



March 19th, 2019

**Notice Of Meeting**

You are invited to attend the Regulatory and Technical Services Committee Meeting to be held on **Wednesday, 20th March 2019 at 6:00 pm** in the **Boardroom, Monaghan Row, Newry.**

The Members of the Regulatory and Technical Services Committee are:-

**Chair: Councillor C Casey**

**Deputy Chair: Councillor J Rice**

<b>Members:</b>	<b>Councillor Andrews</b>	<b>Councillor W Clarke</b>
	<b>Councillor G Craig</b>	<b>Councillor D Curran</b>
	<b>Councillor G Fitzpatrick</b>	<b>Councillor L Kimmins</b>
	<b>Councillor J Macauley</b>	<b>Councillor M Ruane</b>
	<b>Councillor G Stokes</b>	<b>Councillor D Taylor</b>
	<b>Councillor J Trainor</b>	<b>Councillor H Harvey</b>
	<b>Councillor A McMurray</b>	

# Agenda

**1.0 Apologies and Chairperson's Remarks.**

**2.0 Declarations of "Conflicts of Interest".**

**3.0 Action Sheet of the Regulatory and Technical Services Committee Meeting held on Wednesday 20 February 2019. (Attached).**

 *Action Sheet.docx*


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## *Building Control and Licensing*

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**4.0 6 monthly report for Building Control and Regulations. (Attached).**

 *Building Control 6 monthly Report.pdf*

*Page 6*

**5.0 6 monthly Licensing Report. (Attached).**

 *Licensing Report.pdf*

*Page 12*

**6.0 Report on Gaming and Amusement Policy. (Attached).**

 *Report - Gaming and Amusement Policy.pdf*

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## *Planning*

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**7.0 Current appeals - February 2019. (Attached).**

 *Current Appeals.pdf*

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**8.0 Record of meetings between Planning Officers and Public Representatives 2018-2019 - March 2019. (Attached).**

 *Record of meetings.pdf*

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**9.0 Planning Committee Performance Report - February 2019. (Attached).**

 *Planning Committee Performance Report.pdf*

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## *Facilities Management and Maintenance*

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**10.0 Proposed Scheme to permit Sponsorship of floral planting displays on roundabouts and roadside verges throughout the District. (Attached).**

[Sponsorship of floral planting schemes on roundabouts and road side verges.pdf](#)

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**11.0 Flood alleviation of drain along Newry/Portadown Canal at Lock Gate 5. (Attached**

[Report Flood Alleviation of drain along Newry Portadown Canal at Lock Gate.pdf](#)

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**12.0 Report of Christmas Illuminations and Celebrations Group Meeting 26 February 2019. (Attached).**

[Report Christmas Illuminations and Celebrations Group Meeting.pdf](#)

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**13.0 Public Convenience Project (Verbal update).**

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*Waste Management*

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**14.0 Community Spring Clean-Up. (Attached).**

[Spring Clean-Up Initiative.pdf](#)

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**15.0 Cross-Border Anti-Dumping Project. (Attached).**

[Cross Border Anti Dumping Project.pdf](#)

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**16.0 Consultation responses to Extended Producer Responsibility for Packaging, Deposit Return and Plastics Non-Recycled Content Tax. (Attached).**

[Report - Consultations.pdf](#)

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*Correspondence Received*

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**17.0 Email dated 13 February 2019 from the Rivers Agency re: any proposed weir on Newry River. (Attached).**

[Email from Rivers Agency.pdf](#)

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*For Noting*

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**18.0 arc21 Members Monthly Bulletin 28 February 2019. (Attached).**

## **19.0 arc21 Joint Committee Minutes 31 January 2019. (Attached).**

📄 Arc21JointCommitteemins31Jan19.pdf

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***Items deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (NI) 2014***

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## **20.0 Implementation of Mixed Dry Recyclables Contract. (Attached).**

This item is deemed to be restricted by virtue of 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.

📄 *Mixed Dry Recyclables Contract.pdf*

***Not included***

## **21.0 Report on Bring Site Tender Awards 20 March 2019. (Attached).**

This item is deemed to be restricted by virtue of 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 on Bring Site Tender Awardt 20 March 19.pdf*

***Not included***

**ACTION SHEET ARISING FROM RTS MEETING HELD ON WEDNESDAY 20 FEBRUARY 2019**

<b>Minute Ref</b>	<b>Subject</b>	<b>Decision</b>	<b>Lead Officer</b>	<b>Actions taken/ Progress to date</b>	<b>Remove from Action Sheet Y/N</b>
RTS/ 021/2019	Monthly Action Sheet	<b>Action sheet agreed and actions removed as marked</b>	R Moore/RTS-PA		
RTS/ 022/2019 RTS/ 023/2019  RTS/ 024/2019	Notice of Motion – Dog fouling and enforcement  Fly tipping and dog fouling enforcement	<b>An Elected Member workshop (for all forty-one Councillors) be organised on Friday 22 March 2019 to consider improvements to the Council's enforcement activities.</b>	J McBride	<b>Scheduled for 22.03.19</b>	Y
		<b>NEIGHBOURHOOD SERVICES TRANSFORMATION</b>			
RTS/ 028/2019	Neighbourhood Services Project	<b>Approval of the Action Sheet from the inaugural meeting of the Neighbourhood Services Working Group held on 30 January 2019.</b>	R Moore	<b>To be progressed. Further meeting on 20 March 2019.</b>	Y
		<b>FACILITIES MANAGEMENT AND MAINTENANCE</b>			
RTS/ 029/2019	Old Crag Graveyard and Church Ruins, Rostrevor	<b>Agree to the appointment of an Architect who specialised in restoration of historic buildings to develop a programme of works for</b>	K Scullion	<b>In progress</b>	N

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		<p>the repair of the structure and to manage this process on behalf of the Council.</p> <p>At the request of Councillor Ruane it was also agreed Officials ensure the general public be advised of the reasons for restricted public access to the site via messages through local Churches and other information streams.</p>			
RTS/ 030/2019	Update on Public Convenience Project and Development of Strategy	<p><b>An Interdepartmental Study Group would be formed and supported by the British Toilet Association in compiling a development strategy for the Council's Public Convenience Provision Service (Council has a capital programme of £1.2 million for upgrading its Public</b></p>	K Scullion	<b>In progress</b>	N

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		<p><b>Convenience Service which currently comprises 31 facilities).</b>  <b>This strategy would be presented to the Neighbourhood Services Committee in June 2019 for their consideration.</b></p> <p><b>Councillor Clarke said it was essential that the public conveniences in Newcastle be cleaned and maintained to a very high standard throughout the Easter period.</b></p>			
RTS/ 031/2019	Appointment of Design Team for Cemetery Extension Projects	<p><b>Agree the appointment of a suitably qualified Design Team to provide the technical support required to assist the Council in taking forward Phase 3 of Monkshill Cemetery and Phase 2 of Kilbroney Municipal Cemetery.</b></p>	K Scullion	<b>In progress</b>	N
<b>WASTE MANAGEMENT</b>					

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
RTS/ 032/2019	Commercial Waste - Scale of Charges 2019-2020	<b>Approval of the proposed scale of charges for commercial waste services for 2019-2020 as detailed in Appendix 1 circulated at the Meeting.</b>	L Dinsmore	<b>Implemented arising from Council Meeting on 04.03.19</b>	Y
RTS/ 034/2019	Action Sheet from Strategic Waste Working Group November 2018	<b>Agreed to note the above Action Sheet.</b>	L Dinsmore	<b>Noted</b>	Y
<b>FOR NOTING</b>					
RTS/ 037/2019	Historic Action Sheet	<b>The Historic Action Sheet be noted and actions removed as marked.</b>	R Moore/RTS PA	<b>Noted</b>	Y
<b>IN CLOSED SESSION</b>					
RTS/ 038/2019	Arc21 Presentation	<b>Noted</b>	R Moore/J McBride	<b>Special Council Meeting held on the 06.03.19</b>	Y
RTS/ 039/2019	Arc21 Organic Waste Treatment Service Contract	<b>Agreed, following a vote of FOR: 7 AGAINST: 2 - to convene a Special Council Meeting, to which all Councillors would be invited to attend, along with representatives from arc21, to consider issues relating to the arc21 Organic Waste</b>			
RTS/ 040/2019	Inclusion of legacy NMDC Organic Waste in the Organic Waste Treatment Service Contract				



Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		<b>Treatment Contract.</b>			
RTS/ 042/2019	Business Case for Cleaning Services	<b>Accept the conclusion of the Business Case that Option 2 was the preferred option for the appointment of a contractor to undertake daily cleaning at Downshire Civic Centre and Strangford Road Depot, Downpatrick.</b>	K Scullion	<b>In progress</b>	N
RTS/ 043/2019	Monkshill Cemetery	<b>Accept the conclusion of the Business Case that Option 2 was the preferred option for the appointment of a contractor to undertake the works required to complete Phase 2 of Monkshill Cemetery and make ready an additional 280 burial plots.</b>	K Scullion	<b>In progress</b>	N

## 6 Monthly Report for RTS Committee Meeting

### 1.0 Building Regulations Report – Matters for Noting

#### 1.1 Number of Building Regulation Applications Received

**1 Sept 2018 – 28 Feb 2019**

1342

**1 Sept 2017 - 28 Feb 2018**

1422

#### 1.2 Fees Received

**1 Sept 2018 – 28 Feb 2019**

Plan Fee £94,020.38

Inspection Fee £136,075.80

Other Fee £2,160.00

Total £232,256.18

**1 Sept 2017 - 28 Feb 2018**

Plan Fee £101,905.00

Inspection Fee £209,215.87

Other Fee £1,610.00

Total £312,730.87

#### 1.3 Site Inspections carried out

**1 Sept 2018 – 28 Feb 2019**

5827

**1 Sept 2017 - 28 Feb 2018**

6091

#### 1.4 Performance

Current performance indicators are being met:-

Domestic Plan Assessments assessed within 21 days (Target 75%) 98%

Non Domestic Plan Assessments assessed within 35 days (Target 75%) 93%

BR3 Returns assessed within 14 days (Target 80%) 99%

## 2.0 Enforcement

Number of premises visited to assess extent of unauthorised works between September 2018 and February 2019 = 12

21 Millvale Road, Bessbrook	Construction of shed	Resolved
1A & 1B Greenhill Park, Newcastle	Conversion of 2 self contained units and roofspace conversion to 1B	Resolved
Magherahamlet Road, Ballynahinch	Office / Storage building	Resolved
59 Monaghan Street, Newry	Alterations to shops	Resolved
53a Castlewellan Road, Newcastle	Two storey dwelling	First Reminder Letter sent
53 Saul Road, Downpatrick	Alterations to dwelling	Currently liaising with applicant's solicitor
28 Bannanstown Road, Castlewellan	New dwelling	28 day timeframe not expired at time of report
30 Low Road, Killeavy	3 Unauthorised buildings	Resolved
40 Forkhill Road, Mullaghbawn	Refurbishment and extension to cottage	1 <sup>st</sup> Reminder has been sent out
45 Church Avenue, Dundrum	Restoration of fire damaged rear dwelling timber frame wall and internal refurbishment works	28 day timeframe not expired at time of report
42 Millvale Road, Bessbrook	Alterations to Bar / Off Licence	28 day timeframe not expired at time of report
20 Lisserboy Road, Newry	Conversion of Detached Dwelling to Garage	28 day timeframe not expired at time of report

### 3.0 Dangerous Structures

Number of premises identified as dangerous structures between September 2018 and February 2019 = 3

Killard Drive, Ballyhornan	Dangerous roof	Resolved
44 Newry Road, Warrenpoint	Dangerous roof	Resolved
76 Downpatrick Road, Killough	Loose roof slates to outbuilding	Resolved

### 4.0 Property Certificates

Property certificates responded to date.

**1 Sept 2018 – 28 Feb 2019**  
1267

**1 Sept 2017 - 28 Feb 2018**  
1315

## 5.0 Fire Risk Assessments

There have been 31 Fire Risk Assessments carried out during the past 6 months.

- Greenbank Depot
- Newry Town Hall
- Newry Arts Centre
- Cabra Community Centre
- Loanda Community Centre
- Kilkeel Sports Centre
- Forkhill Community Centre
- Cullyhanna Community Centre
- Newtownhamilton Community Centre
- Crossmaglen Community Centre
- McGrath Centre
- 3 Ways Community Centre
- Barnmeen Community Centre
- Whitegates Community Centre
- Meigh Community Centre
- Cloughreagh Community Centre
- Mullaghbawn Community Centre
- Kilbroney Park Buildings
- Bunscoil, Newry
- Kilbroney Event Building
- Newry Swimming Pool
- Slieve Gullion Tourist Amenity Building
- Newcastle Centre & Tropicana
- Ballynahinch Community Centre
- Dan Rice Hall
- The Market House
- Down Arts Centre
- Down County Museum
- Down Leisure Centre
- Downshire Civic Centre
- DSO Works Depot

## 6.0 Energy Performance of Buildings (EPB) Checks 1<sup>st</sup> September 2018-28<sup>th</sup> February 2019

### **ESTATE AGENTS**

- \* Total no of agents checked (on site/ website) - 48
- \* Total number of properties not compliant – 253
- \* Number of first warning letters issued – 85
- \* Number of successful first warning letters – 52

Following the new Penalty Charge Notice process beginning 01 February 2019, 11 warning letters (28 properties not compliant) have been issued to Estate Agents requesting they gain compliance within 14 working days – they are currently within this period allowed for the provision of the certificate. Fixed penalty charge notices shall be issued in due course if applicable.

### **DISPLAY ENERGY CERTIFICATES (DEC's)**

- \* Number of buildings checked on Landmark - 67
- \* Number of buildings compliant on Landmark - 65
- \* Number of 2-month expiry letters issued - 21
- \* Number of first warning letters issued - 71
- \* Number of successful first warning letters - 30

### **AIR CONDITIONING**

- ❖ Number of air con buildings checked on landmark - 80
- ❖ Number of air con buildings compliant – 76
- ❖ Number of first warning letters issued - 8
- ❖ Number of successful first warning letters – 4

### **EPCs RECEIVED (ON CONSTRUCTION)**

- ❖ Number of new dwelling EPC's checked on Landmark – 365
- ❖ Number of new dwellings complaint – 331

Following the new Penalty Charge Notice process beginning 01 February 2019, 2 letters have been issued requesting On Construction EPC's for 2 properties - they are currently within the 21-day period allowed for the provision of the certificate. Fixed penalty charge notices shall be issued in due course if applicable.

## **7.0 LPS VACANT RATING**

Newry, Mourne and Down District Council have an agreement with LPS for our Building Control Department to inspect vacant properties within our District, which appear to be vacant on LPS records.

LPS provide Building Control with a list of properties to be inspected on a regular basis and in turn, Building Control report back as to the status of each property.

For Tranche 2 (September 18) and Tranche 3 (November 18) £10,298.53 is eligible to Council from occupied properties

**Recommendation:  
For Noting**

**Colum Jackson  
Assistant Director of Enterprise, Regeneration and Tourism**

## Licensing Report: Matters for Noting

1 September 2018 – 28 February 2019

<b>1.0 Application Information</b>	<b>1 September 2018 - 28 February 2019</b>
<b>1.1</b> Number of Licensing Applications Received and Validated (Entertainment, Cinema, Petroleum, Amusement, Marriage, Street Trading, Lotteries, Road Closures, Pavement Café and Dogs)	<b>5820</b>
<b>1.2</b> Number of Licences Granted (Entertainment, Cinema, Petroleum, Amusement, Marriage, Street Trading, Lotteries, Road Closures, Pavement Café and Dogs)	<b>5774</b>
<b>1.3</b> Number of Annual Inspections Carried out (including During Performance Inspections)	<b>297</b>

## 2.0 List of Entertainment Licences Issued: September 2018 - February 2019

<b>Name of Premises (Entertainment)</b>	<b>Address</b>
Orchard Bar	114 Rathfriland Road, Newry
Newry and Mourne Museum	Bagenal's Castle, Castle Street, Newry
Kilkeel Bowling Pavilion	Mourne Esplanade, Kilkeel
Narrow Water Castle (AVA Castle Party)	Newry Road, Warrenpoint
The Clarnagh Maid	46-47 Cardinal O'Fiaich Square, Crossmaglen
The Wedding Barn	60A Old Court, Strangford
Harbour House Inn	4 South Promenade, Newcastle
Down Arts Centre	Irish Street, Downpatrick
Killyleagh Football Club	Comber Road, Killyleagh
Dan Rice Memorial Hall	Drumaness Road, Drumaness
Drumaness Mills Football Club	156A Drumaness Road, Drumaness
Bright Castle Golf Club	14 Coniamstown Road, Downpatrick
TJ'S Pool Hall	9A Margaret Square, Newry
Mulhollands Bar	18-20 Main Street, Castlewellan
Maginns Bar	43778 Main Street, Castlewellan
Kent Amusements	79 Central Promenade, Newcastle
Ballynahinch Centre	55 Windmill Street, Ballynahinch
Oktoberfest	Albert Basin, Newry
Joyland Amusement Centre	Central Promenade, Newcastle
The Townhouse	7 Upper Square, Castlewellan
Newry Town Hall	Bank Parade, Newry
Bridge Centre	Braeside Gardens, Killyleagh
Anchor Bar	49 Castle Street, Killough
Crossmaglen Community Centre	The Square, Crossmaglen
Warrenpoint Town Hall	Church Street, Warrenpoint
Bessbrook Community Centre	Pond Field, Bessbrook
Chocolate Ball and Festival Marquee	Killyleagh Castle, Castle Lane, Killyleagh
Crossgar War Memorial Community Hall	5 John Street, Crossgar



<b>Name of Premises (Entertainment)</b>	<b>Address</b>
Mourne Golf Club	36 Golf Links Road, Newcastle
Newry Arts Centre	1A Bank Parade, NEWRY
Loughinisland GAC	7Teconnaught Road, Loughinisland
Round House Bar	28Stream Street, Downpatrick
Kilbroney Park Reception Block	Shore Road, Rostrevor
Dan's Bar & Danni's Function Room	109 Camlough Road, Newry
Downpatrick Omniplex	5 Owenbeg Avenue, Downpatrick
Thierafurth Inn	83 Dublin Road, Kilcoo
Ballyhornan Family Centre	15 Rourkes Link Bishops Court
The Saint Patrick Centre	53A Lower Market Street, Downpatrick
The Carman's Inn	1 5Downpatrick Stree, tCrossgar
Down County Museum	The Mall English Street, Downpatrick
The Lodge Cultural Community & Business Centre	1 Dublin Road, Castlewellan
Ballynahinch Rugby Football Club	Ballymacarn Park, 6 Mountview Rd, Ballynahinch
Rosco's Amusement Arcade	15 St Patrick's Drive, Downpatrick
Newcastle Community Cinema	54 Main Street, Newcastle
Raffrey Presbyterian Church Hall	Manse Road, Crossgar
Spa Golf Club	20 Grove Road, Ballynahinch
Kings and Queens	70-72 Main Street, Newcastle
Donard Bar	Main Street, Newcastle
Finnis Orange Hall	161 Rathfriland Road, Dromara
International Bar	Cross Street, Killyleagh
Magherahamlet Parish Church Hall	Ballymacarn Road, Ballynahinch
Down County Museum - Function Room	The Mall English Street, Downpatrick
Bryansford Social Club (GAC)	Castlewellan Road, Newcastle
Cocos	27A Central Promenade, Newcastle
Ardglass Golf Club	4 Castle Place, Ardglass
Newry Olympic Hockey Club	2 Belfast Road, NEWRY
Lissummon Community Hall	Leish Road, Lissummon
Doyle's Bar	22 Main Street, CAMLOUGH
St Colmans GAC	91 Old Park Road, Ballynahinch
The Avenue Bar	18 St Patrick's Avenue, Downpatrick
The Bridge Bar	55 North Street, Newry
Rademon Non-Subscribing Presbyterian Church Hall	19 Listooder Road, Crossgar
Sticky Fingers Arts	1A Upper Edward Street, NEWRY
Saintfield Orange Hall	41 Main Street, Saintfield
Rowallane Community Hub	35 Main Street, Saintfield
Kilkeel Sports Centre	Mourne Esplanade, Kilkeel
INF Social Club Ballyholland	46 Lower Ballyholland Road, Newry
Slieve Gullion Courtyard	89 Drumintee Road, Newry
Flagstaff Lodge	11 Forkhill Road, Newry
Mr Buzby's	16 The Square, Newtownhamilton
Currans Bar and Seafood Steakhouse	83 Strangford Road, Ardglass
The Rostrevor Inn	33-35 Bridge Street, Rostrevor
The Maghera Inn	86 Ballyloughlin Road, Castlewellan
Kings Bar	136 Rathfriland Road, Dromara

