

This will allow those councils which wish to make use of these powers the time to establish their own policies and procedures.

The Department made the Order on the 25th January 2017 with a commencement date of 4th September 2017.

Yours sincerely

Garry McKenna
Head of Transport Legislation Branch

STATUTORY RULES OF NORTHERN IRELAND

2017 No. 34 (C. 3)

ROADS

**The Roads (Miscellaneous Provisions) (2010 Act)
(Commencement No. 1) Order (Northern Ireland) 2017**

Made - - - - *25th January 2017*

The Department for Infrastructure^(a), makes the following Order in exercise of the powers conferred by section 9(2) of the Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010^(b).

Citation

1. This Order may be cited as the Roads (Miscellaneous Provisions) (2010 Act) (Commencement No. 1) Order (Northern Ireland) 2017.

Appointed day

2. The day appointed for the coming into operation of the provisions of the Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 specified in the Schedule is 4th September 2017.

Sealed with the Official Seal of the Department for Infrastructure on 25th January 2017

(L.S.)

Tom Reid
A senior officer of the Department for Infrastructure

(a) 2016 c. 5 (N.I.)
(b) 2010 c. 14 (N.I.)

SCHEDULE

Article 2

Provisions coming into operation on 4th September 2017

<i>Provision of the Act</i>	<i>Subject Matter</i>
Section 6	Prohibition or restriction of use of public roads in connection with special events.
Schedule 1	Schedule to be inserted as Schedule 3A to the Road Traffic Regulation (Northern Ireland) Order 1997.
Schedule 2, paragraphs 3 to 5 and 6(1) and (2) and section 8(1) so far as relating to those paragraphs	Minor and consequential amendments.
Schedule 3, the entries relating to the Street Works (Northern Ireland) Order 1995 and the Street Works (Amendment) (Northern Ireland) Order 2007 (and section 8(2) so far as relating to those entries)	Repeals.

EXPLANATORY NOTE*(This note is not part of the Order)*

This Order brings into operation the last remaining provisions of the Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010.



JOINT COMMITTEE
26 January 2017

MEMBERS' MONTHLY BULLETIN

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

Item 3 - Minutes of Joint Committee meeting 018 held on 1 December 2016**For approval**

The Joint Committee's approval is sought for the minutes of the meeting held on 1 December 2016.

'IN COMMITTEE' ITEMS - COMMERCIALY CONFIDENTIAL**Item 5 - Minutes of Joint Committee meeting 018 held 'in committee' on 1 December 2016****For approval**

The Joint Committee's approval is sought for the minutes of the meeting held 'in committee' on 1 December 2016.

Item 7 - Residual Waste Treatment Project**For approval**

The Procurement Process - Procurement activities have been reduced to a low level of intensity to minimise nugatory expenditure until there is better visibility on the direction of planning issues. A programme of work is being developed so as to step up activities as required.

PAC hearing - The additional information requested by the PAC was submitted in November 2016. The Department of Infrastructure and third party objector commented on the supplementary information and copies of these provided to us by the PAC for information purposes. It is anticipated that the Commissioner will finalise his report over the forthcoming weeks.

Meeting with Noarc21 - The Chair of the Joint Committee met with representatives from Noarc21 on 8 December 2016.

Review of Electricity Distribution and Connections Policy - Call for Evidence - A response has been submitted in relation to this call for evidence.

The Joint Committee is asked to endorse the submission in response to the Utility Regulator's call for evidence in respect of their review of connections policy and to note the rest of the report.

RETURN TO MAIN AGENDA

Item 8 - Contracts and Performance Update

For approval

The amount of material delivered over the 2015/16 contract year for organic waste increased by 11.6% when compared with the previous contract year.

The monthly level of contamination at the MRF has reduced slightly.

Level of contamination in textile banks is the subject of comment by the contractor.

Latest test results on samples of caddy liners appear to reaffirm non compliance issues. Discussions are ongoing with supplier.

It is recommended that arrangements be sought to extend contracts as follows:

- a) Landfill by 18 months;
- b) Supplies, excepting caddy liners, by 12 months;
- c) Procurement and Contract Legal Services by 12 months; and
- d) Health and Safety Consultancy by 12 months.

Prognosis with regard to this year's NILAS target remains optimistic.

The Joint Committee is asked to endorse the recommendations and note the rest of the report.