<b>Name of Premises (Entertainment)</b>	<b>Address</b>
Central Bar	1 Cross Street, Killyleagh
The Mourne Country	52 Belfast Road, Newry
Irish National Foresters (INF) Club	9 Havelock Place, WARRENPOINT
Cloughreagh Community Centre	Millvale Road, Bessbrook
The Oaks Bar	5 Darragh Cross, Saintfield
Ramery Inn	45 Windmill Street, Ballynahinch
Russell Gaelic Union	100 Old Course Road, Downpatrick
Annesley Hall	3 South Promenade, Newcastle
Diamond Pats	59 Central Promenade, Newcastle
The Castle Inn	109 Ballynoe Road, Downpatrick
Mac's Bar	48 Main Street, Hilltown
The Q Club	2 Basin Quay, Newry
Annalong Community Centre	Annalong Marine Park, Annalong
Newry Shamrocks GAC Social Club	7 Ballinacraig Way, Newry
Gallaghers	59-61 Main Street Newcastle
Denvir's Coaching Inn	14-16 English Street, Downpatrick
The Phoenix Bar	2 Upper Water Street, Newry
Edengrove Presbyterian Church	15-17 Dromore Road, Ballynahinch
Square 4	4 The Square, Kilkeel
Percy French Restaurant	Downs Road, Newcastle
Newtownhamilton Community Centre	The Square, Newtownhamilton
Mooney's Bar	36 Main Street, Castlewellan
The Three Steps	75 Finnegans Road, Dromintee
Villa Vinci	31 Main Street, Newcastle
Grants Bar	4 Tamnaharry Hill, MAYOBRIDGE
Murphy's Bar & Restaurant	78 Market Street, Downpatrick
Mountain House Bar	37 Newry Road, Belleek
Narrow Water Castle	Newry Road, Warrenpoint
Savages Bar	15-19 Main Street, Castlewellan
Crossmaglen Rangers Social Club	9 Dundalk Road, Crossmaglen
Cappy Wines and Spirits Ltd	124 Concession Road, Newry
Dorsey Community Centre	Roxborough Road, Dorsey
First & Last	24 The Square, WARRENPOINT
St Columbas Hall	3 Drumnaconagher Road, Crossgar
INF Glen Glub	37 Bridge Street, ROSTREVOR
Silverbridge Resource Centre	35 New Road, SILVERBRIDGE
Newry Independent Social Club	Kilmorey Street, Newry
Santa's Cottage	Sandbank Road, Hilltown
Irish National Foresters (INF)	22 Rostrevor Road, Hilltown
Maddens Bar	46A Mill Street, Newry
Irish National Foresters (INF) Club	15A William Street, Newry
Loanda House Community Centre	Dorans Hill, Newry
Kilmorey Arms Hotel	41-43 Greencastle Street, Kilkeel
Mayobridge Community Centre	Old Road, Mayobridge
Patrician Youth Centre	John Street, Downpatrick
Dufferin Arms	3 High Street, Killyleagh
Silverbridge Harps GAC	35 New Road, Silverbridge
Burrendale Hotel, Country Club and Spa	51 Castlewellan Road, Newcastle

<b>Name of Premises (Entertainment)</b>	<b>Address</b>
Killyleagh Yacht Club	22a Cuan Beach, Killyleagh
Cosy Bar	42 Dundalk Street, NEWTOWNHAMILTON
Slieve Donard Hotel	Downs Road, Newcastle
Millbrook Lodge Hotel	5 Drumaness Road, Ballynahinch
Culloville House	61 Concession Road, Culloville
AOH Hall Glasdrumman	298 Glasdrumman Road, ANNALONG
Dufferin Coaching Inn	33 High Street, Killyleagh
Newtownhamilton Rural Community Hall	2 Dundalk Road, NEWRY
The Lough and Quay	Marine Parade, Newry
Donnelly's Bar	33 Silverbridge Road, Silverbridge
Cloughmor Inn	2 Bridge Street, Rostrevor
Kilbroney Bar	31-33 Church Street, Rostrevor
Merchant Bar and Grill	13-19 Francis Street, NEWRY
Minerstown Tavern	68 Minerstown Road, Downpatrick
The Cuan Guest Inn	The Square, Strangford

### 3.0 List of Petroleum Licences Issued: 1 September 2018 - 28 February 2019

<b>Name of Premises (Petroleum)</b>	<b>Address</b>
S McConnell & Sons Ltd	184 Carrigenagh Road, Kilkeel
Millvale Services Ltd	17 Millvale Road, Bessbrook
Newry Filling Station	16 Belfast Road, Newry
Barneys Service Station	261 Dublin Road, Newry
Ardmore PSNI Station	3 Belfast Road, Newry
Henderson Retail	74-78 Newcastle Road, Kilkeel
Casey's Filling Station	60 Concession Road, Crossmaglen
Pointside Service Station	111 Old Warrenpoint Road, Newry
Newry, Mourne and Down District Council	Unit 19, Greenbank Industrial Estate, Newry
Donnelly's Service Station	236 Dublin Road, Newry
A29 Fuel Centre Ltd	3 Armagh Road, Newry
Kellys Point Hire Limited	Milltown Industrial Estate, Warrenpoint
Clonalig Fuels	200a Concession Road, Crossmaglen
Mullaghbawn Filling Station	4 Forkhill Road, Mullaghbawn
McGraths Mace	41 Annacloy Road, Downpatrick
Casey's Supermarket Ltd	8 Newry Road, Crossmaglen
Gaboto Limited	124 Concession Road, Crossmaglen
Morrisons Vivoxtra	69-77 Belfast Road, Ballynahinch
D&W Carlisle Ltd	105 Belfast Road, Ballynahinch
PSNI	3 Ballyhornan Road, Downpatrick
Spar Killyleagh	4 Downpatrick Street, Killyleagh
Brennans	12 Main Street, Dundrum
Bells Supervalue	1a Downpatrick Road, Crossgar
T Duffy & Sons Ltd	25/27 Castle Street, Killough
Saintfield Service Station	11 Crossgar Road, Saintfield
College Filling Station	112 Market Street, Downpatrick
Newry Street Service Station	33 Newry Street, Newtownhamilton
T M Martin & Son	Cross Street, Killyleagh

<b>Name of Premises (Petroleum)</b>	<b>Address</b>
Asda Filling Station	Ballyduggan Retail Park, Downpatrick
Spar Crossgar Service Station	7 Saintfield Road, Crossgar
Downpatrick Service Station	New Bridge Street, Downpatrick
Central Garages	21 Killyleagh Street, Crossgar
E.Lennon & Son Ltd	1 Newcastle Road, Castlewellan
Spar, Newcastle	Castlewellan Road, Newcastle
GO Ballynahinch	26 Belfast Road, Ballynahinch
Narrow Water Service Station	58 Newry Road, Warrenpoint

#### **4.0 List of Amusement Permits Issued: 1 September 2018 - 28 February 2019**

Kent Amusements	79 Central Promenade, Newcastle
Rosco's Amusement Arcade	15 St Patrick's Drive, Downpatrick
The Q Club	2 Basin Quay, Newry
Kings and Queens	70-72 Main Street, Newcastle

#### **5.0 Breakdown of Animal Welfare calls in Newry, Mourne and Down**

<b>5.1 Animal Welfare Calls</b>	<b>1 September 2018 - 28 February 2019</b>
Total number of calls for Northern Ireland	3069
Total number of calls received to date by Southern Region Area	596
Number of calls for Newry, Mourne and Down District area	251
Completed calls for Newry, Mourne and Down District area	222
<b>5.2 Animal Welfare Cases</b>	
Number of animal welfare cases in Northern Ireland	2570
Number of animal welfare cases in Southern Region group	519
Number of animal welfare cases in Newry, Mourne and Down DCI	228
Number of calls that are not animal welfare cases	23
<b>5.3 Breakdown of Animal Welfare Cases</b>	
Total number of animal welfare cases in Northern Ireland	2570
Number of animal welfare cases closed in Northern Ireland	2400
Number of animal welfare cases open in Southern Region group	69
<b>5.4 Breakdown of Visits and Actions (Newry)</b>	
Number of visits carried out	392
Improvement Notices	16
Number of cases of animals seized	38

## 6.0 Street Nameplates

1 September 2018 – 17  
28 February 2019

Nameplates Requests Received	82
Nameplates Ordered	54
Nameplates confirmed as being erected	75

## 7.0 List of Single Language Nameplates erected from 1 September 2018 - 28 February 2019

Street Name	
Ardnabannon Road, Castlewellan	
Millbank Grove, Ballynahinch	
Nos. 23-28 Roden Court, Bryansford	
Pheasant Hill, Ballynahinch	
Tollymore Road, (Bryansford Road end) Newcastle	
Queens Park, Saintfield	
Moyra Close, Saintfield	
Islandmoyle Road, Kilcoo	
Mckays Road, Castlewellan	
Annadorn Road, Downpatrick	
Plantation Park, Downpatrick	
Church Field Heights, Castlewellan	
Hillcrest Heights, Leading to Hillcrest Way and Hillcrest Avenue, Bessbrook	
10, 12, 14, 14a, 14b Tamnaharry Hill, Mayobridge	
Lower Aghincurk Road, Whitecross	
Bulls Hill, Off Pound Road/Aileen Terrace, Newry	
Chancellors Hall, Newry	
Drumilly Road, Belleek	
Cedar Heights Leading to Church Meadow & Church Vale, Kilkeel	
Attical Bog Road, Kilkeel	
Head Road, Attical, Kilkeel	
Lower Aghincurk Road, Whitecross	
Lisdrum Park (off Chancellors Road), Newry	
The Anchorage Leading to the Moorings, Killyleagh	(replacement)
Dillin Road, Downpatrick	(replacement)
Ballee Road, Downpatrick	(replacement)
Lisboy Road, Downpatrick	(replacement)
Quoile Road, Downpatrick	(replacement)
Quoile Brae, Downpatrick	(replacement)
Quay Brae, Downpatrick	(replacement)
Carrickinab Road, Ballykinler	(replacement)
Ford Road, Downpatrick	(replacement)
Bay Road, Downpatrick	(replacement)
Ardilea Road, Downpatrick	(replacement)
Mossvale Road, Ballynahinch	(replacement)
Crossgar Road, Killyleagh	(replacement)
Drummond Brae Leading to Drummond Park and Pheasant Hill, Ballynahinch	(replacement)
Ringdufferin Road, Downpatrick	(replacement)
Maghera Court, Castlewellan	(replacement)

## 8.0 Requests for Dual Language Nameplates

### 8.1 Attical Bog Road, Kilkeel

It was approved to erect a dual-language street nameplate at Attical Bog Road, Kilkeel following a request from an occupant.

A postal survey was initiated by the Licensing Section, to each occupier at Attical Bog Road, Kilkeel with 26 questionnaires posted (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

### 8.2 Attical Road, Kilkeel

It was approved to erect a dual-language street nameplate at Attical Road, Kilkeel following a request from an occupant.

A postal survey was initiated by the Licensing Section, to each occupier at Attical Road, Kilkeel with 26 questionnaires posted (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

### 8.3 Head Road, Kilkeel *(Rejected / Not Approved)*

It was not approved to erect a dual-language street nameplate at Head Road, Kilkeel following a request from an occupant.

A postal survey was initiated by the Licensing Section, to each occupier at Head Road, Kilkeel with 37 questionnaires posted (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

Of the 9 replies received, 2 agreed to the erection of dual language name plates (i.e. English/Irish) i.e. 22% agreement on a 24% response.

### 8.4 Springdale Crescent leading to Springdale Court, Kilkeel

It was approved to erect a dual-language street nameplate at Springdale Crescent leading to Springdale Court, Kilkeel following a request from an occupant.

A postal survey was initiated by the Licensing Section, to each occupier at Springdale Crescent leading to Springdale Court, Kilkeel with 40 questionnaires posted (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

### 8.5 Drumilly Road, Belleek

It was approved to erect a dual-language street nameplate at Drumilly Road, Belleek following a request from an occupant.

A postal survey was initiated by the Licensing Section, to each occupier at Drumilly Road, Belleek with 4 questionnaires posted (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

### 8.6 Annadorn Road – *(Rejected / Not Approved)*

It was not approved to erect a dual-language street nameplate at Annadorn Road, Downpatrick following a request from an occupant.

A postal survey was initiated by the Licensing Section, to each occupier at Annadorn Road, Downpatrick with 23 questionnaires posted (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

Of the 12 replies received, 4 agreed to the erection of dual language name plates (i.e. English/Irish) i.e. 33% agreement on a 67% response.

### 8.7 Plantation Park – *(Rejected / Not Approved)*

It was not approved to erect a dual-language street nameplate at Plantation Park, Downpatrick following a request from an occupant.

A postal survey was initiated by the Licensing Section, to each occupier at Plantation Park, Downpatrick with 4 questionnaires posted (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

Of the 2 replies received, 1 agreed to the erection of dual language name plates (i.e. English/Irish) i.e. 50% agreement on a 50% response.

### 8.8 Church Fields Heights, Castlewellan

It was approved to erect a dual-language street nameplate at Church Field Heights, Castlewellan following a request from an occupant.

A postal survey was initiated by the Licensing Section, to each occupier at Church Field Heights, Castlewellan with 11 questionnaires posted (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

### 8.9 Teconnaught Road, Loughinisland

It was approved to erect a dual-language street nameplate at Teconnaught Road, Loughinisland, following a request from an occupant.

A postal survey was initiated by the Licensing Section, to each occupier at Teconnaught Road, Loughinisland with 11 questionnaires posted (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

## 9.0 Postal Numbering

### 9.1 Postal Numbering

**1 September 2018 –  
28 February 2019**

Allocation of New Postal Address	141
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Postal queries received	231
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Postal queries are address queries from Pointer, Land and Property services and queries from members of the public.

## 10.0 Requests for Development Naming

### 10.1 Finiskin View, Cullyhanna

The name 'Finiskin View' was approved for the proposed development at Roxborough Road by Donnan Ward Ltd.

The proposals met the Street Naming Criteria under criterion No.1 'reflect the local townland name, or a local geographical/topographical feature or social, or historical feature'. The local townland is Finiskin.

## 10.2 Lock Keepers View, Newry

The name 'Lock Keepers View' was approved for the proposed development at Drumalane Road by Radius Housing Association.

The proposal met the Street Naming Criteria under criterion No.1 'reflect the local townland name, or a local geographical/topographical feature or social, or historical feature'.

The new development is situated close to and overlooks the nearby river/canal. The local townland is Drumalane (Main Portion).

## 10.2 Carnagat Grove, Newry

The name 'Carnagat Grove' was approved for the proposed development at Carnagat Road by Habinteg Housing Association (Ulster) Ltd.

The initial proposal of "Hill View" was declined under criterion No.4 – 'It sounds similar to existing names in the locality'. Existing name: "Hill View" in Jonesborough.

The Developer submitted an alternative naming proposal of "Carnagat Grove". This proposal meets the Street Naming Criteria under criterion No.1 'Reflect the local townland name, or a local geographical/topographical feature or social or historical feature'.

## 10.3 Eden Avenue, Jonesborough

The name 'Eden Avenue' was approved for the proposed development at Jonesborough Village by Colm Meehan & Co Ltd.

The initial proposal of Jones Avenue was rejected.

The second proposal of "Eden Avenue" met the Street Naming Criteria under criterion No.1 – 'Reflect the local townland name, or a local geographical/topographical feature, or social or historical feature'.

The development is in the Townland of Edenappa.

## 10.4 Fort Ridge

The name 'Fort Ridge' was approved for the proposed development at Dublin Road by O'Hagan Property Ltd, Rathfriland.

The proposal of "Fort Ridge" met the Street Naming Criteria under criterion No. 1 - 'Reflect the local townland name, or a local geographical/topographical feature, or social or historical feature'.

The townland adjacent is Lios Druim Loiscthe, which when translated becomes Lisdrumliska.

Fort of the Scorched (Burnt) Ridge is the meaning of Lios Droim Loiscthe.



### **10.5 Slatemill Lane, Killeel**

The name 'Slatemill Lane' was approved for the proposed development at Slatemill Road by POD Architecture Ltd, Gilford.

The proposal of "Slatemill Lane" met the Street Naming Criteria under criterion No.3 – The prefix of the name can only be the same as an existing street or road name prefix in the locality if it is accessed from that street or road.

### **10.6 Corrinshigo Close, Newry**

The name 'Corrinshigo Close' was approved for the proposed development at Chancellors Road by D. Scaff Ltd.

The proposal of "Corrinshigo Close" met the Street Naming Criteria under criterion No. 1 - 'Reflect the local townland name, or a local geographical/topographical feature, or social or historical feature'.

The adjacent townland to the site is Corrinshigo. The site is in view of the Corrinshigo townland and the site is located beside Corrinshigo Club.

### **10.7 Camlough Retail Park, Camlough**

The name 'Camlough Retail Park' was approved for the proposed development at Main Street by GMC Developments Ltd.

The proposal of "Camlough Retail Park" met the Street Naming Criteria under criterion No. 1 - 'Reflect the local townland name, or a local geographical/topographical feature, or social or historical feature'.

### **10.8 The Corragh, Newcastle**

The name 'The Corragh' was approved for the proposed development at Bryansford Road, Newcastle by Maghera Developments Ltd.

The proposal of "The Corragh" met with the Street Naming Criteria under criterion No. 1 – 'Reflect the local townland name, or a local geographical/topographical feature or social, or historical feature'.

#### **Recommendation:**

#### **For Noting:**

**Signed: -**

**Colum Jackson**

**Assistant Director of Enterprise, Regeneration and Tourism**

<b>Report to:</b>	Regulatory & Technical Services Committee
<b>Date of Meeting:</b>	20 March 2019
<b>Subject:</b>	Gaming and Amusement Policy
<b>Reporting Officer (Including Job Title):</b>	Colum Jackson, Assistant Director, Enterprise Regeneration & Tourism Dept.
<b>Contact Officer (Including Job Title):</b>	Fintan Quinn, Head of Service Enterprise Regeneration & Tourism Dept.

<b>Decisions required:</b>	
Members are asked to consider the content and to approve the attached Policy	
<b>1.0</b>	<b>Purpose and Background:</b>
1.1	<p>The Councils Licensing section received an application for an Amusement Permit at a premise at 4 Margaret Square, Hill Street, Newry on the 1 July 2017.</p> <p>Following the consultation process the Licensing section received a number of objections to this application. Subsequently a Hearing was conducted on the 17 Sept 2017.</p> <p>After careful consideration the RTS committee were satisfied that the applicant met all the licence conditions and agreed to grant the Amusement Permit in this case. However, the committee recommended that Officials draw up an Amusement Policy upon which all future applications could be assessed. As such the attached policy has been produced for consideration</p>
<b>2.0</b>	<b>Key issues:</b>
2.1	<p>Currently this council does not have a policy governing the Grant or Refusal of an Amusement Permit within the Newry Mourne &amp; Down District. Nor does it have a policy to limit the number of Permits issued within Newry, Mourne and Down District.</p> <p>During the above Hearing, it became clear that the Council wished to limit the number of permits issued throughout the district. This new policy should assist the Council and Licensing staff in assessing any future applications in a fair and transparent manner</p>
<b>3.0</b>	<b>Recommendations:</b>
3.1	To consider the content and to approve the enclosed Gaming and Amusement Policy
<b>4.0</b>	<b>Resource implications</b>

4.1	<ul style="list-style-type: none"><li>• Research of existing Policy documents</li><li>• Formulating the Policy document</li></ul>
<b>5.0</b>	<b>Equality and good relations implications:</b>
5.1	The Policy has been Equality Screened
<b>6.0</b>	<b>Rural Needs Impact Assessment</b>
6.1	The Policy has been Rural Needs Impact Assessed
<b>7.0</b>	<b>Appendices</b>
	1. Gaming and Amusement Policy



Comhairle Ceantair  
an Iúir, Mhúrn  
agus an Dúin

**Newry, Mourne  
and Down**  
District Council

# Gaming and Amusement Policy

NEWRY MOURNE AND DOWN DISTRICT COUNCIL

ENTERPRISE, REGENERATION AND TOURISM DEPARTMENT

Dated: 20 March 2019

21/02/2019 - Draft 3

## **THE BETTING, GAMING, LOTTERIES AND AMUSEMENTS (NI) ORDER 1985**

### **STATEMENT OF POLICY**

#### **1. Introduction**

- 1.1 Newry Mourne and Down District Council, as the Licensing Authority ("the Authority"), makes this Statement of Policy ("the Statement") in pursuance of its powers and duties under Section 349 of the THE BETTING, GAMING, LOTTERIES AND AMUSEMENTS (NI) ORDER 1985 ("the Order") and sets out the Authority's approach in dealing with its responsibilities under the Order.

#### **Aim and scope of policy –why does the Council need an amusement permit policy?**

The overall aim of the Gaming and Amusement policy is to serve as a guide for Elected Members, Council officers, applicants and the wider public in consideration of applications for, and the awarding of, amusement permits in the Newry Mourne and Down Council area. By outlining those matters which may be taken into account in determining the award of an amusement permit this policy has been developed to introduce greater clarity, transparency and consistency to the decision making process.

#### **2. The Key Objectives**

The key objectives of this policy can be largely linked to the Council's overarching strategic goal of improving the quality of life for present and future generations in the Newry Mourne and Down area by making it a better place in which to live, work, visit and invest. Against this background, the interrelated key policy objectives are to:

1. promote the retail vibrancy and regeneration of Newry Mourne and Down;
2. enhance the tourism and cultural appeal of Newry Mourne and Down by protecting its image and built heritage;
3. support and safeguard residential communities in Newry Mourne and Down;
4. protect children and vulnerable persons from being harmed or exploited by gambling;
5. respect the need to prevent gambling from being a source of crime and disorder

### 3. Location

The Council will objectively assess each application on its own merits.

Five criteria will typically be used when assessing the suitability of a location for a proposed amusement arcade:

- 1. Impact on the retail vitality and viability of Key Gateway Communities;**
- 2. Cumulative build-up of amusement arcades in key visitor destinations earmarked under the Corporate Tourism Strategy;**
- 3. Impact on the image and profile of Newry Mourne and Down;**
- 4. Proximity to residential use; and**
- 5. Proximity to schools, youth centres and residential institutions for vulnerable people.**

### 4. Application Criteria

While an application for an Amusement Permit in City/Town Centres will be assessed on its merits, it will only be granted in the retail core of City/Town Centre if it is:

- A renewal of an existing amusement permit; or
- Part of a major, retail-led mixed-use development; or
- An upper storey development; or
- A replacement for an existing amusement premises.

### 5. Exclusions

In keeping with one of the key objectives of this policy, namely to enhance the Tourism and Cultural appeal of Newry Mourne and Down by protecting its image and built heritage, the Council will not grant new amusement permits in town centres at City/Towns regarded as key visitor destinations (Gateways).

### 6. Proximity to schools, youth centres and residential institutions for vulnerable people

The Council will not grant amusement permits in locations near\* schools, youth centres and residential institutions for vulnerable people, including children's care homes and hostels for the homeless.

\**near* shall be interpreted as not within 200m of such premises.

## 7. Related Policies

- 7.1 In carrying out the licensing function under the Order, the Authority will aim to permit the use of premises for gambling as long as it is considered to be: -
- In accordance with any relevant Guidance issued by the Department.
  - In accordance with this Statement of Policy and
  - Reasonably consistent with the licensing objectives
- 7.2 This Policy will come into force on the 1st May 2019 and will be kept under review and revised or amended as required.

## 8. Policy Owner

Mrs. Marie Ward, Director of Enterprise, Regeneration and Tourism  
Department

## 9. Contact details in regard of this policy are:

Mr. Colum Jackson,  
Assistant Director of Enterprise, Regeneration and Tourism  
(Building Control and Regulation)  
Newry Mourne and Down District Council  
O'Hagan House  
Monaghan Row

BT35 8DJ  
Tel 028 3031 3000

## 10. Policy Authorisation

Development Committee Meeting Authorised on 20th March 2019  
Council Authorised on 1st April 2019

## 11. Policy Effective Date – 1st May 2019

## 12. Policy Review Date – 1st May 2023(or sooner as required)

*The policy will be reviewed in line with the Council's agreed policy review cycle i.e. every 4 years (as per Council's Equality Scheme commitment 4.31).*

## 13. Equality Screening

This policy has been screened in accordance with the provision of Section 75 of the Northern Ireland Act 1998. The outcome of the equality screening is that the Gaming and Amusement Policy not be subject to an equality impact assessment(with no mitigating measures required).

## 14. Rural Impact Assessment

The Policy has been subject to rural needs assessment.

Version 1.0



## Current Appeals

29

**AUTHORITY** Newry, Mourne and Down

**ITEM NO** 1

**Planning Ref:** LA07/2017/0687/ **PAC Ref:** 2017/A0168

**APPELLANT** Steven And Diane Campbell **DEA** The Mournes

**LOCATION** 30m North Of 94 Greencastle Road  
Kilkeel  
BT34 4DE

**PROPOSAL** Infill site for new dwelling and garage in existing cluster (amended plans)

**APPEAL TYPE**

**Appeal Procedure** DC- Refusal of Planning Permission  
**Written Reps with Site Visit** **Date Appeal Lodged**

**Date of Hearing**

**Date Statement of Case Due for Hearing**

**Date Statement of Case Due - Written Representation**

**Date of Site Visit**

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**ITEM NO** 2

**Planning Ref:** LA07/2016/0952/ **PAC Ref:** 2017/A0213

**APPELLANT** D & M Downey **DEA** Newry

**LOCATION** 113-117 Dublin Road  
Newry  
BT35 8QP

**PROPOSAL** Sub-division of part of existing bulky goods retail warehouse (No 115) to provide 3 No. ground floor class A1 retail units with new shopfronts (the 3 No. units to operate without compliance with the bulky goods condition on approval P/1993/0605); and western extension of site area

**APPEAL TYPE**

**Appeal Procedure** DC- Refusal of Planning Permission  
**Informal Hearing** **Date Appeal Lodged** 18/01/2018

**Date of Hearing**

**Date Statement of Case Due for Hearing**

**Date Statement of Case Due - Written Representation**

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## Current Appeals

30

<b>ITEM NO</b>	<b>3</b>	<b>PAC Ref:</b>	
<b>Planning Ref:</b>	LA07/2016/1407/	<b>DEA</b>	2018/A0027
<b>APPELLANT</b>	Richard Newell		The Mournes
<b>Date of Site Visit</b>			
<b>LOCATION</b>	75A Glasdrumman Road Annalong		
<b>PROPOSAL</b>	Proposed extension of curtilage of existing dwelling house and retention of existing Domestic Boat House and Yard		
<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>	<b>Written Reps</b>	<b>Date Appeal Lodged</b>	30/05/2018
<b>Date of Hearing</b>	Co. Down		
<b>Date Statement of Case Due for Hearing</b>			
<b>Date Statement of Case Due - Written Representation</b>			
<b>Date of Site Visit</b>			

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**Date of Hearing**

<b>ITEM NO</b>	<b>4</b>	<b>PAC Ref:</b>	2018/A0046
<b>Planning Ref:</b>	LA07/2017/0969/	<b>DEA</b>	Crotlieve
<b>APPELLANT</b>	Mr Peter Clerkin		
<b>LOCATION</b>	160m South Of 106 Leitrim Road Hilltown		
<b>PROPOSAL</b>	Proposed retention and extension of farm shed (amended address)		
<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>	<b>Written Reps</b>	<b>Date Appeal Lodged</b>	11/07/2018
<b>Date Statement of Case Due for Hearing</b>			

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## Current Appeals

31

<b>ITEM NO</b>			
<b>Planning Ref:</b>		<b>PAC Ref:</b>	
<b>APPELLANT</b>		<b>DEA</b>	
<b>Date Statement of Case Due - Written Representation</b>			
<b>Date of Site Visit</b>			
	<b>5</b>		
	R/2014/0079/F		2018/A0054
	Mr Brendan Maginn		The Mournes
<b>LOCATION</b>	Approx 285m South West Of No 63 Dundrine Road Castlewellan		
<b>PROPOSAL</b>	Retention of as constructed 225 kw wind turbine with a tower height of 39.5m (to supersede previous wind turbine approval ref R/2010/0555/F)		
	(Additional surveys/info received)		
<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>		<b>Date Appeal Lodged</b>	30/07/2018
<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>			

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## Current Appeals

32

<b>ITEM NO</b>		<b>PAC Ref:</b>	
<b>Planning Ref:</b>		<b>DEA</b>	
<b>APPELLANT</b>		<b>PAC Ref:</b>	
<b>ITEM NO</b>	<b>6</b>	<b>DEA</b>	
<b>Planning Ref:</b>	LA07/2018/0747/	<b>PAC Ref:</b>	2018/A0079
<b>APPELLANT</b>	Joan Henderson	<b>DEA</b>	Crotlieve
<b>LOCATION</b>	200m South East 21 Levallyreagh Road Rostrevor Newry		
<b>PROPOSAL</b>	Proposed replacement dwelling		
<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>	<b>Written Reps</b>	<b>Date Appeal Lodged</b>	05/09/2018
<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>7</b>		
	LA07/2018/0220/		2018/A0085
	Mr & Mrs H Coulter		Rowallane
<b>LOCATION</b>	50m SE Of 7 Old Saintfield Road Creevycannonan		
<b>PROPOSAL</b>	Proposed 2 no infill dwellings, detached garages and site works		
<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>	<b>Crossgar</b>	<b>Date Appeal Lodged</b>	17/09/2018
<b>Date of Hearing</b>			
<b>Date Statement of Case Due for Hearing</b>			
<b>Date Statement of Case Due - Written Representation</b>			

## Current Appeals

33

<b>ITEM NO</b> <b>Planning Ref:</b> <b>APPELLANT</b> <b>Date of Site Visit</b>	<b>PAC Ref:</b> <b>DEA</b>
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**Date of Hearing**

<b>ITEM NO</b>	8	<b>PAC Ref:</b>	2018/A0100
<b>Planning Ref:</b>	LA07/2018/0865/	<b>DEA</b>	The Mourmes
<b>APPELLANT</b>	Mr And Mrs C Parke		
<b>LOCATION</b>	25 Oldtown Lane Annalong BT34 4XF		
<b>PROPOSAL</b>	One and a half storey rear extension to include additional living accommodation and home office. Proposed garage to west side		

**APPEAL TYPE**

<b>Appeal Procedure</b>	DC- Refusal of Planning Permission Written Reps with Site Visit	<b>Date Appeal Lodged</b>	05/10/2018
<b>Date Statement of Case Due for Hearing</b>			
<b>Date Statement of Case Due - Written Representation</b>			
<b>Date of Site Visit</b>			

	9		2018/A0117
	LA07/2017/0290/		Rowallane
<b>LOCATION</b>	Mr & Mrs McMurray 110 M South Of No 52 Carsonstown Road Saintfield		
<b>PROPOSAL</b>	Single Storey 200sqm house with Outbuilding - garage and stores		

<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission	<b>Date Appeal Lodged</b>	24/10/2018
<b>Appeal Procedure</b>	Written Reps with Site Visit		
	BT24 7EB		

## Current Appeals

34

<b>ITEM NO</b>		<b>PAC Ref:</b>	
<b>Planning Ref:</b>		<b>DEA</b>	
<b>APPELLANT</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>28/02/2019</b>
<b>Date of Site Visit</b>			

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**Date of Hearing**

<b>ITEM NO</b>	<b>10</b>	<b>PAC Ref:</b>	<b>2018/A0123</b>
<b>Planning Ref:</b>	LA07/2018/0554/	<b>DEA</b>	Crotlieve
<b>APPELLANT</b>	Mr Craig Baxter		
<b>LOCATION</b>	No. 5 Ringbane Road Ringbane Newry		
<b>PROPOSAL</b>	Change of use from private swimming pool to commercial swimming pool, retention of extension to same and extension to site curtilage		
<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>	<b>Informal Hearing</b>	<b>Date Appeal Lodged</b>	<b>25/10/2018</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>11</b>		

## Current Appeals

35

<b>ITEM NO</b>			
<b>Planning Ref:</b>		<b>PAC Ref:</b>	
<b>APPELLANT</b>		<b>DEA</b>	
	LA07/2017/0691/		2018/A0124
	Mr & Mrs G Cunningham		The Moumes
<b>LOCATION</b>	Lands Adjacent To And North East Of 346 Newry Road		
	Kilkeel		
	BT34 4SE		
<b>PROPOSAL</b>	Proposed detached retirement dwelling and garage (additional plans)		
<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>	<b>Informal Hearing</b>	<b>Date Appeal Lodged</b>	26/10/2018
<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>			

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<b>ITEM NO</b>	<b>12</b>		
<b>Planning Ref:</b>	P/2015/0200/F	<b>PAC Ref:</b>	
<b>APPELLANT</b>	Mr Naill Black	<b>DEA</b>	2018/A0130
<b>LOCATION</b>	Approx 150m South East Of No 28 Ferryhill Road		
	Killeen		
	Newry.		
<b>PROPOSAL</b>	Erection of a farm dwelling and garage.		
<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>	<b>Written Reps with Site Visit</b>	<b>Date Appeal Lodged</b>	30/10/2018
<b>Date of Hearing</b>			
<b>Date Statement of Case Due for Hearing</b>			

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## Current Appeals

36

<b>ITEM NO</b>			
<b>Planning Ref:</b>		<b>PAC Ref:</b>	
<b>APPELLANT</b>		<b>DEA</b>	
<b>Date Statement of Case Due - Written Representation</b>			
<b>Date of Site Visit</b>			
	<b>13</b>		
	LA07/2018/0331/		2018/A0131
	David Gordon		The Mournes
<b>LOCATION</b>	34 Dougans Road		
	Kilkeel		
<b>PROPOSAL</b>	Retention of dwelling and integrated garage, in substitution of Planning Ref: P/2009/1284/F		
<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>	<b>Written Reqs</b>	<b>Date Appeal Lodged</b>	30/10/2018
	BT34 4HN		
<b>Date of Hearing</b>			
<b>Date Statement of Case Due for Hearing</b>			
<b>Date Statement of Case Due - Written Representation</b>			



## Current Appeals

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<b>ITEM NO</b> <b>Planning Ref:</b> <b>APPELLANT</b> <b>Date of Site Visit</b>	<b>PAC Ref:</b> <b>DEA</b>
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**Date of Hearing**

<b>ITEM NO</b>	<b>14</b>	<b>PAC Ref:</b>	<b>2018/A0132</b>
<b>Planning Ref:</b>	LA07/2017/1316/	<b>DEA</b>	Newry
<b>APPELLANT</b>	O'Hagan Construction Ltd		
<b>LOCATION</b>	Site Adjacent And North Of 8 Heslips Court Adjacent And West Of 9 Heslips Court And Opposite And 25 M East Of 16 Chancellors Hall		
<b>PROPOSAL</b>	Retention of retaining wall and raised land and erection of dwelling (Amended Proposal)		

**APPEAL TYPE**

<b>Appeal Procedure</b>	DC- Refusal of Planning Permission	<b>Date Appeal Lodged</b>	<b>30/10/2018</b>
<b>Date Statement of Case Due for Hearing</b>	<b>Written Reps</b>		
<b>Date Statement of Case Due - Written Representation</b>			
<b>Date of Site Visit</b>			

<b>ITEM NO</b>	<b>15</b>	<b>PAC Ref:</b>	<b>2018/A0133</b>
<b>Planning Ref:</b>	LA07/2018/0360/	<b>DEA</b>	The Mourne
<b>APPELLANT</b>	Forest Park Developments		
<b>LOCATION</b>	Immediately North West Of 4 Sawmill Road Castlewella BT31 9GJ		

<b>PROPOSAL</b>	Infill dwelling
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<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission	<b>Date Appeal Lodged</b>	<b>31/10/2018</b>
<b>Appeal Procedure</b>			
<b>Date of Hearing</b>			

## Current Appeals

38

<p><b>ITEM NO</b></p> <p><b>Planning Ref:</b></p> <p><b>APPELLANT</b></p> <p><b>Date Statement of Case Due for Hearing</b></p> <p><b>Date Statement of Case Due - Written Representation</b></p> <p><b>Date of Site Visit</b></p>	<p><b>PAC Ref:</b></p> <p><b>DEA</b></p>
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<p><b>ITEM NO</b></p> <p><b>Planning Ref:</b></p> <p><b>APPELLANT</b></p> <p><b>LOCATION</b></p> <p><b>PROPOSAL</b></p> <p><b>APPEAL TYPE</b></p> <p><b>Appeal Procedure</b></p> <p><b>Date of Hearing</b></p> <p><b>Date Statement of Case Due for Hearing</b></p> <p><b>Date Statement of Case Due - Written Representation</b></p> <p><b>Date of Site Visit</b></p>	<p><b>16</b></p> <p>LA07/2017/1151/</p> <p>Clark McCourt</p> <p>Lands 70 Metres North-East Of 32 Cullentragh Road Jerretspass</p> <p>Erection of farm building and associated site works to include vehicular access, access lane and hard-standing area</p> <p>DC- Refusal of Planning Permission</p> <p><b>Informal Hearing</b></p>	<p><b>PAC Ref:</b></p> <p><b>DEA</b></p>	<p>2018/A0134</p> <p>Slieve Gullion</p> <p><b>Date Appeal Lodged</b>      31/10/2018</p>
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## Current Appeals

39

<b>ITEM NO</b>	<b>17</b>	<b>PAC Ref:</b>	
<b>Planning Ref:</b>	LA07/2018/1074/		2018/A0142
<b>APPELLANT</b>	EDB Construction Ltd	<b>DEA</b>	Newry
<b>LOCATION</b>	Lands Opposite No 1 Ashgrove Avenue Newry		
<b>PROPOSAL</b>	Housing Development comprising of 2 No. 4 bedroom Houses and 26 No. 2 Bedroom Apartments (amended proposal)		
<b>APPEAL TYPE</b>	DC - Non Determination of a Planning Application		
<b>Appeal Procedure</b>	<b>Written Reps</b>	<b>Date Appeal Lodged</b>	04/12/2018
<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>			

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<b>ITEM NO</b>	<b>18</b>	<b>PAC Ref:</b>	2018/A0143
<b>Planning Ref:</b>	LA07/2018/0457/		
<b>APPELLANT</b>	D Downey	<b>DEA</b>	Newry
<b>LOCATION</b>	Lands To West And South Of Existing Retail Units At Nos 113-117 Dublin Road Newry		
<b>PROPOSAL</b>	Retention of change of use of Agricultural land adjacent to establish retail units to facilitate safe parking of customer and staff vehicles and servicing of retail units, with associated landscaping works.		
<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>	<b>Informal Hearing</b>	<b>Date Appeal Lodged</b>	15/11/2018
<b>Date of Hearing</b>			