Item 9 - Household Food Waste

For approval

It is proposed to seek the endorsement of the Joint Committee for the recommendation that arc21 constituent councils introduce a policy by 1 April 2017 which requires domestic occupiers to put all food waste only into the receptacle provided by the council for that purpose and not to place any food waste into any other waste receptacle for collection by the council.

It is recommended the Joint Committee endorse a recommendation that arc21 constituent councils introduce a policy by 1 April 2017 which requires domestic occupiers to put all food waste only into the receptacle provided by the council for that purpose and not to place any food waste into any other waste receptacle for collection by the council.

Item 10 - Consultation on Changes to Packaging Recycling Business Targets for Paper, Steel, Aluminium, Wood and Overall Recovery and Recycling for 2018-2020

For noting

The purpose of the consultation was to seek views on proposals by the Department for Environment, Food and Rural Affairs, the Scottish Government, the Welsh Government and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland, to amend the packaging recycling business targets for paper, aluminium, steel and wood and for overall recovery and recycling for 2018-2020.

The Joint Committee is asked to note the report.

Item 11 - Draft Programme for Government Framework

For noting

The stated purpose of the consultation was to seek views on the Programme for Government which sets the direction for the NI Executive.

It was agreed to adopt an approach that entailed arc21 liaising with other bodies to develop an appropriate arc21 response consistent with the wider ranging local government perspective.



JOINT COMMITTEE
26 January 2017

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The approach was followed and appropriate responses developed and submitted within the timeframe.

The Joint Committee is asked to note the report.

Next Meeting: Thursday 23 February 2017 to be hosted by Antrim and Newtownabbey Borough Council

CONFIDENTIAL

ITEM 3**ARC21 JOINT COMMITTEE****Meeting No 018****Hosted by Mid and East Antrim Borough Council****MINUTES****Thursday 1 December 2016****Members Present:**

Councillor M Goodman
 Councillor A M Logue
 Councillor A Cathcart
 Alderman R Gibson (*Deputy Chair*)
 Alderman A Carson
 Alderman J Tinsley
 Councillor O Gawith
 Councillor D O'Loan (*Chair*)
 Councillor B Adger
 Councillor R Wilson
 Councillor S Burns
 Councillor G Craig

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

Members' Apologies:

Councillor M Rea
 Councillor M Collins
 Councillor G Milne
 Councillor J Bunting
 Councillor L Poots
 Councillor D Curran

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

Officers Present:

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

arc21
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 arc21
 Antrim and Newtownabbey Borough Council
 Ards and North Down Borough Council
 Belfast City Council
 Lisburn & Castlereagh City Council
 Mid and East Antrim Borough Council
 Newry, Mourne and Down District Council

Officers' Apologies:

J Green
 K Boal
 G Girvan
 N Grimshaw

arc21
 arc21
 Antrim and Newtownabbey Borough Council
 Belfast City Council

Apologies

Apologies were noted.

Action: Noted

Councillor O'Loan welcomed Councillor Alistair Cathcart to his first Joint Committee meeting.

He also advised Members that Councillor Ross Brown from Belfast City Council had stepped down as a Councillor due to relocating for a new job and his replacement would be Councillor Georgina Milne.

Conflicts of Interest Statement

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

Action: Noted

Minutes

The minutes of Joint Committee meeting 017 held on 27 October 2016 were agreed.

Action: Agreed

Matters Arising from the Minutes

There were no matters arising.

Action: Noted

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

In Committee

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

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

1. In Committee Minutes of Joint Committee Meeting No. 017 held on 27 October 2016.
Action: Agreed
2. Residual Waste Treatment Project.
Action: Agreed

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

Contracts and Performance Update

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

A summary of the key discussions was noted as follows.

- The monthly level of contamination at the MRF has increased for the first time in the last four months.
- The geographical eligibility area and representation from each Member Council on the Landfill Community Fund Steering Group has been agreed. Members requested a map of the area be circulated for information. They also requested if information could be provided on the uptake of the scheme and Mr Burnett agreed to provide this for the next meeting.

Action: Ms Robinson/Mr Burnett

- Each Contractor appointed under the Bring Contract has returned signed documentation to confirm their agreement to the one year extension period.
- The current Haulage Contract has been extended to 31st December 2016 to ensure continuity of service and further extensions will be made as appropriate.
- Recent compliance testing of delivered caddy liners against specification indicates non-conformance issues which are being investigated by arc21. Councils were asked to advise arc21 of any complaints received about the liners.