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## Current Appeals

40

<b>ITEM NO</b>			
<b>Planning Ref:</b>		<b>PAC Ref:</b>	
<b>APPELLANT</b>		<b>DEA</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>19</b>		
	LA07/2018/1261/		2018/A0151
	Ebony Hughes		Newry
<b>LOCATION</b>	Premises At Corner Of Upper Edward Street Railway Avenue		
<b>PROPOSAL</b>	Retention of mechanics garage, office store and boundary fencing		
<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>	<b>Informal Hearing</b>	<b>Date Appeal Lodged</b>	26/11/2018
	Newry		
<b>Date of Hearing</b>			
<b>Date Statement of Case Due for Hearing</b>			
<b>Date Statement of Case Due - Written Representation</b>			

## Current Appeals

41

ITEM NO  
 Planning Ref:  
 APPELLANT  
 Date of Site Visit

PAC Ref:  
 DEA

**Date of Hearing**

<b>ITEM NO</b>	<b>20</b>	<b>PAC Ref:</b>	2018/A0168
<b>Planning Ref:</b>	LA07/2018/0903/	<b>DEA</b>	The Mourmes
<b>APPELLANT</b>	Mr Glyn Mitchell		
<b>LOCATION</b>	19 The Square Kilkeel		
<b>PROPOSAL</b>	Change of use from a travel agency to professional services office and new external finishes		

**APPEAL TYPE**

	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>	<b>Informal Hearing</b>	<b>Date Appeal Lodged</b>	21/12/2018
<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>21</b>		
	LA07/2018/0709/		2018/A0171
	Mr Michael Mariner		Downpatrick
<b>LOCATION</b>	111 Loughinisland Road Annacloy		
<b>PROPOSAL</b>	Demolition of portion of existing vehicle repair building and construction of new extension(Retrospective)		

<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>		<b>Date Appeal Lodged</b>	03/01/2019
<b>Date of Hearing</b>	Downpatrick		

## Current Appeals

ITEM NO  
 Planning Ref: PAC Ref:  
 APPELLANT DEA  
 Date Statement of Case Due for Hearing  
 Date Statement of Case Due - Written Representation  
 Date of Site Visit

Date of Hearing

ITEM NO	22	PAC Ref:	2018/A0172
Planning Ref:	LA07/2018/0921/	DEA	The Mournes
APPELLANT	Leah Chambers		
LOCATION	14a Stewarts Road Annalong BT34 4UE		
PROPOSAL	Replacement dwelling		

APPEAL TYPE

Appeal Procedure	DC- Refusal of Planning Permission	Date Appeal Lodged	07/01/2019
	Written Reps		
Date Statement of Case Due for Hearing			
Date Statement of Case Due - Written Representation			
Date of Site Visit			

## Current Appeals

43

<b>ITEM NO</b>	<b>23</b>	<b>PAC Ref:</b>	
<b>Planning Ref:</b>	LA07/2017/1624/		2018/A0178
<b>APPELLANT</b>	Thomas Stevenson	<b>DEA</b>	The Mournes
<b>LOCATION</b>	Site 50m NW Of 18 Turloughs Hill Annalong		
<b>PROPOSAL</b>	BT34 4XD And 80m NW Of The Dwelling Which Is To Be Replaced Replacement Dwelling		
<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>	<b>Written Reps</b>	<b>Date Appeal Lodged</b>	10/01/2019
<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>			

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<b>ITEM NO</b>	<b>24</b>	<b>PAC Ref:</b>	
<b>Planning Ref:</b>	LA07/2018/0862/		2018/A0191
<b>APPELLANT</b>	Mr And Mrs McIlwrath	<b>DEA</b>	Slieve Croob
<b>LOCATION</b>	North And Adjacent To 41 Old Park Road Tievendarragh		
<b>PROPOSAL</b>	Drumaness Erection of a dwelling		
<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>		<b>Date Appeal Lodged</b>	22/01/2019
<b>Date of Hearing</b>			

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## Current Appeals

<b>ITEM NO</b>			
<b>Planning Ref:</b>		<b>PAC Ref:</b>	
<b>APPELLANT</b>		<b>DEA</b>	
<b>Date Statement of Case Due for Hearing</b>	25		
<b>Date Statement of Case Due - Written Representation</b>	LA07/2018/0403/		2018/A0198
<b>Date of Site Visit</b>	Joseph Walls		Crotlieve
<b>LOCATION</b>	Existing Farm Buildings Located 140m South East Of 26 Sandbank Road Hilltown		
<b>PROPOSAL</b>	2 No. farm buildings (Retrospective)		
<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>		<b>Date Appeal Lodged</b>	28/01/2019
<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>			

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### Current Appeals

<b>ITEM NO</b>		<b>PAC Ref:</b>	
<b>Planning Ref:</b>			
<b>APPELLANT</b>		<b>DEA</b>	
<b>ITEM NO</b>	<b>26</b>		
<b>Planning Ref:</b>	LA07/2018/0410/	<b>PAC Ref:</b>	2018/A0201
<b>APPELLANT</b>	Mr And Mrs Stevenson	<b>DEA</b>	Rowallane
<b>LOCATION</b>	80m South East Of 2 School Road Saintfield BT24 7JH		
<b>PROPOSAL</b>	Proposed dwelling and garage (Change of design from that previously approved under R/2015/0060/F)		
<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>		<b>Date Appeal Lodged</b>	04/02/2019
<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>27</b>		
	LA07/2018/1393/		2018/A0209
	John Rush		Slieve Croob
<b>LOCATION</b>	Lands Adjacent To And 29m East Of 15 Altnadua Road Castlewellan		
<b>PROPOSAL</b>	Construction of 1no dwelling house on a gap infill site		
<b>APPEAL TYPE</b>	DC- Refusal of Planning Permission		
<b>Appeal Procedure</b>		<b>Date Appeal Lodged</b>	04/02/2019
<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

ITEM NO  
 Planning Ref:  
 APPELLANT

PAC Ref:  
 DEA

ITEM NO **28**  
 Planning Ref: LA07/2018/1207/ **PAC Ref:** 2018/A0222  
 APPELLANT Mr And Mrs Byrne **DEA** Downpatrick  
 LOCATION Lands Adjoining Farm Buildings At 28 Ballyclander Road  
 Downpatrick  
 BT30 7DZ  
 PROPOSAL Farm dwelling and garage/farm outbuilding

**APPEAL TYPE**  
 Appeal Procedure DC- Refusal of Planning Permission  
**Date Appeal Lodged** 25/02/2019  
 Date of Hearing  
 Date Statement of Case Due for Hearing  
 Date Statement of Case Due - Written Representation  
 Date of Site Visit

**29**  
 LA07/2017/1252/ **2018/A0223**  
 Ms Naiomh Morgan **Newry**  
**LOCATION** Adjacent To And Immediately West Of 13 Crieve Road Newry BT34  
 2JT  
**PROPOSAL** Dwelling house (amended address)

**APPEAL TYPE**  
 Appeal Procedure DC- Refusal of Planning Permission  
**Date Appeal Lodged** 25/02/2019  
 Date of Hearing  
 Date Statement of Case Due for Hearing

## Current Appeals

ITEM NO  
 Planning Ref: PAC Ref:  
 APPELLANT DEA  
 Date Statement of Case Due - Written Representation  
 Date of Site Visit

ITEM NO	30	PAC Ref:	2018/E0054
Planning Ref:	LA07/2018/1558/	DEA	The Mournes
APPELLANT LOCATION	Glyn Mitchell 19 The Square Kilkeel BT34 4AA		
PROPOSAL	Removing existing timber cladding and painting the ground floor façade of the building with a timber effect finish		
APPEAL TYPE	DC - Non Determination of a Planning Application		
Appeal Procedure	Informal Hearing	Date Appeal Lodged	20/12/2018
Date of Hearing			
Date Statement of Case Due for Hearing			
Date Statement of Case Due - Written Representation			
Date of Site Visit	31		

## Current Appeals

<b>ITEM NO</b>			
<b>Planning Ref:</b>		<b>PAC Ref:</b>	
<b>APPELLANT</b>		<b>DEA</b>	
	LA07/2018/1844/		2018/E0060
	Forest Park Developments		The Mournes
<b>LOCATION</b>	Immediately North West Of 4 Sawmill Road Castlewellan		
<b>PROPOSAL</b>	Retention of builders storage yard		
<b>APPEAL TYPE</b>	DC- Refusal of CLUD		
<b>Appeal Procedure</b>		<b>Date Appeal Lodged</b>	04/02/2019
<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>			

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# Appeal Decision

Park House  
87/91 Great Victoria Street  
BELFAST  
BT2 7AG  
T: 028 9024 4710  
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E: info@pacni.gov.uk

**Appeal Reference:** 2018/A0122  
**Appeal by:** Brian and Laura Fealy  
**Appeal against:** Refusal of Outline Planning Permission  
**Proposed Development:** Proposed dwelling and detached garage on a farm.  
**Location:** 143m West of No. 21 Kilkeel Road Hilltown.  
**Planning Authority:** Newry Mourne and Down District Council  
**Application Reference:** LA07/2017/0699/O  
**Procedure:** Written Representations and Accompanied Site Visit on 6<sup>th</sup> February 2019  
**Decision by:** Commissioner Helen Fitzsimons on 20<sup>th</sup> February 2019

## Decision

1. The appeal is dismissed.

## Reasons

2. The main issue in this appeal is whether the proposed development is acceptable in principle in the countryside.
3. The appeal site is located outside any settlement limit and lies in the countryside as designated by Banbridge, Newry and Mourne Area Plan 2015 (BNMAP) the local development plan which operates for the area. The BNMAP offers no specific policy or guidance pertinent to the proposed development. The Strategic Planning Policy Statement for Northern Ireland (SPPS) retains a number of Planning Policy Statements (PPSs) one of which is PPS 21 'Sustainable Development in the Countryside'
4. Policy CTY 1 of PPS 21 states that 'there are a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development.' One of these is a dwelling on a farm in accordance with Policy CTY 10 of the PPS. Policy CTY 10 states that planning permission will be granted for a dwelling house on a farm where all of three stated criteria can be met. The Council raise objections under criteria (a) that the farm business is currently active and has been for six years and (c) that the new building is visually linked or sited to cluster with an established group of buildings on the farm.

5. Paragraph 5.38 of the policy says that new houses on farms will not be acceptable unless the existing farming business is both established and active. The applicant will therefore be required to provide the farm's DARD business ID number along with other evidence to prove active farming over the required period.
6. The appellant presented me a farm business ID number and a number of records including a herd list; a births notification list and details of movement of cattle relating to the holding. However, the records do not continuously span the required 6 year period. I accept that the farmer suffered a serious illness, which it took him some time to recover from. This which would explain the lack of beef farming records for the period 2014 – 2015. Notwithstanding that I was told that during the period of the farmer's illness the land was kept in excellent condition and well maintained in line with EU and Departmental regulations I was given no documentary evidence in support of this such as receipts from contractors or dated photographs of such works occurring. Because of this I am not persuaded that the appellant has satisfactorily demonstrated that the farm has been active for the required six year period. Criterion (a) of Policy CTY 10 of PPS 21 is not met.
7. The appeal site comprises part of a field. The main farm buildings are located at 8 Shannon Park Hilltown some considerable distance from the appeal site. There is an unauthorised outbuilding on the appeal site which the appellants claim was erected in excess of seven years ago. However, in the absence of a Certificate of Existing Lawful Development I have no verifiable documentation regarding its planning status. I cannot take this shed into account. It transpired at the site visit that the buildings adjacent to the appeal site are not buildings used in association with this holding. There is no established group of buildings on the farm at this location that would allow visual linkage or clustering for the appeal proposal. The proposal fails criterion (c) of PPS 21.
8. As the proposed development fails to meet the requirements of criteria (a) and (c) of Policy CTY 10 of PPS 21 the Council has sustained its first reason for refusal and the proposed development is not acceptable in principle in the countryside.
9. Policy CTY 13 'Integration and Design of Buildings in the Countryside' says that planning permission will be granted for a building in the countryside where it can be visually integrated onto the surrounding landscape and is of an appropriate design. It sets out that new buildings will be unacceptable in a number of circumstances one of which is (g) in the case of a proposed dwelling on a farm it is not visually linked or sited to cluster with an established group of buildings on a farm. As the proposed development fails Policy CTY 10 of PPS 21 it also fails Policy CTY 13 of PPS 21 and the Council has sustained its second reason for refusal.
10. Suggestions by the Council, during its consideration of the application for planning permission, that an alternative site might be acceptable are not for me to comment upon in this appeal.

This decision is based on the 1:2500 scale site location plan.

## **COMMISSIONER HELEN FITZSIMONS**

**2018/A0122**

### **List of Documents**

Planning Authority: -  
Appellant:-

C1 Written Statement and appendices  
A1 Written Statement and appendices

### **Attendances**

Planning Authority:-  
Appellant:-

Mr G Murtagh  
Mr K Sherry – Agent  
Mr B Fealy – Appellant  
Mr N Brady – Appellant's Father in Law



# Appeal Decision

Park House  
87/91 Great Victoria Street  
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<b>Appeal Reference:</b>	2018/A0085
<b>Appeal by:</b>	Mr & Mrs Coulter
<b>Appeal against:</b>	The refusal of full planning permission
<b>Proposed Development:</b>	2 No. dwellings and detached garages and site works
<b>Location:</b>	50m SE of No.7 Old Saintfield Road, Crossgar
<b>Planning Authority:</b>	Newry, Mourne & Down District Council
<b>Application Reference:</b>	LA07/2018/0220/F
<b>Procedure:</b>	Informal Hearing on 6 February 2019
<b>Decision by:</b>	Commissioner Brigid McGlinchey dated 26 February 2019

## Decision

1. The appeal is dismissed.

## Preliminary Matter

2. The appellant submitted two revised drawings in his statement of case showing a reduction in both the ridge height and the finished floor level of each dwelling. The proposed amendments do not fundamentally change the nature of the development and the objectors, who participated in the appeal process, are aware of the changes. I am therefore satisfied that regard could be had to the amended drawings without causing any prejudice.
3. Notwithstanding the above, a further issue is whether the acceptance of the drawings would contravene Section 59 of the Planning Act (NI) 2011 which reads as follows: *"S.59 (1) In an appeal under section 58, a party to the proceedings is not to raise any matter which was not before the council or, as the case may be, the Department at the time the decision appealed against was made unless that party can demonstrate to the satisfaction of the planning appeals commission: (a) that the matter could not have been raised before that time, or (b) that its not being raised before that time was a consequence of exceptional circumstances.*
4. The amended drawings had been submitted to the Council on 21 August 2018 eight days before the planning committee meeting was held on the 29 August 2018. The drawings were therefore submitted during the processing time of the application albeit during a period after planning officials had prepared a recommendation for the committee. Whilst the committee members were made aware of the amended drawings, a planning official at the meeting advised that the drawings could not be taken into account as colleagues had not the time to consider the revised drawings when determining their recommendation. Notwithstanding that due consideration was not



given to them, the amended drawings were nonetheless before the Council and do not represent a new matter. Given these particular circumstances, consideration of the two amended drawings in this appeal would not be at odds with Section 59. The amended drawings therefore form the basis for my consideration.

### Reasons

5. The main issues in this appeal are whether the proposal is acceptable in principle, the design of the dwellings and the impact on the character of the area.
6. The Ards & Down Area Plan 2015 (ADAP), which operates as the statutory local development plan for the proposal, shows that the site lies within the countryside. The ADAP offers no specific policy or guidance in respect of the proposed dwellings. The relevant policy context is provided by Planning Policy Statement 21: Sustainable Development in the Countryside (PPS21), which is identified by the Strategic Planning Policy Statement for NI (SPPS) as a retained policy document. Policy CTY1 of PPS21 lists a range of types of development which in principle are considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. A number of instances when planning permission will be granted for an individual dwelling house are outlined. The appellant argues that the appeal proposal represents an infill opportunity in accordance with Policy CTY8.
7. Policy CTY8 of PPS21 states that planning permission will be refused for a building which creates or adds to a ribbon of development. Policy CTY8 goes on to state that an exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements. The policy states that for its purposes, the definition of a substantial and built up frontage includes a line of 3 or more buildings along a road frontage without accompanying development to the rear.
8. The appeal site is cut out of a larger agricultural field that lies between No.7 Old Saintfield Road and two other residential properties to the southeast (Nos. 3 and 1). The appeal site has a road frontage of approximately 50m. It widens out and gradually rises towards an undefined boundary to the north and to a mature hedgerow to the west which defines the intervening boundary with the elevated plot of No.7. A post and wire fence defines the boundary with No.3 which is marginally below the adjoining level of the appeal site.
9. The Council accepted that the appeal site represents a small gap site within an otherwise substantial and continuously built up frontage. The Council however argued that the gap cannot accommodate two dwellings whilst respecting the existing development pattern along the frontage. The Council also challenged that the design of the proposal failed to meet other planning and environmental requirements and the objectors also raised an issue which falls to be considered under this element of Policy CTY8.
10. The appeal site extends to 0.4ha and the proposal entails subdivision to create two residential plots with varied length of roadside frontage of approximately 12m and 38m either side of a shared access arrangement. Based on the proposed layout, the curtilage of Site 1 was estimated by the appellant at the hearing as extending to approximately 0.2ha corresponding to half of the area of the appeal site. The residual area is divided

- into Site 2 and part of a field notated as a 'paddock' which the appellant stated at the hearing did not form part of the proposed residential development scheme. The appellant estimated that Site 2 extended to 0.16ha. I note however, that the indicated curtilage of Site 2 is only slightly larger in size to that part of the paddock which falls within the appeal site outline. Notwithstanding the appellant's approximation cited at the hearing, I judge that a more accurate estimate of the extent of Site 2 is about 0.11ha.
11. The headnote of Policy CTY8 sets out the matters to be taken into account when assessing a proposal relative to the existing settlement pattern - size, scale, siting and plot size. The size and scale criteria are synonyms and both refer to the dimensions of the proposed buildings. The submitted amended scheme indicates a reduction in the ridge height of the proposed 2-storey dwellings to 8.2m and the lowering of the finished floor level of each by 0.2m. I note that there is no consistency in the size or scale of the existing dwellings with that on the elevated site at No.7 being a 1½-storey modern vernacular building whilst those at Nos.1 and 3 are respectively single and 1½ storey bungalows. No.5 Abbeyview Road located opposite the appeal site is a 2-storey dwelling. In this context, the size and scale of the proposed dwellings would not be at odds per se with the existing built form in the settlement pattern.
  12. The existing residential plots along this part of Old Saintfield Road range in size range from 0.3ha to 0.33ha and are varied in their configuration with each curtilage having an extensive frontage to the road and generally narrowing back. The road frontage of No.7 extends to approximately 105m whilst that for No.3 and No.1 measures 89m and 72m respectively. The subdivision of the appeal site into the two proposed significantly smaller plots would not respect the existing settlement pattern characterised by dwellings set within large curtilages even if the proposed sites are deemed generous by the appellant. Notwithstanding the resulting separation distances between the proposed dwellings and that of the existing buildings, the comparative smaller plot sizes would be readily apparent from the identified critical viewpoints along the road and reinforced by the relatively short roadside frontage presentation of each site. The introduction of two dwellings onto the appeal site would therefore be at odds with the loose grain of the traditional pattern of settlement exhibited along the frontage. I agree with the Council that the gap cannot accommodate the proposed development whilst respecting the existing development pattern along the frontage. The proposal fails this test of Policy CTY8.
  13. The other planning and environmental requirements under Policy CTY8 fall to be considered under Policy CTY13 which deals with the integration and design of buildings in the countryside and Policy CTY14 which addresses rural character. The proposed dwelling on Site 2 is to be positioned on the lower part of the appeal site. Notwithstanding that it would be 2-storey, it would not appear overly dominant if the existing mature hedgerow and embankment were set back as indicated along the site frontage and the new proposed planting is carried out along the adjoining boundary with No.3. The proposal however entails the positioning of the other dwelling on Site 1 on an elevated part of the appeal site which would sit 4.2m higher than that proposed on Site 2. Whilst it would be slightly lower in the landscape than that of No.7, the dwelling on Site 1 would not have the same benefit of screening provided by mature vegetation and it would appear overly dominant in the landscape. The proposed planting within the appeal site or the setback of the roadside embankment with hedgerow would not screen or alter this dominant appearance. The objectors' stated concern about dominance is sustained in respect of the proposal on Site 1. Given the location of the proposed dwellings within significantly smaller plots, the amendments presented do not overcome the failure of the proposal to respect the existing development pattern along this stretch

of Old Saintfield Road. In this regard, the proposal for two dwellings is inappropriate for the site and the locality. The objectors' concern and the Council's third reason for refusal under Policy CTY13 are sustained.

14. The Council has accepted that the appeal site represents a gap site within an otherwise substantial and continuously built up frontage. In complying with this element of Policy CTY8, it follows that a development site that is accepted as 'infill' opportunity could not be considered unacceptable in terms of build up, ribboning or rural character. The Council has therefore not sustained its fourth reason for refusal.
15. Nonetheless, considering all the issues pertinent to Policy CTY8, I conclude that the proposed development would not respect the existing development pattern along the frontage and would also fail to meet other planning and environmental requirements under Policy CTY13. The proposal therefore does not meet the stated exception to Policy CTY8. The Council has sustained its second reason for refusal.
16. The proposal therefore does not qualify as one of the specified types of development considered to be acceptable in principle under Policy CTY1. Policy CTY1 states that other types of development will only be permitted where there are overriding reasons why that development is essential and could not be located in a settlement. There is no evidence that the proposal is essential. The proposal is therefore contrary to Policy CTY1 and the Council has sustained its first reason for refusal.
17. The residential property at No.5 Abbeyview Road abuts and is located on the opposite side of the Old Saintfield Road. Its roadside boundary is defined by mature vegetation and the dwelling is separated from this boundary by over 30m. Though the proposed buildings on the appeal site would be more elevated in the landscape especially the dwelling on Site 1, I am satisfied that their siting would not unacceptably affect the privacy of the existing residents given the separation distance and the intervening screening. The third party objection in this regard is not sustained.

This decision is based on Drawing 01-1:2500 scale Site location plan submitted with the planning application and the following amended drawings attached in the statement of case:

- Drwg C01 RevA -1:1000 scale Existing site plan and 1:500 scale Proposed site plan;
- Drwg C02 RevA - 1:100 scale Scheme design proposals and house types.

## **COMMISSIONER BRIGID McGLINCHEY**

### **List of Appearances**

Planning Authority:-	C Cunningham
Appellants:-	D Donaldson, Agent H Coulter

### **List of Documents**

Planning Authority:-	C1 - Statement of case + Appendices
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Appellants:-

A1 - Statement of case + Appendices

Third Parties:-

O1 - Statement of case from Mr R B Steele

O2 - Statement of case from Mrs R C Steele

## Record of meetings between Planning Officers and Public Representatives 2018-2019

DATE OF MEETING	PLANNING OFFICER'S NAME/S	PUBLIC REPRESENTATIVE'S NAME
23/04/2018	A McAlarney	Cllr W Walker Cllr Andrews
27/04/2018	A McAlarney	Cllr Burgess
30/04/2018	A McAlarney	Cllr Walker
30/04/2018	A McAlarney	Cllr Fitzpatrick
10/05/2018	A McAlarney	Colin McGrath MLA
31/05/2018	A McAlarney	Cllr Rice
04/06/2018	A McAlarney	Cllr McMurray
29/06/2018	G Kerr	Cllr B Quinn
10/07/2018	G Kerr / P Smyth	Cllr B Quinn
17/07/2018	A McAlarney	Colin McGrath
09/08/2018	G Kerr / P Smyth	Cllr B Quinn
14/08/2018	A McAlarney	Cllr walker
04/09/2018	G Kerr	Cllr Tinnelly
07/09/2018	A McAlarney	Colin McGrath
12/09/2018	A McAlarney	Cllr Walker Cllr Andrews
18/09/2018	A McAlarney	Cllr Walker Cllr Andrews
20/09/2018	A McAlarney	Cllr Rice
03/10/2018	A McAlarney	Cllr W Clarke
18/10/2018	A McAlarney	Cllr Enright
29/10/2018	A McAlarney	Cllr Walker Cllr Andrews
13/11/2018	A McAlarney	Cllr Burgess
04/12/2018	A McAlarney	Cllr Walker

## Newry, Mourne & Down District Council – February 2019

### 1. Live Applications

MONTH 2018/19	NEW APPLICATIONS	LIVE APPLICATIONS	LIVE APPLICATIONS OVER 12 MONTHS
April	129	914	222
May	141	916	217
June	141	909	225
July	150	960	231
August	114	913	244
September	141	958	263
October	168	971	272
November	187	1,002	276
December	133	1,085	297
January	164	1,063	273
February	180	1,124	274

## Newry, Mourne & Down District Council – February 2019

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

Month 2018/19	Under 6 months	Between 6 and 12 months	Between 12 and 18 months	Between 18 and 24 months	Over 24 months	Total
April	510	182	79	33	110	<b>914</b>
May	506	193	78	33	106	<b>916</b>
June	483	201	84	33	108	<b>909</b>
July	540	189	90	34	107	<b>960</b>
August	482	187	99	34	111	<b>913</b>
September	511	184	108	45	110	<b>958</b>
October	529	170	114	46	112	<b>971</b>
November	548	178	110	52	114	<b>1,002</b>
December	604	184	115	64	118	<b>1,085</b>
January	607	183	90	62	121	<b>1,063</b>
February	676	174	90	62	122	<b>1,124</b>

### 3. Live applications per Case Officer

Month 2018/19	Average number of Applications per Case Officer
April	51
May	49
June	48
July	51
August	48
September	56
October	61
November	62
December	64
January	62
February	79

## Newry, Mourne & Down District Council – February 2019

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### 4. Decisions issued per month

Month 2018/19	Number of Decisions Issued	Number of Decisions Issued under delegated authority
April	130	111
May	127	119
June	140	130
July	88	78
August	153	141
September	91	83
October	147	141
November	145	138
December	44	40
January	172	156
February	111	93



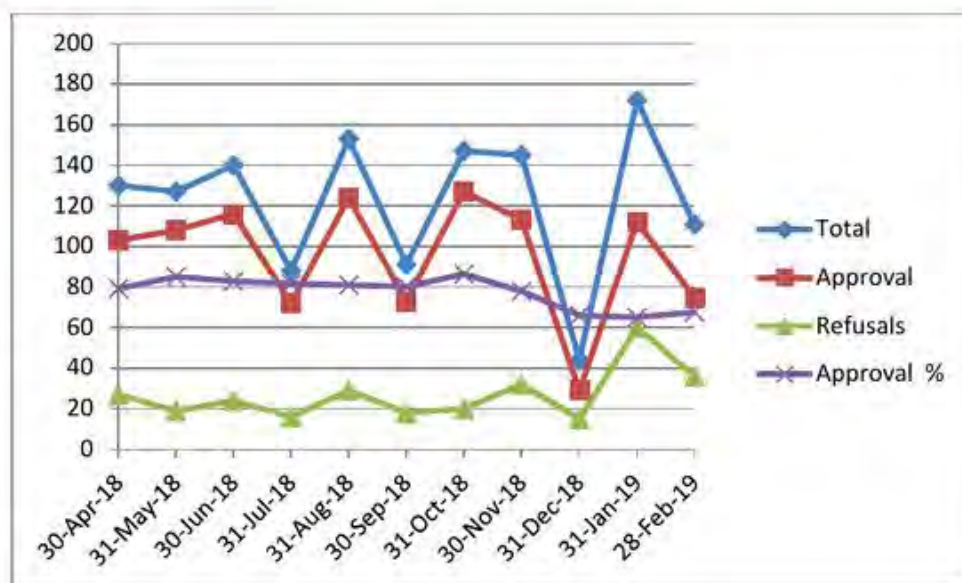
## Newry, Mourne & Down District Council – February 2019

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### 5. Decisions Issued YTD

Month 2018/19	Number of Decisions Issued	Breakdown of Decisions	
April	130	Approvals (103)	79%
		Refusals (27)	21%
May	257	Approvals (211)	82%
		Refusals (46)	18%
June	397	Approvals (327)	82%
		Refusals (70)	18%
July	485	Approvals (399)	82%
		Refusals (86)	18%
August	638	Approvals (523)	82%
		Refusals (115)	18%
September	729	Approvals (596)	82%
		Refusals (133)	18%
October	876	Approvals (723)	83%
		Refusals (153)	17%
November	1,021	Approvals (836)	82%
		Refusals (185)	18%
December	1,065	Approvals (865)	81%
		Refusals (200)	19%
January	1,234	Approvals (974)	79%
		Refusals (260)	21%
February	1,345	Approvals (1,049)	78%
		Refusals (296)	22%

## Newry, Mourne & Down District Council – February 2019



### 6. Enforcement Live cases

Month 2018/19	<=1yr	1-2 yrs	2-3 yrs	3-4 yrs	4-5 yrs	5+yrs	Total
April	305	220	101	77	84	124	911
May	325	208	105	81	84	125	928
June	331	224	106	82	82	130	955
July	332	226	113	82	82	135	970
August	365	246	110	85	73	150	1,029
September	373	250	125	81	76	156	1,061
October	389	239	142	77	80	160	1,087
November	393	232	155	83	71	169	1,103
December	383	220	165	77	74	174	1,093
January	388	217	166	82	72	181	1,106
February	388	221	175	85	72	186	1,127

## Newry, Mourne & Down District Council – February 2019

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### 7. Planning Committee

Month	Number of Applications presented to Committee	Number of Applications Determined by Committee	Number of Applications Withdrawn/ Deferred for future meeting
11 April 2018	25	20	5
9 May 2018	17	10	7
6 June 2018	13	5	8
4 July 2018	14	6	8
1 August 2018	12	8	4
29 August 2018	13	4	9
26 September 2018	14	8	6
24 October 2018	13	4	9
21 November 2018	10	4	6
19 December 2018	15	12	3
16 January 2019	12	6	6
13 February 2019	20	15	5
<b>Totals</b>	<b>178</b>	<b>102</b>	<b>76</b>

### 8. Appeals

#### Planning Appeal Commission Decisions issued during February 2019

Area	Number of current appeals	Number of decisions issued	Number of decisions Allowed	Number of decisions Dismissed	Withdrawn
Newry & Mourne	21	1	0	1	0
Down	10	1	0	1	0
<b>TOTAL</b>	<b>31</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>

## Newry, Mourne &amp; Down District Council – February 2019

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Statutory targets monthly update - up to January 2019 (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 received	Number decided/withdrawn <sup>1</sup>	Average processing time <sup>2</sup>	% of cases processed within 30 weeks	Number received	Number decided/withdrawn <sup>1</sup>	Average processing time <sup>2</sup>	% of cases processed within 15 weeks	Number opened	Number brought to conclusion <sup>3</sup>	"70%" conclusion time <sup>3</sup>	% of cases concluded within 39 weeks
April	0	2	110.4	0.0%	100	109	14.0	52.3%	48	6	170.2	66.7%
May	0	2	67.3	0.0%	115	118	16.9	43.2%	49	14	48.3	64.3%
June	1	1	20.2	100.0%	133	132	15.1	50.0%	49	25	49.2	60.0%
July	0	-	0.0	0.0%	108	81	15.2	49.4%	39	6	61.9	66.7%
August	0	-	0.0	0.0%	110	136	15.6	47.8%	39	5	34.6	80.0%
September	1	-	0.0	0.0%	117	82	14.9	50.0%	34	5	129.7	20.0%
October	2	-	0.0	0.0%	144	138	16.3	44.9%	51	29	49.8	69.0%
November	0	-	0.0	0.0%	143	123	16.4	44.7%	36	14	58.4	50.0%
December	0	-	0.0	0.0%	115	31	18.0	38.7%	19	34	52.8	52.9%
January	1	-	0.0	0.0%	134	152	22.9	26.3%	36	18	85.5	44.4%
February	0	-	0.0	0.0%	0	-	0.0	0.0%	0	-	0.0	0.0%
March	0	-	0.0	0.0%	0	-	0.0	0.0%	0	-	0.0	0.0%
<b>Year to date</b>	<b>5</b>	<b>5</b>	<b>48.6</b>	<b>20.0%</b>	<b>1,219</b>	<b>1,102</b>	<b>16.8</b>	<b>44.4%</b>	<b>400</b>	<b>156</b>	<b>54.6</b>	<b>57.7%</b>

Source: NI Planning Portal

**Notes:**

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.

<b>Report to:</b>	Regulatory & Technical Services Committee
<b>Date of Meeting:</b>	20 <sup>th</sup> March 2019
<b>Subject:</b>	Proposed scheme to permit sponsorship of floral planting displays on roundabouts and road side verges throughout the district.
<b>Reporting Officer (Including Job Title):</b>	Kevin Scullion, Assistant Director Facilities: Management & Maintenance
<b>Contact Officer (Including Job Title):</b>	Aidan Mallon, Head of Maintenance

Confirm how this Report should be treated by placing an x in either: -

<b>For decision</b>	<b>X</b>	<b>For noting only</b>	
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<b>1.0</b>	<b>Purpose and Background</b>
1.1	The Committee is requested to consider introducing a scheme whereby external organisations/groups would be given the opportunity to sponsor specific floral displays and plantings on an annual basis in various locations throughout the district.
<b>2.0</b>	<b>Key Issues</b>
2.1	<p>Council currently maintains both winter and summer bedding plant areas across the district on both Department of Infrastructure (Dfi) land and its own property.</p> <p>Under the scheme permission would be subject to agreement and where required, the approval of the Dfi and/or the Councils Planning Department. It is envisaged that the Council's Planning Department will have controls in place for advertisements placed at such locations which will need to be considered.</p> <p>It is currently envisaged that the scheme would allow direct participation whereby, with appropriate agreements in place, a sponsor takes on the responsibility for maintaining the area to an agreed standard and as part of this is permitted to display advertisement signs highlighting that the area is maintained by the sponsor.</p> <p>Alternatively, there would be the option that the Council continues to maintain the area with the sponsors contributing towards the cost of the display and as recognition of their contribution agreed signage is displayed showing that the sponsor is contributing to the cost of maintaining the area.</p> <p>It is also envisaged that Council would maintain final decision on agreement for the proposal to include the nature of the display agreed for the area.</p> <p>The roll out of a scheme of this nature will provide opportunities for local organisations and groups to work closer with Council in enhancing their neighbourhoods and it is hoped will engender a feeling of shared ownership and responsibility for maintaining our green spaces to the highest level possible.</p>

	If agreed in principle to proceed with such a scheme, Officers will begin the work required to formalise the process. It is envisaged that this will include the following elements:
2.2	<ol style="list-style-type: none"> <li>1. Seek agreement with Dfi that land in their ownership but maintained by Council will be included under the scheme and agree any conditions which will be required to be met by Dfi.</li> <li>2. Seek confirmation from the Council's Planning Department and other relevant bodies on any requirements which would be required for implementation of the scheme.</li> <li>3. Develop a policy document for the implementation and operation of the scheme for consideration and agreement with Council.</li> </ol>
<b>3.0</b>	<b>Recommendations</b>
3.1	<p>The Council agrees in principle to the development of a scheme to permit sponsorship of floral planting displays on roundabouts and road side verges throughout the district.</p> <p>Council Officials to consult with Dfi, Councils Planning Department and other relevant bodies to ensure any scheme developed has the approval of the relevant land owner and is in compliance with relevant legislation.</p> <p>Council Officials to develop a policy document for the implementation and operation of the scheme for consideration and agreement with Council.</p>
<b>4.0</b>	<b>Resource implications</b>
4.1	Officer time.
<b>5.0</b>	<b>Equality and good relations implications</b>
5.1	It is not anticipated that the proposal will have an adverse impact upon equality of opportunity and good relations.
<b>6.0</b>	<b>Rural Proofing implications</b>
6.1	Due regard to rural needs has been considered.
<b>7.0</b>	<b>Appendices</b>
	None
<b>8.0</b>	<p><b>Background Documents</b></p> <p><i>This relates to meeting requirements outlined in Part 8 of the Local Government Act (NI) 2014, Access to Meetings and Documents, wherein for four years after a meeting the following must be available at the Council Offices and on the website:</i></p> <p><i>Background papers which are defined as those documents relating to the subject matter of a report which:</i></p> <ol style="list-style-type: none"> <li>a) <i>Disclose any facts or matters which in the opinion of the Chief Executive, the report or an important part of the report is based upon; and</i></li> <li>b) <i>Have, in the Chief Executive's opinion, been relied upon to a material extent in preparing the report.</i></li> </ol> <p><i>These are documents on which the report, or an important part of the report, is based upon and have been relied upon to a material extent in preparing the report.</i></p>

<b>Report to:</b>	Regulatory & Technical Services Committee
<b>Date of Meeting:</b>	20 <sup>th</sup> March 2019
<b>Subject:</b>	Flood alleviation of drain along Newry/Portadown Canal at Lock Gate 5
<b>Reporting Officer (Including Job Title):</b>	Kevin Scullion, Assistant Director Facilities Management & Maintenance
<b>Contact Officer (Including Job Title):</b>	Aidan Mallon, Head of Maintenance

Confirm how this Report should be treated by placing an x in either: -

<b>For decision</b>	<input checked="" type="checkbox"/>	<b>For noting only</b>	<input type="checkbox"/>
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<b>1.0</b>	<b>Purpose and Background</b>
1.1	<p>The Council has been approached by the Rivers Agency who have been investigating the cause of flooding of lands and road at Tandragee Road, Newry (see photos at Appendix 1).</p> <p>Meetings have been held with Rivers Agency Official and two other local landowners in the area to discuss the matter. Rivers Agency believes the road and fields in the area are prone to flooding due to insufficient drainage through the lands of the three landowners. The eventual discharge is to Newry Canal in the area of Lock Gate 5 at Carnbane Industrial Estate.</p> <p>It is the view of Rivers Agency that the three landowners (which includes the Council) are required to take action to rectify the flooding issue. Agreement has been reached in principle that the existing main drain along the agricultural land is upgraded, the drain along a nearby industrial unit is upgraded and new connections are made into the Canal.</p> <p>It is proposed that the two private landowner's carryout the works and Council will contribute to the portion of works that cut across Council owned land, subject to agreement on costs. Approval is sought from Council to proceed with these works up to a maximum value of £10,000.</p>
<b>2.0</b>	<b>Key Issues</b>
2.1	<ul style="list-style-type: none"> <li>• Rivers Agency have identified an area prone to flooding in the Tandragee Road area of Newry and attribute this risk to drainage issues within land by three separate parties including the Council.</li> <li>• Agreement has been reached in principle by all parties concerning the improvement works required.</li> <li>• The Council is responsible for two sections of a culverted watercourse at A and B as shown on the attached map at Appendix 2, the sections under the Newry Canal Tow path.</li> <li>• Rivers Agency can find no records of consent under the Drainage (NI) Order 1973 for the culverting of any of these watercourses. There are severe restrictions on the drainage function of these watercourses between</li> </ul>

	<p>D and A and between C and B as shown on the attached map in Appendix 2.</p> <ul style="list-style-type: none"> <li>• These proposed works will regularise this situation and should reduce the risk of flooding in the area.</li> </ul>
<b>3.0</b>	<b>Recommendations</b>
3.1	<ul style="list-style-type: none"> <li>• Council approve to participating in the provision of these improved drainage arrangements in the area of Lock Gate Number 5 at Carnbane Industrial Estate up to maximum value of £10,000..</li> </ul>
<b>4.0</b>	<b>Resource implications</b>
4.1	<ul style="list-style-type: none"> <li>• Officer time.</li> <li>• Council agreed costs associated with these works will be funded through the Council's approved maintenance budget for Newry Canal.</li> </ul>
<b>5.0</b>	<b>Equality and good relations implications</b>
5.1	It is not anticipated that the proposal will have an adverse impact upon equality of opportunity and good relations.
<b>6.0</b>	<b>Rural Proofing implications</b>
6.1	Due regard to rural needs has been considered.
<b>7.0</b>	<b>Appendices</b>
	<p>Appendix A: Flood photos 1-6</p> <p>Appendix B: Location map</p>
<b>8.0</b>	<b>Background Documents</b>
	<p><i>This relates to meeting requirements outlined in Part 8 of the Local Government Act (NI) 2014, Access to Meetings and Documents, wherein for four years after a meeting the following must be available at the Council Offices and on the website:</i></p> <p><i>Background papers which are defined as those documents relating to the subject matter of a report which:</i></p> <ol style="list-style-type: none"> <li><i>Disclose any facts or matters which in the opinion of the Chief Executive, the report or an important part of the report is based upon; and</i></li> <li><i>Have, in the Chief Executive's opinion, been relied upon to a material extent in preparing the report.</i></li> </ol> <p><i>These are documents on which the report, or an important part of the report, is based upon and have been relied upon to a material extent in preparing the report.</i></p>