The issue of recent legislation on food waste to landfill was discussed and Mr Quinn suggested a paper be brought to the next meeting to clarify the position for Members and Officers.

Action: Mr Burnett

Following discussion the Joint Committee agreed to note the report.

Action: Noted

Waste Management Plan

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

He reported that the Plan had now been formally determined in all six of the arc21 Constituent Councils and the Councils are now required to complete the statutory process by fulfilling the requirements in relation to transparency and accessibility.

Following discussion the Joint Committee agreed to note the report.

Action: Noted

Environmental Services Association (ESA) Strategy Paper

Mr Burnett presented a report to advise the Joint Committee on progress with the Strategy Paper on Packaging Recovery Notes (PCN) being developed by the ESA.

Mr Burnett reported that the ESA were undertaking a strategic review of the PRN system in view of the desire for further recycling of packaging waste and, as part of the process, had invited a number of strategic bodies and partners, including arc21, to a consultation session in London to inform a strategic examination of the PRN system with a view to increase recycling of packaging.

The work undertaken so far identified four potential options with a significant divergence of views throughout. Accordingly, the ESA will reflect on the discussions during the sessions with a view to further development of their strategic examination of this subject matter.

Following discussion the Joint Committee agreed to note the report.

Action: Noted

Consultation on Waste Electrical and Electronic Equipment Compliance Fee Methodology - Evaluation of Proposals

Mr Burnett presented a report to advise the Joint Committee on the consultation paper issued by DEFRA.

The purpose of the consultation was to seek views on:

- Whether the Secretary of State should approve a compliance fee for 2016; and
- How well the proposals meet the published evaluation criteria.

Due to the deadline of 25 November, a response had been submitted by arc21 and was presented to Members for their endorsement.

Following discussion the Joint Committee agreed to endorse the response.

Action: Agreed

Draft Programme for Government Framework

Mr Burnett presented a report to advise the Joint Committee on the consultation issued by the NI Executive.

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

Mr Burnett informed the meeting that arc21 was liaising with other bodies to develop an appropriate arc21 response consistent with the wider ranging Local Government perspective.

The Joint Committee was asked to endorse the approach to the development of the arc21 response and to authorise the Chief Executive to submit an appropriate response.

Following discussion the Joint Committee agreed to adopt this approach.

Action: Agreed

NI Recycling Gap Analysis

Mr Burnett presented a report to advise the Joint Committee on progress with the NI Recycling GAP analysis undertaken by WRAP on behalf of DAERA.

He reported that indicative results of the NI Recycling Gap analysis undertaken by WRAP were recently presented to Council Officers collectively with more detailed Council specific information to follow.

Final Council specific information is being collated with a view to it being sent to each respective Council shortly.

He advised that arc21 was currently arranging to facilitate a special technical officer meeting solely dedicated to this subject. The meeting will explore and examine implications which may flow from this work in terms of strategic direction, infrastructure and associated administrative processes.

Following discussion the Joint Committee agreed to note the report.

Action: Noted

Next Meeting

The Chair advised that the next scheduled meeting of the Joint Committee would be held on Thursday 26 January 2017 and hosted by Newry, Mourne and Down District Council.

Action: Noted

Chairman

Report to:	Regulatory & Technical Services Committee
Date of Meeting:	22 nd February 2017
Subject:	Update on the planned Drumanakelly Wind Turbine
Reporting Officer (Including Job Title):	Canice O'Rourke, Director of Regulatory & Technical Services
Contact Officer (Including Job Title):	Joe Parkes, Assistant Director of Regulatory & Technical Services