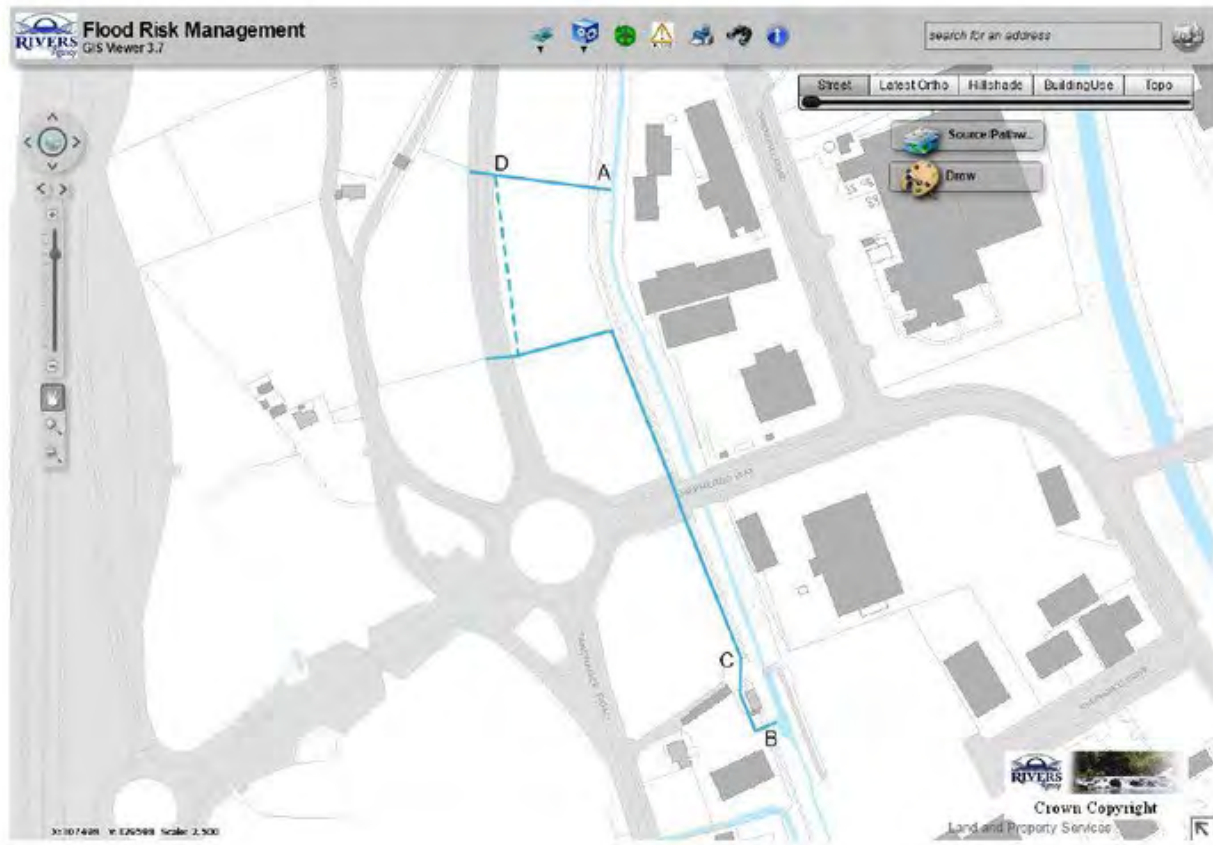
**Appendix A: Flood photos 1-6**







### Appendix B: Location map



<b>Report to:</b>	Regulatory & Technical Services Committee
<b>Date of Meeting:</b>	20 <sup>th</sup> March 2019
<b>Subject:</b>	Report of Christmas Illuminations and Celebrations Group Meeting 26 February 2019.
<b>Reporting Officer (Including Job Title):</b>	Kevin Scullion, Assistant Director: Facility Management & Maintenance Department
<b>Contact Officer (Including Job Title):</b>	Kevin Scullion, Assistant Director: Facility Management & Maintenance Department

Confirm how this Report should be treated by placing an x in either:-

<b>For decision</b>	<input checked="" type="checkbox"/>	<b>For noting only</b>	<input type="checkbox"/>
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<b>1.0</b>	<b>Purpose and Background</b>
1.1	<p>The Committee will be aware that the Council established a Christmas Illuminations and Celebrations Group in 2017 comprising a cross party group of Councillors and Officers from the Directorates of AHC, ERT and RTS.</p> <p>Under the Terms of Reference, it is stated that the Group was set up to agree on how Council will help local communities across the district celebrate Christmas. Recommendations from the Group require Council approval with reports from the Group now being reported through this Committee.</p> <p>The Group met on the 28<sup>th</sup> February 2019 and attached at Appendix 1 is a report of this meeting with a range of considerations and recommendations proposed.</p> <p>In summary the following considerations are placed before this Committee for agreement.</p>
1.2	<p><u>Christmas Tree Pilot Project</u></p> <p>The Christmas Tree Pilot Project aim was to encourage local communities to adopt a planted Christmas Tree thereby reducing the need to provide cut Christmas trees and allowing communities to be more environmentally sustainable.</p> <p>The programme was rolled out for Christmas 2018 with eight sites taking part in the programme, of which two already had a planted tree leaving six new sites which received a new tree purchased by the Council. There is one remaining tree which was not planted and officers are asking permission from the Committee to proceed to find a suitable site for the tree and have it planted.</p> <p>Whilst there were some reservations expressed by groups concerning the size of the tree provided there was general satisfaction among community representatives</p>

with the roll out programme. It is considered by Officers that the correct tree was purchased and that should the project proceed that the size and type of tree purchased in 2018 should remain the choice available.

This is not a short-term project and it is likely to take between 7 to 10 years from planting for the tree to achieve the impact sought. In the interim period sole reliance on the tree to achieve an impact will not suffice requiring groups to become more imaginative in the Christmas display they erect which will include the planted tree. Council will need to consider working with Groups to help them achieve this.

The Christmas Illuminations and Celebrations Group is seeking to roll out this programme through an Expression of Interest exercise coordinated through AHC to include 14 additional Christmas tree sites in 2019. From experience of last year the costs to establish one site can vary £3075.00 to £8325.00, with the higher costs applying where no power exists.

There were several costs associated with this project; purchase of the tree, planting of the tree, providing a power connection point close to the tree and in cases where there was no readily available power source, a cost to have a power supply provided from NIE.

1. Cost of Tree £1750.00
2. Weekly storage of tree pending planting £175.00
3. Planting of tree and one-year maintenance £850.00
4. Additional works for power connection £300.00
5. Supply of power supply from NIE £3500.00 to £4500.00
6. Cost of mini pillar for new power supply est £750.00

Should the Council decide to proceed with a further 14 sites then cost to establish these trees can be expected to be between £43050.00 and £116,550.00.

The Committee is asked to consider this proposal and to agree for AHC to commence an Expression of Interest exercise to identify groups and sites across the district who would be interested in taking part in this project. Groups will be advised that progress of the project will be subject to agreement on funding of the project by the Council.

It should be noted that there is no budget agreed in 2019/20 for this further roll out of the programme. Agreement on funding this programme would be considered through the Council's SP&R Committee following a review of the outcome of the Expression of Interest exercise when a clearer understanding of likely costs will be known. Available funding could be allocated by SP&R Committee once the mid year assessment of any under spend in the Council's overall revenue budget is assessed.

There are additional costs for this project to include supply of new Christmas lights for the tree and grant assistance to the local community to organise a celebration event but these costs are covered through the AHC Directorate which has funding in place.

1.3	<p><b><u>Assessment of Council's Festive Display in 2018</u></b></p> <p>The Council uses a range of means including provision of Christmas Lighting and Christmas trees to help celebrate the Christmas season. Since RPA the undertaking from Council has been to continue to provide the level of service as was provided prior to RPA.</p> <p>From year to year the Council receives a mixture of compliments and criticism for various parts of its display. For 2018 there was generally positive feedback on the Council display. An Officer of the Council undertook an assessment of the display in each location during night time hours and his findings were presented to the members of the Christmas Illuminations and Celebrations Group. His report makes recommendations for replacing stock and enhancing some areas.</p> <p>Last year the Council agreed that if opportunities arise to purchase ex-hire Christmas Illumination stock, then officers are permitted to proceed with procurement subject to compliance with Council Procurement Procedures. Such an opportunity has arisen and Officers are looking at replacing some of the existing Christmas Illuminations with ex hire stock.</p> <p>There remains a number of items which are recommended for replacement or new items to enhance existing displays, but which are not available through ex hire and it is proposed that a further report will be made to this Committee in June when further detail is available.</p> <p>The report to the Christmas Illuminations and Celebrations Group also makes recommendations to extend current provision in a number of areas including, Kilkeel, Castlewellan, Newcastle and at some of our high footfall civic buildings such as Newry and Down Leisure Centres. The Group accepted these recommendations and the Committee is asked to endorse this by approving this as a recommendation.</p>
2.0	<p><b>Key issues</b></p>
	<ul style="list-style-type: none"> <li>• The Council's Christmas Illuminations and Celebrations Group was set up to agree on how Council will help local communities across the district celebrate Christmas.</li> <li>• In 2018 work arising from this Group led to rolling out of the Christmas Tree Pilot Project which saw the planting of 6 real Christmas trees for local groups who agreed to participate.</li> <li>• This was generally considered successful and it is now proposed to continue this programme for a further 14 sites subject to agreement on funding the project which is estimated to be between £43,050.00 and £116,550.00 which is currently not included in the budget.</li> <li>• There are additional costs for this project to include supply of new Christmas lights for the tree and grant aid assistance to the local community to organise a celebration event but these costs are covered through the AHC Directorate which has funding in place.</li> </ul>

	<ul style="list-style-type: none"> <li>The Council provides a wide range of Christmas illuminations across the district and following an assessment of the display provided in Christmas 2018 it is proposed to renew some of the existing stock and to enhance some areas by providing additional Christmas lights where previously there were none. This will be funded through available capital budget.</li> </ul>
<b>3.0</b>	<b>Recommendations</b>
3.1	<ul style="list-style-type: none"> <li>Note the contents of this report and the report of the Christmas Illuminations Group Meeting held on 26<sup>th</sup> February 2019.</li> <li>To agree to commence an Expression of Interest exercise to identify groups and sites across the district who would be interested in taking part in the Christmas tree project subject to agreement on funding of the project.</li> <li>Additional costs required for this project to be considered under separate report to SP&amp;R Committee following the completion of the Expression of Interest and when information is available from the mid-year assessment on any potential underspend within the Council's Revenue budget.</li> <li>To agree to extend the current provision of Christmas Illuminations in a number of areas including, Kilkeel, Castlewellan, Newcastle and at some of our high footfall civic buildings such as Newry and Down Leisure Centres.</li> <li>Officers be granted authority to find a suitable location to plant the remaining purchased Christmas tree and to have the tree planted there.</li> </ul>
<b>4.0</b>	<b>Resource implications</b>
4.1	<p>Estimated costs to establish 14 additional sites is between £43050.00 and £116,550.00 (subject to availability of power).</p> <p>Note that there is no available revenue funding for this within Neighbourhood Services Directorate budget for 2019/20. Separate approval will be required through the Council's SP&amp;R Committee for any proposed expenditure not within budget, once information is available from the mid-year assessment on any potential underspend within the Council's Revenue budget.</p> <p>Capital budget under FM&amp;M remaining is £68,883.00 (2019 – 2022) which has been set for the purchase of new Christmas Illuminations.</p>
<b>5.0</b>	<b>Equality and good relations implications</b>
5.1	It is not anticipated that the proposal will have an adverse impact upon equality of opportunity and good relations.
<b>6.0</b>	<b>Rural Proofing implications</b>
6.1	Due regard to rural needs has been considered.



<b>7.0</b>	<b>Appendices</b> Appendix 1: Action Sheet – Christmas Illuminations and Celebrations Group Meeting 26 February 2019.
<b>8.0</b>	<b>Background Documents</b>  <i>This relates to meeting requirements outlined in Part 8 of the Local Government Act (NI) 2014, Access to Meetings and Documents, wherein for four years after a meeting the following must be available at the Council Offices and on the website:</i>  <i>Background papers which are defined as those documents relating to the subject matter of a report which:</i> <ul style="list-style-type: none"><li><i>a) Disclose any facts or matters which in the opinion of the Chief Executive, the report or an important part of the report is based upon; and</i></li><li><i>b) Have, in the Chief Executive's opinion, been relied upon to a material extent in preparing the report.</i></li></ul> <i>These are documents on which the report, or an important part of the report, is based upon and have been relied upon to a material extent in preparing the report.</i>

### Action Sheet

#### Christmas Illuminations and Celebrations Meeting held on

**Tuesday 26<sup>th</sup> February 2019**

**Councillors In attendance** Cllr H Harvey, Cllr M Ruane, Cllr J Tinnelly, Cllr W Clarke, Cllr M Murnin,

**Officials in attendance:**, Ms J Hillen, Ms A Rennick, Ms T McDonald, Ms C Burns, Mr Aidan Mallon, Mr A Sweeney, E Brennan, P McAlinden, C Loughran,

**Apologies:** Cllr J Trainer, J McCauley, G Fitzpatrick, O McMahon, Mr K Scullion  
C Moffett. A McGill,

Subject	Action	Officer Responsible
Action Sheet Review	Councillors congratulated Officers on the success of the Pilot and thanked them for all their hard work.	
Evaluation/Review of Christmas 2018	<p>Updates were given regarding</p> <ul style="list-style-type: none"> <li>• Flagship Events</li> <li>• Town Centre/Village Illuminations</li> <li>• Financial Assistance</li> <li>• Sustainable Tree Initiative and the</li> </ul> <p><b>Consideration to be given to:</b></p> <ol style="list-style-type: none"> <li>1. Provide additional lights/fixtures to Castlewellan . Proposed M Murnin–seconded by M Ruane</li> <li>2. Possibility of providing additional lighting around Newcastle Centre</li> <li>3. Changing the colour of the lighting in Warrenpoint</li> <li>4. Purchase of ex-hire stock to continue through Neighbourhood Services</li> <li>5. Introduction of 14 (2 per DEA) additional sustainable tree initiatives following an EOI to local community organisations through the DEAs</li> </ol>	<p>KScullion/A Mallon</p> <p>KScullion/A Mallon</p> <p>KScullion/A Mallon</p> <p>JHillen/A Rennick</p>

Sustainable trees to be rolled out throughout the area	<p>Projected 7-10 years before Sustainable trees in full growth and provided throughout the district</p> <p>Costs for sustainable trees can vary from £4,310 to £9,560 per tree depending on location/electricity supply etc. In the long term this should prove cost effective – no purchase of cut trees Electricity supply could be used for other events – ERT – Environmental Improvements Schemes</p>	K Scullion/A Mallon
Council Papers	Future papers will go through Neighbourhood Services Committee for approval.	K Scullion
Budget	Approximately £64k additional costs for planting 14 sustainable trees funded through NS	K Scullion
	14 additional Pilots funded through AHC	J Hillen
Promotion	Sustainable trees need to be promoted through communities – require community involvement (Photo opportunity taken)	A Rennick
Financial Assistance	23 Community Group applications recommended for funding Total Costs £ 73,823 – Money sought £54,465 Amount Granted £28,898.	C Burns
Project Evaluation	<p>Community Representatives were satisfied with the roll out of the Pilot. Going forward consideration should be given to timescales for funding and size of trees.</p> <p>Councillors thanked the community groups on their commitment and dedication.</p>	
Date of next meeting	Thursday 13 <sup>th</sup> June 2019 Venue Monaghan Row – Conference Room Time 15:00 – 16:00	J Hillen



<b>Report to:</b>	Regulatory & Technical Services Committee
<b>Date of Meeting:</b>	20 March 2019
<b>Subject:</b>	Community Spring Clean-Up Initiative
<b>Reporting Officer:</b>	Johnny McBride, Assistant Director: Waste Management (Acting)
<b>Contact Officers:</b>	Liam Dinsmore, Head of Waste Processing & Enforcement Sheena McEldowney, Head of Sustainability (AHC)

<table border="1"> <tr> <td><b>For Decision</b></td> <td><b>X</b></td> <td><b>For Noting Only</b></td> </tr> </table>		<b>For Decision</b>	<b>X</b>	<b>For Noting Only</b>
<b>For Decision</b>	<b>X</b>	<b>For Noting Only</b>		
<b>1.0</b>	<b>Purpose &amp; Background</b>			
1.1	The purpose of this report is to recommend for Member approval the piloting of a Community Spring Clean-Up initiative, which has been co-designed with the Council's Active & Healthy Communities (AHC) Directorate.			
1.2	The initiative will be known as the "Cleaner, Greener Communities Initiative" and builds on a growing social movement in respect of environmental issues, as well as the success of other Spring-based community clean-up initiatives (i.e. "Big Spring Clean").			
<b>2.0</b>	<b>Key Issues</b>			
	<u>Aim</u>			
2.1	The primary aim of this new Council initiative is to encourage civic pride throughout the District, by supporting local community groups in undertaking "litter picks" in their own areas. The initiative will be run during the months of April and May 2019 and will support other Council campaigns such as the Dog Fouling strategy, and Food Waste Recycling etc.			
	<u>Scope</u>			
2.2	The scope of the initiative includes: <ul style="list-style-type: none"> <li>i. Council support for all participating groups via the provision of "litter pick kits", which will include: large bags; litter pickers; dog fouling posters / stickers plus "Always use your brown bin" wrap stickers;</li> <li>ii. In return for Council support, participating groups must commit to carrying out two community 'litter picks' in their local area (which must be completed by 31 May 2019); help raise awareness of the Council's Dog Fouling campaign by displaying the "Pick up the poo before they do" posters / stickers; and help raise awareness of food waste recycling by displaying the "Always use your brown bin" wraps on brown wheelie bins in their local areas;</li> <li>iii. The holding of a celebration / awards event in June 2019, with representatives from all participating groups invited to attend; and</li> <li>iv. The award of up to forty (40) redeemable vouchers, each to the value of £50.00, for those groups who have participated in the initiative. Funding for these vouchers has been committed by Natural World Products (NWP) Ltd (the Council's organic waste</li> </ul>			

	contractor). Before vouchers are issued and in advance of the event, participating groups must provide evidence that the three agreed actions have been completed <sup>1</sup> .
	<b>Governance</b>
2.3	Members are asked to note that any participating community groups must first register with the Council, using an expression of interest form. As part of this process, local community groups will be required to confirm their own public liability insurance provision, as well as relevant permissions from landowners / property owners / householders concerning the display of promotional materials (i.e. posters, bin wraps etc.). The initiative will be administered by the Council's AHC Directorate.
	<b>Official Launch</b>
2.4	The initiative will be formally launched on <b>Tuesday, 9 April 2019</b> , with groups being given a two-week period to register with the Council. The initiative will close on Friday, 31 May 2019.
	<b>Evaluation &amp; Review</b>
2.5	Officials will review the success of the initiative in terms of community group participation, number of litter bags produced etc. and will bring back a report to a future Committee meeting, to consider its future continuation.
<b>3.0</b>	<b>Recommendations</b>
3.1	Members are asked to consider and agree to the recommendation to: <ul style="list-style-type: none"> <li><b>i. Approve the "Cleaner, Greener Communities Initiative".</b></li> </ul>
<b>4.0</b>	<b>Resource Implications</b>
4.1	There are no resource implications attached to this specific report. Members are asked to note that a £2,000 sponsorship fund has been committed by NWP Ltd. This will be used for the purposes of supporting the use of redeemable vouchers.
<b>5.0</b>	<b>Equality &amp; Good Relations Implications</b>
5.1	There are no equality and good relations arising from this specific report.
<b>6.0</b>	<b>Rural Proofing Implications</b>
6.1	There are no rural proofing implications arising from this specific report.
<b>7.0</b>	<b>Appendices</b>
	<ul style="list-style-type: none"> <li>▪ <b>None</b></li> </ul>

<sup>1</sup> Participating groups can also include as evidence any other "positive" environmental activity they have undertaken or been involved in during April and May 2019 over and above the three agreed actions. All evidence will be considered for attendance at the celebration event.

<b>Report to:</b>	Regulatory & Technical Services Committee
<b>Date of Meeting:</b>	20 March 2019
<b>Subject:</b>	Cross Border Anti-Dumping Project
<b>Reporting Officer:</b>	Johnny McBride, Assistant Director: Waste Management (Acting)
<b>Contact Officer:</b>	Liam Dinsmore, Head of Waste Processing & Enforcement

<b>For Decision</b>	<b>X</b>	<b>For Noting Only</b>
<b>1.0 Purpose &amp; Background</b>		
1.1	The purpose of this report is to recommend for Member approval the initiation of a cross border anti-dumping project between Louth County Council (LCoCo) and Newry, Mourne & Down District Council (NMDDC). This project was considered and approved by the (LCoCo / NMDDC) Joint Committee at its meeting on the 20 February 2019.	
1.2	Recent discussions between Officials of both Councils suggest there is considerable scope for a joint project to help address issues of fly-tipping and illegal dumping, particularly in border areas.	
<b>2.0 Key Issues</b>		
Vision & Aims		
2.1	This project plan will aim to deliver the vision of;  "A future for Louth Co. Council & Newry, Mourne and Down District Council where we work together so as to bring about a significant reduction in the unacceptable social, economic and environmental harm caused by illegal dumping of waste".	
2.2	The project will target illegal dumping activities along the border corridor by coordinating, supporting and enhancing the prevention, investigation and enforcement activities of partner organisations to tackle the problem and reduce the number of incidents in the border area.	
2.3	The project will be delivered through enhanced partnership and increased collaboration between all relevant bodies and organisations within the two jurisdictions, to ensure the best outcome for our environment, communities, businesses and resources.	
Scope		
2.4	The scope of the project includes: <ul style="list-style-type: none"> <li>i. Joint clean-up operations – identifying projects where joint clean-up initiatives through a combination community groups own resources can be effectively rolled out i.e. National Spring Clean events</li> <li>ii. Awareness campaigns – social media campaigns, local print and radio and how to effectively utilise these resources to address the problem;</li> <li>iii. GDPR – data sharing agreement;</li> </ul>	

	<ul style="list-style-type: none"> <li>iv. Preventative measures – pooling of resources and information sharing in identifying illegal activity and actions for prevention;</li> <li>v. Joint surveillance operations – sharing and best use of intelligence, potential CCTV operations, trail surveillance; and</li> <li>vi. Smart enforcement technologies – best practise use of technology to establish cross-border dumping trends and hot-spots.</li> </ul>
<b>3.0</b>	<b>Recommendations</b>
3.1	<p>Members are asked to consider and agree to the recommendations, as originally presented to the Joint Committee, to:</p> <ul style="list-style-type: none"> <li><b>i. Initiate the cross border anti-dumping project;</b></li> <li><b>ii. Mandate Officials from the Council to prepare a joint action plan with Louth County Council; and</b></li> <li><b>iii. Support the identification of external funding sources to support the implementation of the project.</b></li> </ul>
<b>4.0</b>	<b>Resource Implications</b>
4.1	<p>There are no resource implications attached to this specific report; however, it is likely the project will have resource implications for both Councils to consider. These cannot be quantified at this stage, however it is anticipated that the resourcing requirements (financial and human capital) of the project will be identified as part of the production of the joint action plan. Members will be provided with a copy of the action plan for approval at a future meeting.</p>
<b>5.0</b>	<b>Equality &amp; Good Relations Implications</b>
5.1	<p>There are no equality and good relations arising from this specific report.</p>
<b>6.0</b>	<b>Rural Proofing Implications</b>
6.1	<p>There are no rural proofing implications arising from this specific report.</p>
<b>7.0</b>	<b>Appendices</b>
	<ul style="list-style-type: none"> <li>▪ <b>Appendix I – Cross Border Anti-Dumping Project</b></li> </ul>





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## 1 Introduction

### 1.1 Vision of the Project

This project plan will aim to deliver the vision of;

*"A future for Louth Co. Council & Newry, Mourne and Down District Council where we work together so as to bring about a significant reduction in the unacceptable social, economic and environmental harm caused by illegal dumping of waste".*

The project will target illegal dumping activities along the border corridor by coordinating, supporting and enhancing the prevention, investigation and enforcement activities of partner organisations to tackle the problem and reduce the number of incidents in the border area.

The project will be delivered through enhanced partnership and increased collaboration between all relevant bodies and organisations within the two jurisdictions, to ensure the best outcome for our environment, communities, businesses and resources.

### 1.2 Current Situation – Scale of the Problem

Illegal dumping of "litter" and "waste" *is a significant blight on the landscape along the border corridor. It is a criminal offence and one of the most common forms of anti-social behaviour. It poses a significant negative environmental, social and financial impact on both Councils. In addition to being a blight the countryside, it is a threat to livestock and local wildlife, a source of pollution, a danger to public health, and attracts other forms of anti-social behaviour and environmental crime such as arson, littering, graffiti and dog fouling.*

Illegal dumping can also affect both the tourism and inward investment potential of an area as well as the value of local homes. It undermines legitimate waste businesses, as illegal operators avoid waste disposal costs and undercut those who abide by the law.

The consequence of illegal dumping is not only a significant risk to local communities, but also a considerable draw on valuable local authority budgets and other responsible bodies' resources which could be better directed elsewhere, as well as a cost to private landowners.

## 1.2 Drivers for change

There are three key drivers for developing a joint approach to tackling and reducing illegal dumping along the border corridor:

### A. Environmental, Social and Financial Impact:

The environmental and social harm caused by illegal dumping is unacceptable, with increased financial costs for collection, investigation and disposal activities impacting on Council services. This does not take into account the considerable costs incurred by private landowner.

This money would be better directed towards other services, particularly in a climate where local authorities and other public bodies are increasingly required to make difficult decisions about where to focus their resources due to cuts in Government funding.

### B. Improved Partnership Working:

Continue to further develop the potential of the existing Memorandum of Understanding (MOU) that was signed between the two Councils to explore how this can be turned into more practical development opportunities.

The aim is to share information and resources to develop a holistic best practice approach between Louth County Council and Newry & Mourne District Council to tackle the problem of fly-tipping through a joint strategy.

### C. Public Perception:

It is acknowledged that illegal dumping is an issue of particular interest to residents, communities and businesses, evidenced by correspondence received by local authorities, regular concerns expressed by private landowners (Coillte), other rural interests and the level of coverage in the local media.

Illegal dumping impacts upon local environmental quality in a way that is immediately visible. It can have an impact upon house prices and local businesses and often can be viewed alongside other environmental crimes such as graffiti, whereby it is associated with a general decline in local standards. Along the border corridor it is

also particularly associated with a damaging impact upon the highly valued countryside. These are all reasons why it is an issue of concern to the public, and one which needs to be addressed.

## **2. Factors that Contribute to Illegal Dumping:**

The primary causes of illegal dumping along the border corridor are:

- financial gains or savings (not paying for a bin collection services, landfill costs)
- illegal financial gains on fuel laundering (Gangs based on the border move between the Republic and Northern Ireland to avoid detection. Some gangs have portable laundering facilities).
- lack of waste disposal facilities or access to them
- laziness and an attitude that it's someone else's responsibility / country to clear up the waste.
- The legality issues of cross border enforcement and following up of legal prosecutions / fines.

In addition to the above, there are a number of other reasons that are believed to be contributing to the amount of fly-tipping:

- Increased economic activity (e.g. housing/home development) contributing to larger amounts of construction waste.
- Agencies scaling back enforcement activities / resources with illegal dumping not treated as a priority (likely to be associated with reduced budgets).
- Prevention measures not working.
- Rural characteristics of some areas of the county offers opportunities to dump waste with relatively low chance of being spotted.

## **3. Developing the Project**

### **3.1 Scope of the Partnership**

This project is a partnership approach led by Louth County Council (LCC) and Newry, Mourne and Down District Council (NMDDC). However as the initiative further develops and projects are identified other potential organisations, listed below, could also form part of an overall partnership. Not all organisations listed are directly responsible for dealing with illegal dumping, but all are working collaboratively to help address the issue:

- East Midlands Waste Region
- National Trans Frontier Shipment Office (NTFSO)
- Northern Ireland Environment Agency (NIEA)

- Local Tidy Towns / Communities / Environmental groups
- Local Schools
- Private Landowners

### 3.2 Common Issues:

This project plan will look to address the following common issues:

- **Cross-border Partnership Working** – With a focus on the wider concerns of sharing data, legislation, awareness, joint initiatives and potential funding opportunities.
- **Education of Communities and Businesses** – Many households & businesses on both sides of the border are unaware of their responsibilities when disposing of their waste (i.e. to keep waste safe and to make sure it's dealt with responsibly and only given to businesses authorised to take it).
- **Data Recording / Smart Technologies** – Encouragement and support will be offered to Litter Wardens, Enforcement Officers and other stakeholders in the reporting of incidents. How data is recorded and shared can assist further investigations by Enforcement Officers within both jurisdictions.
- **Partnering Resources** – Different levels of access to information and resources to assist with investigation and enforcement activities against illegal dumping.

### 3.3 Project Scope:

The scope of the project includes:

- **Joint clean-up operations** – identifying projects where joint clean-up initiatives through a combination community groups own resources can be effectively rolled out i.e. National Spring Clean events
- **Awareness campaigns** – social media campaigns, local print and radio and how to effectively utilise these resources to address the problem
- **GDPR** – data sharing agreement

- **Preventative measures** – pooling of resources and information sharing in identifying illegal activity and actions for prevention
- **Joint surveillance operations** – sharing and best use of intelligence, potential CCTV operations, trail surveillance
- **Smart enforcement technologies** – best practise use of technology to establish cross-border dumping trends and hot-spots.

## 5. Aims and Objectives of the Project:

This Plan will initially focus on delivering the following three key *aims and objectives*, which will address the common issues listed above:

**Aim 1:** Stimulate and maintain a change in behaviour amongst cross-border communities, residents, businesses and landowners that helps reduce the amount of illegal dumping along the border corridor, underpinned by a common understanding of illegal dumping as a socially unacceptable behaviour.

*Objective:* Joint Partnership working in;

- creating awareness of the financial and environmental impacts of illegal dumping.
- educating residents and businesses about their “duty of care” responsibilities when disposing of waste.
- highlighting the consequences of illegal dumping.
- enabling and encouraging landowners to help prevent illegal dumping.
- encouraging and enabling the reporting of illegal dumping incidents.
- making it easier to report dumping and perpetrators

**Aim 2:** Jointly agree the most efficient process for reporting, collecting & sharing of data, enabling enforcement measures to be undertaken in each jurisdiction.

*Objective:* Sharing of Data

- Establish and agree a common understanding of the legislations and the mechanisms in relation to sharing of information etc., whilst complying with GDPR and Data Protections Regulations. This will help to define a collaborative approach in terms of actions and information sharing.

**Aim 3:** Work together to maximise investigation resources and knowledge, to achieve improved outcomes.

*Objective: Working together*

- Establish a network and platform to share intelligence on illegal dumping incidents, as well as best practice and resources on prevention between partner organisations.
- Use technology to assist with intelligence gathering and enforcement activities.
- Identify resources that can be applied to investigation activities and processes.
- Work together to investigate and identify actions against serial offenders.
- Ensure enforcement is used to good effect with maximum penalties and fines in both jurisdictions, with subsequent media / awareness campaigns to help serve as a deterrent to future incidents.

**Outcomes:**

The delivery of the aims and objectives will work towards achieving the following outcomes:

- It will become easier for people to understand how they can dispose of their waste responsibly.
- Effective mechanisms are put in place to catch those responsible for illegal dumping, leading to a higher conviction rate with greater penalties being levied where possible.
- A decrease in the number of fly-tipping incidents across the border corridor, improving the environment and reducing the cost to the taxpayer and private landowners.

## 6. Key Enablers

- Existing MoU in place & current working relationships between LCC and NMDDC
- Maintaining current & future contact with each other's waste management sections.
- Establishing a working forum, regular meetings etc.
- Previous & Existing Experiences - experience in terms of the management and enforcement of waste issues and previous experience of joint initiatives undertaken.
- Community Group relationships - each Authority has well established links with environmental and community groups and by building on this to create further initiatives
- Instilling / restoring pride/willingness in communities, private landowners and residential areas to combat illegal dumping from the knowledge that Local Government is also tackling the issue.



<b>Report to:</b>	Regulatory & Technical Services (RTS) Committee
<b>Date of Meeting:</b>	20 March 2019
<b>Subject:</b>	Consultation responses to Extended Producer Responsibility for Packaging, Deposit Return and Plastics Non-Recycled Content Tax
<b>Reporting Officer:</b>	Johnny McBride, Assistant Director: Waste Management (Acting)
<b>Contact Officer:</b>	Johnny McBride, Assistant Director: Waste Management (Acting)

<table border="1"> <tr> <td><b>For Decision</b></td> <td><b>X</b></td> <td><b>For Noting Only</b></td> </tr> </table>		<b>For Decision</b>	<b>X</b>	<b>For Noting Only</b>
<b>For Decision</b>	<b>X</b>	<b>For Noting Only</b>		
<b>1.0</b>	<b>Purpose &amp; Background</b>			
1.1	The purpose of this report is to seek Member approval to a recommendation to consider a Council response as part of a wider arc21 response to the three consultations.			
<b>2.0</b>	<b>Key Issues</b>			
	<u>Consultations</u>			
2.1	The UK Government has recently issued four separate consultations which have the potential to significantly impact upon the waste management industry. Three of the consultations will have a direct impact upon Northern Ireland, namely: <ul style="list-style-type: none"> <li>i. Reforming the UK Packaging Producer Responsibility Scheme (PPRS);</li> <li>ii. Introducing a Deposit Return Scheme (DRS); and</li> <li>iii. Plastic Packaging Tax (PPT).</li> </ul>			
	<u>Reforming the UK Packaging Producer Responsibility Scheme (PPRS)</u>			
2.2	Representing the most significant of the three consultations, the PPRS sets-out proposals for reforming the UK producer responsibility regime for packaging waste. Key elements of the reform proposals include: <ul style="list-style-type: none"> <li>i. The scope of producer obligations;</li> <li>ii. Revenue generation to support improvements to collections and recycling infrastructure;</li> <li>iii. Proposed new packaging waste recycling targets for 2025 and 2030; and</li> <li>iv. Possible future governance arrangements.</li> </ul>			
	<u>Deposit Return Scheme (DRS)</u>			
2.3	The primary aim of the proposals are to reduce littering and improve recycling, and include future models and links with the PPRS.			
	<u>Plastic Packaging Tax (PPT)</u>			
2.4	This consultation sets-out proposals in relation to a future Plastic Packaging Tax (PPT) and considers issues such as defining products within the scope of the tax, rates and compliance.			

2.5	A copy of an arc21 presentation which summarises the key issues is provided at <b>Appendix I</b> .
<b>3.0</b>	<b>Resource Implications &amp; Recommendations</b>
3.1	There are potentially very significant resource implications for the Council to consider arising from any new legislation emerging from these consultations, including potential income for local authorities. Given the regional significance of the issues, it is recommended the Council's response be considered as part of a wider arc21 response. Members are asked to contact Officers in the event they wish for specific issues to be raised and to be included in the wider arc21 response. The response to these consultations will be provided to the June Neighbourhood Services Committee meeting, which is the first available appropriate meeting due to the Elections.
<b>4.0</b>	<b>Equality &amp; Good Relations Implications</b>
4.1	There are no equality and good relations arising from this specific report.
<b>5.0</b>	<b>Rural Proofing Implications</b>
5.1	There are no rural proofing implications arising from this specific report.
<b>6.0</b>	<b>Appendices</b>
	<ul style="list-style-type: none"> <li>• <b>Appendix I</b> – arc21 presentation</li> </ul>

# Thursday 28 February 2019

## Joint Committee

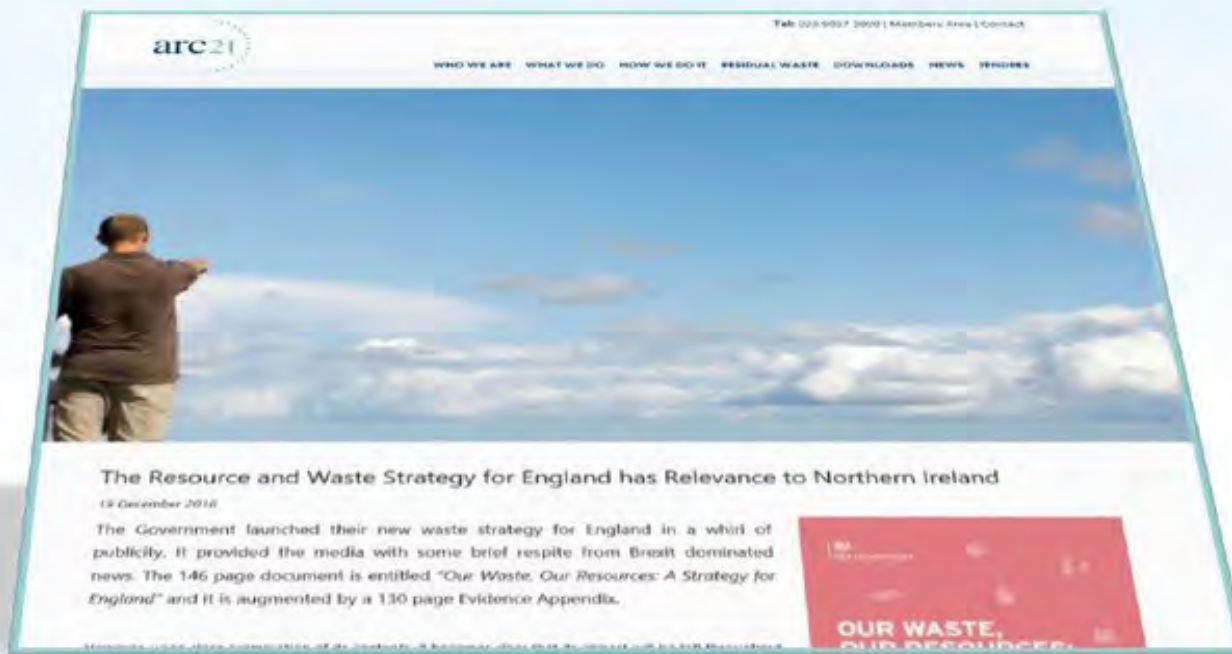
### Introduction to Important New Consultations





# Government Consultations

Flow from the publication of the long awaited Resource and Waste Strategy for England.