Decisions required:	
No decision required – for information and noting only	
1.0	Purpose and Background:
1.1	To update the Committee on progress towards the proposed Wind Turbine at the Drumanakelly Landfill site
2.0	Key issues:
2.1	<p>In August 2016, committee was presented with the following history of the planned wind turbine at Drumanakelly. Given recent developments, a further update, as of February 2017 is presented immediately below that previously presented history.</p> <p><i>Planning Permission for a wind turbine at Drumanakelly was obtained by a 3^d party, without council involvement. (mid 2010)</i></p> <p><i>Council agreed to progress the placement of a wind turbine in Drumanakelly, but to do so without any capital investment on behalf of council. (Nov 2010)</i></p> <p><i>Accordingly, expressions of interest were sought from capable companies who would, at their own expense, build and manage a wind turbine in Drumanakelly, and offer council either ground rental or a percentage of the income earned from the sale of electricity sold to NIE.</i></p> <p><i>Following the expressions of interest exercise, council agreed to award the project to "Simple Power", who offered to pay council an annual sum of £20,000 for twenty years. (Feb 2013)</i></p> <p><i>Despite many discussion, emails and meetings, Simple Power failed to deliver against the awarded project. It is likely that the provision of a line from NIE, a requirement to enable generated electricity to be fed back into the grid, had proved too expensive, therefore dis-incentivising Simple Power from proceeding.</i></p> <p><i>Due to the delay in implementation, the planning permission was lost (exceeded its five year approval window). (Nov 2016)</i></p> <p><i>Council are presently seeking renewed planning approval, but the environmental requirements to enable planning to be granted, have significantly increased. Council are presently engaging environmental specialists to progress this work.</i></p> <p><i>If planning permission can be re-established, council will seek to award the project to others who responded to the original expressions of interest exercise.</i></p>

Update – February 2017.

In 2016 the department changed the rules around the allocation of Renewable Obligation Certificates (ROCs) and introduced "The Renewables Obligations Closure (No 2) Order (NI) 2016". Council therefore needed to establish if the planned Drumanakelly wind turbine would qualify for ROCs, under the "Approved Development Condition", particularly in relation to having Planning Permission on the 30th Sept 2015.

The planning permission was applied for in early 2010 and granted on the 24th August 2010. As the five year deadline for the planning approval approached, Simple Power eventually agreed to release council from that contractual agreement and the opportunity to build the wind turbine was then offered to the second place contender in the original procurement exercise. That second place contender (B9 Energy) already had an NIE line as they already pumped the gas from the landfill site to generate electricity and were already selling this back to NIE.

Given the delay imposed by the original procurement winner, council were due to lose planning permission on 24th August 2015 (five years after original award). In advance of this, an application for a planning permission extension was submitted on the 17th August 2015 - i.e. seven days before the planning permission expired.

However in the interim there had been several changes to the environmental criteria in relation to wind turbines, and therefore the planning department required council to carry out significant additional work, including a bat survey and more detailed noise surveys etc.

Given the amount and the specialist nature of the required data, we are still awaiting the renewed planning approval.

Critically, following the introduction of "The renewables obligations closure (No 2) order (NI) 2016", we may not be able to be accredited for ROCs, unless we qualify as an exception, under the "Approved Development Condition" and specifically having Planning Permission on 30 Sept 2015.

The planning department have indicated that upon approval of the planning extension, they would view the planning approval as having run concurrently since the original approval on 24th August 2010, therefore enabling council to claim planning approval was in place on 30th Sept 2015 which is critical, in terms of obtaining ROCs, without which the project would not be economically viable.

In order to ascertain if council's claim to have planning approval on the 30th Sept 2015 would be acceptable in terms of seeking ROCs accreditation, representation was made to Ofgem who run the ROCs accreditation on behalf of the Department.

Ofgem were informed that upon the issuing the new planning approval, council would have planning permission on 30th Sept 2015, and as we already owned the landfill site and B9 already had an operational NIE line with capacity to take the electricity from the new wind turbine, we met the necessary criteria to qualify for ROCs as an exception under the "Approved Development Condition".

	<p>However, OFGEM responded that they could not give an answer on whether the proposed wind turbine would qualify for ROCs, in absence of an application being made to them under the NIRO legislation. However, such an application could only be made when the wind turbine was in place and operational. At the same time, unless B9 received confirmation that the wind turbine would qualify for ROCs, they could not risk the capital investment to build it.</p> <p>As a consequence, B9 are not prepared to build the wind turbine, and as such, the project is now lost. Nevertheless, we will continue the process of obtaining the renewed planning approval as there is always the possibility that the regulations could change again in the next five years and so having the planning approval can only be advantageous.</p>
3.0	Recommendations:
3.1	Committee to note the detail of the report
4.0	Resource implications
4.1	While there is no immediate budgetary impact, the anticipated income associated with the project will now not be realised
5.0	Equality and good relations implications:
5.1	N/A
6.0	Appendices
	None