*“ we will work with the devolved administrations to coordinate policy on resource and waste, to ensure that approaches are aligned and impacts on the UK Internal Market are minimised,”*

arc21

# Government Consultations

4 separate consultations;

1. Reforming the UK Packaging Producer Responsibility Scheme (PPRS)
2. Introducing a Deposit Return Scheme in England, Wales and Northern Ireland (DRS)
3. *Consistency in Household and Business Recycling Collections in England (CHBRC)*
4. Plastic Packaging Tax (PPT)

# Government Consultations

Consultation	Length	No. of Pre-set Questions	Closing date
PPRS	182 pages	95	13 May 2019
DRS	128 pages	88	
<i>CHBRC</i>	<i>127 pages</i>	95	
PPT	46 pages	56	12 May 2019
<b>Total</b>	<b>483 pages</b>	<b>334</b>	

## PPRS



**Reforming the UK producer responsibility regime for packaging waste.**

## •Part A:

- The proposed definition of full net cost
- How to incentivise good design
- Scope of the producer responsibility obligation in a reformed system
- How money raised can support improvements to collections and recycling infrastructure
- Proposals to improve recycling communications and labelling



# PPRS

- Part B:
- Proposed new packaging waste recycling targets to 2025 and 2030





- Interim packaging waste recycling targets for 2020 to 2022
- Part C:
- How packaging waste can be managed responsibly domestically and globally
- Four governance options, including market-based options and a single management organisation
- How a reformed system can be more transparent
- Arrangements for monitoring compliance and enforcing a revised system



# DRS

Aim: Reduce littering and increase recycling

- Proposed models: 'all-in' and 'on the go'
- Materials and drinks in scope
- Overlap with packaging producer responsibility system
- Deposit Management Organisation (DMO)
- The deposit
- Monitoring/enforcement
- Councils



# DRS ( Scotland)

3,215 responses (25 public sector bodies) Majority favoured:

- ❖ UK wide scheme
- ❖ 'All in' scheme
- ❖ Wide range of materials
- ❖ Deposit level between 15p and 20p



# PPT

- Defining products within the scope of the tax
- Setting a threshold for recycled plastic content
- The approach to rates
- The precise point at which the tax is charged and who will be liable to pay
- How to minimise administrative burdens for the smallest operators and/or low volumes of production or import
- The treatment of imports and exports
- Promoting compliance and preventing opportunities for tax avoidance or evasion



# CHBRC

## Households:

- collect the same core set of dry recyclable materials from households
- have separate weekly food waste collections from households
- free garden waste collection service?
- how to achieve greater separation of dry materials in collections, especially paper and glass to improve the quality of dry recyclables collected from households
- whether statutory guidance on minimum service standards for waste and recycling services should be introduced
- how to develop non-binding performance indicators to support local authorities to deliver high quality and quantity in recycling and waste management
- how to support joint working between local authorities on waste; alternatives to weight-based targets; and having standardised bin colours for waste and recycling



# CHBRC

## Business;

- all affected businesses and organisations to segregate dry recyclable materials from residual waste so that these can be collected for recycling
- all affected businesses and organisations to separate their food waste to be collected and recycled or composted
- measures to reduce costs of waste collection for businesses and organisations
- measures to improve the availability of data and information on business waste and recycling



# Impact Already



### M&S Take-Back Scheme To Turn Plastic Into Playground Equipment

Published on 26 January 2019 by Beal Moore

Marks & Spencer is launching a new initiative to enable customers to bring back non-recyclable plastic packaging. This will then be turned into playground equipment.



Customers can drop a variety of plastic packaging in M&S's new recycling bins, including black ready meal trays, crisp packets, sauce sachets and certain cosmetics containers, all of which aren't currently recycled by local councils and typically end up in landfill.

The retailer has pledged to give collected plastic a new life by recycling it into store fittings, furniture and playground equipment for schools.

The scheme has initially launched in Food and Beauty Halls at M&S Tolworth, Cibbs Causeway, Westfield Stratford, Watenside, Loughton, Blunston, Fosse Park and Peterborough. The retailer will roll-out the bins to M&S stores nationwide by the end of 2019, which will be made from recycled plastic collected through the trial eight years.

In addition to benefiting customers, M&S will introduce recycling collection points to primary schools across the country in collaboration with waste education social enterprise, WasteWise, where pupils will be taught about the importance of recycling and reducing plastic waste.

Laura Fernandez, Senior Packaging Technologist at M&S, said: "As a business, we're committed to reducing the amount of plastic that ends up in landfill."

Laura Fernandez, Senior Packaging Technologist at M&S - "We're on a mission to provide a greener awareness of landfill avoidance and plastic recyclability, while ultimately helping our customers to give



25 JANUARY 2019 by Will Dale

### Iceland extends DRS trial to Northern Ireland

Food retailer Iceland has extended its in-store deposit return scheme trial for drinks packaging, launching what it has described as Northern Ireland's first reverse vending machine in its Belfast store.

The frozen food specialist will be trialing the machine for six months at its Belfast Park Centre store, "to further understand consumer appetite for the scheme."

This will build on its existing trial, launched in May 2018, which has seen reverse vending machines installed at stores in Wolverhampton, Mold, Fulham and Musselburgh, as well as a machine for staff at the retailer's head office in Deeside.

Reverse vending machines reward individuals for recycling by providing money or vouchers in return for empty containers. Iceland's reverse vending machine accepts any Iceland plastic beverage bottle and repays customers with a 10p voucher to be used in store for each bottle recycled.



Matt Downes, head of initial development for Iceland UK, pictured with Iceland employees Jade Craig, Nicole Kelly and Ciara McNeill at the launch of Northern Ireland's first in-store (reverse vending machine at their Park Centre store, near Belfast.



### Hovis and TerraCycle launch bread bag recycling scheme

Bread producer Hovis has launched a recycling initiative for its LDPE bread bags in partnership with the specialist recycler TerraCycle.

According to Hovis, all of its bread bags are recyclable through plastic bag collection points at major retailers' stores. Recently, Hovis has started rolling out clearer recycling labels on packs to encourage more people to dispose of their bread bags through these channels.

Research commissioned by the bread producer suggests that a third of people continue to find recycling challenging as they are unsure of what they can recycle.

ACCEPTED WASTE



Hovis said figures from research also highlight the fact that one-in-ten local authorities currently accept film plastics such as bread bags for recycling. Post-consumer film plastic is seen as challenging to recycle, as it can be difficult to separate from other types of plastic.





## SAVILE ROW COMPANY FACTORY OUTLET



### LUXURY CLOTHING AT AFFORDABLE PRICES

Visit the outlet store of the Savile Row Company (Est'd 1938) in Magherafelt. You'll find a comprehensive range of 100% cotton shirts, pure silk ties and tailored wool suits in all fits and sizes. Discover the full collection of supreme quality clothing at lower prices than you'll find anywhere else.

100% WOOL SUITS £200 | 100% SILK TIES £12.50

Our Store is located at  
Unit 12, Station Road Industrial Estate,  
Magherafelt, BT45 5EY  
Telephone:  
028 7963 4234

Opening hours:  
9.30am to 4.30pm Monday-Friday;  
9.30am to 4pm Saturday;  
Closed on Sunday

editorial feature

## Life In Plastic ISN'T fantastic: 94% Of Consumers Think Retailers Need To Make Packaging More Sustainable In 2019, According to UK Survey

And An Independent Savile Row Tailor Is Leading The Way By Introducing 100% Recyclable And Compostable Packaging

- Plastic Problem Overshadows Price: 79% Of Brits Would Choose An Eco-Friendly Brand Over A Cheaper Competitor
- 96% of Consumers Consider Eco-friendly Packaging To Be "Very Important"
- Times Up On Plastic - 76% Have Made A Conscious Effort To Ditch Plastic In The Last Six Months

Data has revealed that 94% of British consumers think the retail industry needs to do more to tackle plastic packaging waste.

This new data comes from a survey commissioned by The Savile Company, London based tailors of fine shirts and suits, who have just launched 100% recyclable and compostable packaging for their mailed items.

The Savile Row Company, an independent British family run business, is solving the problem of harmful packaging by investing in greener alternatives.

The outer packaging for all their mailing items has been changed to a fully compostable and 100% recyclable paper bag, whilst their shirt packaging is now plastic-free with a fully compostable bag and carefully

cut cardboard clips to maintain the presentation of the shirts.

To coincide with the sustainable packaging initiative, The Savile Row Company commissioned a survey of 1,000 British consumers asking about their own "green" purchasing habits.

And Being Green No Longer Refers To The Colour Of Your Cash...

Being green is more influential than price in the consumers' purchasing decision, with 98% of survey respondents admitting the eco-friendliness of a product's packaging is important to them.

Of the same group, 79% said they would choose to shop with a retailer with 100% recyclable packaging over a cheaper competitor without.

It seems that 2019 could be the year that businesses might

lose out to more conscious competitors if company ethics are not reflecting consumers' demand, especially as 71% said a company's green ethics influence who they shop with.

Sustainable Clothing Retailers Will Be Reaping Rewards

70% of those surveyed said they currently make a conscious effort to buy sustainable or ethical clothing. When asked in which area they proactively purchase eco-friendly products, the top three included: Food (46%), Personal hygiene (24%), followed by Clothing (18%).

This reveals that in order for clothing and fashion retailers to attract more custom in 2019, they need to promote existing green policies or begin to invest in ways to make their operations or products more sustainable to meet the rising demand.

Tuesday February 19 2019 Belfast Telegraph



# **‘Unpacking the Extended Producer Responsibility and Deposit Return Consultations’**

*Multi Sector Event*

*Tuesday 12 March 2019*

*Belfast Metropolitan College, Titanic Campus*





**Northern Ireland  
Centre**



A living, working, active landscape  
valued by everyone.



"You can't  
always get what  
you want but if  
you try  
sometimes well  
you just might  
find you get  
what you need."

*- The Rolling  
Stones*



From: "Payne, Alistair" <Alistair.Payne@infrastructure-ni.gov.uk>  
To: "roland.moore@nmandd.org" <roland.moore@nmandd.org>  
Date: 13/02/2019 15:46  
Subject: RE: contact

Roland,  
Further to our discussion regarding this issue I would outline the following points in relation to any proposed weir on the Newry River .

**Newry River is tidal up to Thompsons Weir (adjacent to Glinree Court)**

The outlets within the tidal reach of the Newry River rely on the low water level during low tide to discharge the flows within each system. Please see attached map indicating the designated watercourse discharge locations.(there are additional storm outlets from NIW systems which are undesignated but provide a drainage function for Newry City centre)

Any increase in normal water level will reduce the ability of these outlets to convey flows and would potentially increase the flood risk in the Newry Urban area. In addition any increase in water level will reduce the self-cleansing ability of outlet infrastructure which in turn will reduce capacity through siltation , leading to increased maintenance costs/flood risk.

Some of the systems within this tidal reach are protected by outlet flaps which require regular inspection and maintenance. The raising of the water levels via a weir structure would make this unachievable.

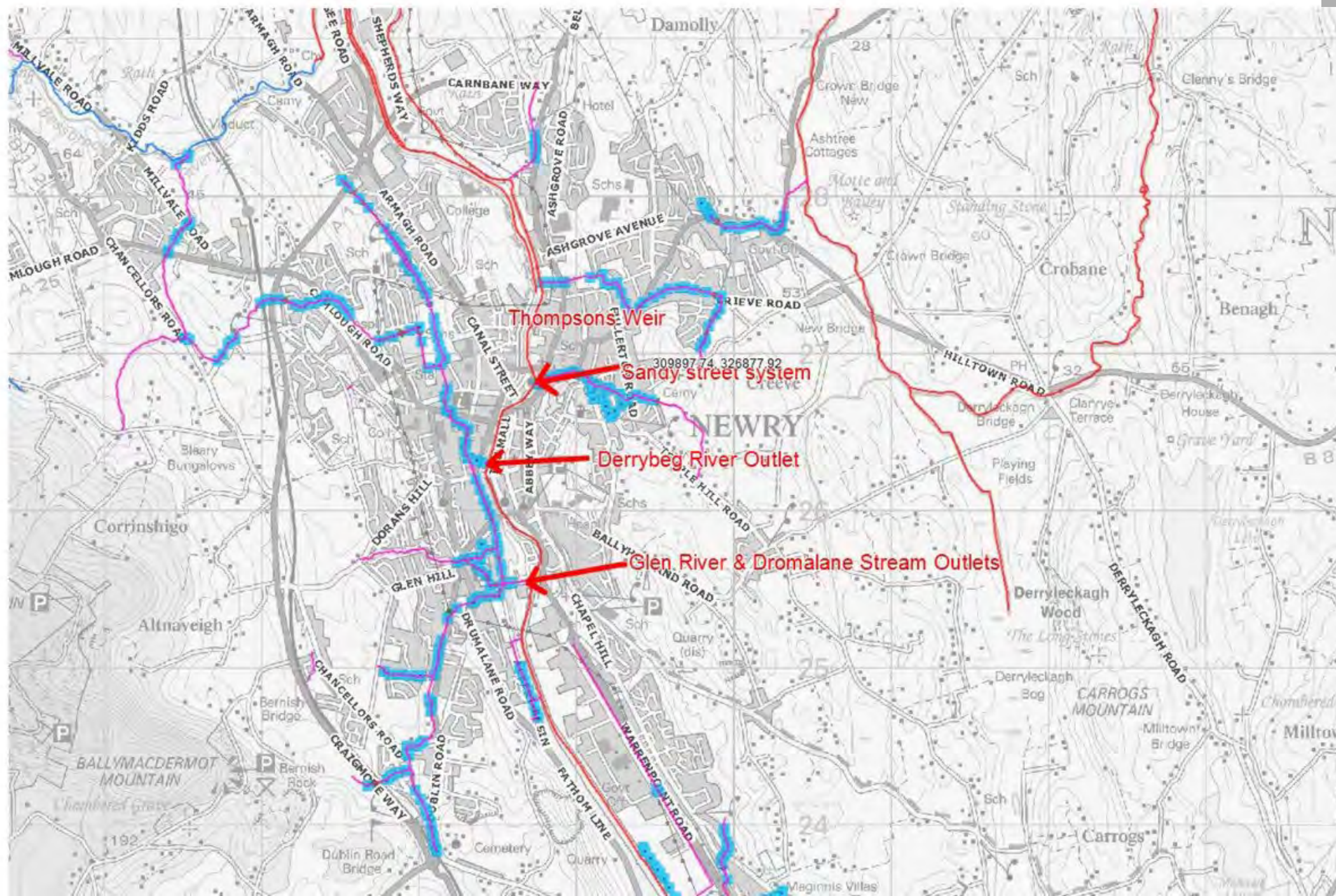
The raised water levels would lead to an overall reduction in channel capacity in the river and connecting culvert systems, leaving no capacity for fluvial rainfall/flood events.

Any proposal to install a weir would require detailed hydraulic modelling to fully assess its impacts to the flood risk in the Newry area. As the weir would have no drainage benefits or reduction in flood risk it is a project which DfI Rivers are unlikely to provide any funding towards.

Regards

**Alistair Payne**

**Area Engineer  
Armagh Sub Region**





**JOINT COMMITTEE**  
**28 February 2019**

**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 037 held on 31 January 2019**

**For approval**

The Joint Committee's approval is sought for the minutes of the meeting held on 31 January 2019.

**Item 4 - Matters Arising**

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

**Item 5 - Minutes of Joint Committee Meeting 037 held on 31 January 2019 held 'in committee'**

**For approval**

The Joint Committee's approval is sought for the minutes of the meeting held on 31 January 2019 'in committee'.

**Item 6 - Matters Arising**

**Item 7 - Senior Management Interim Arrangements**

**Recommendation for approval**

Following the retirement of John Quinn as Chief Executive, the Joint Committee, at its meeting on 31 August 2018, approved interim arrangements being put in place to ensure the continuity of service at the senior management level of the organisation.

The interim arrangements in place involve:

- The appointment of the Policy and Operations Director to Acting Chief Executive; and



**JOINT COMMITTEE**  
**28 February 2019**

- The appointment of the Corporate Services Director to Acting Deputy Chief Executive.

In addition, the Joint Committee agreed that a further report be presented if it is necessary to delegate work to the next tier of the organisation. In this regard the Joint Committee, at its meeting on 4 December 2018, approved arrangements for the Project Coordinator to provide additional support to the Policy and Operations Director role.

Following meetings held by the Chair with Council Chief Executives, and other Council Senior Officers, in regards to the appointment of a permanent Chief Executive, it is generally felt that the current interim arrangements should remain in place for a further period of up to six months.

The Joint Committee is asked to approve the recommendation that the report be noted as a record of the position that the current senior management arrangements in place within the organisation, remain in place for a further period of up to six months with effect from 1 March 2019.

**Item 8 - MRF Contracts - report to be tabled - recommendations for approval**

**Item 9 - Extension to the Contract for the Loading, Haulage and Transfer of Residual Municipal, Co-mingled Dry Recyclable, Organic, Street Sweeping and Bulky Wastes - Lots 1 and 2**

**Recommendation for approval**

The contracts for the Loading, Haulage and Transfer of Residual Municipal, Co-mingled Dry Recyclable, Organic, Street Sweeping and Bulky Wastes (Lots 1 and 2) commenced on 1 June 2017 and are due to expire on 31 May 2019. There is provision within the contracts for a one-year extension.

On the basis, that the current contracts have been operating effectively and taking account that there have been significant increases in the price of fuel since the contract was priced in 2016 it is recommended that the extension be instigated.

The Joint Committee is asked to approve the recommendation in the report.

**Item 10 - Bring Sites Tender Report - report to follow - recommendations for approval**

**OUT OF COMMITTEE & RETURN TO MAIN AGENDA**





**JOINT COMMITTEE**  
**28 February 2019**

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**Item 11 - Contracts and Performance Update****For noting**

Organic waste delivered in January 2019 increased by 16% in comparison to January 2018.

Two rejected loads delivered into Organics delivery sites in January 2019.

Tonnages delivered to the MRF were slightly higher than those delivered in January 2018.

Bring Tonnage increased by 8.4% in comparison to January 2018 to give a contract high of 1,129 tonnes for combined glass, cans, textiles and paper collections.

The Joint Committee is asked to note the report.

**Item 12 - Important Packaging Consultation – presentation at meeting**

**Next Meeting: Thursday 28 March 2019 to be hosted by Antrim and Newtownabbey Borough Council**

**ITEM 3**  
**ARC21 JOINT COMMITTEE**  
**Meeting No 037**  
**Hosted by Mid and East Antrim Borough Council**  
**MINUTES**  
**Thursday 31 January 2019**

**Members Present:**

Alderman A Carson	Ards and North Down Borough Council
Councillor O Gawith	Lisburn & Castlereagh City Council
Alderman J Tinsley	Lisburn & Castlereagh City Council
Councillor B Adger	Mid and East Antrim Borough Council
Councillor D O'Loan ( <i>Chair</i> )	Mid and East Antrim Borough Council
Councillor G Craig	Newry, Mourne and Down District Council
Councillor W Clarke	Newry, Mourne and Down District Council

**Members' Apologies:**

Councillor N Kelly	Antrim and Newtownabbey Borough Council
Councillor M Magill	Antrim and Newtownabbey Borough Council
Councillor S Ross	Antrim and Newtownabbey Borough Council
Alderman R Gibson ( <i>Deputy Chair</i> )	Ards and North Down Borough Council
Councillor A Cathcart	Ards and North Down Borough Council
Councillor G Milne	Belfast City Council
Councillor J Bunting	Belfast City Council
Councillor M Collins	Belfast City Council
Councillor L Poots	Lisburn & Castlereagh City Council
Councillor R Wilson	Mid and East Antrim Borough Council
Councillor D Curran	Newry, Mourne and Down District Council

**Officers Present:**

R Burnett	arc21
G Craig ( <i>Secretary</i> )	arc21
H Campbell	arc21
K Boal	arc21
J Green	arc21
M Lavery	Antrim and Newtownabbey Borough Council
B Murray	Belfast City Council
H Moore	Lisburn & Castlereagh City Council
P Thompson	Mid and East Antrim Borough Council
R Moore	Newry, Mourne and Down District Council

**Officers' Apologies:**

C Robinson	arc21
G Girvan	Antrim and Newtownabbey Borough Council
D Lindsay	Ards and North Down Borough Council
N Grimshaw	Belfast City Council
W Muldrew	Lisburn & Castlereagh City Council

**Item 1 - Conflicts of Interest Statement**

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

**Action: Noted**

**Item 2 - Apologies**

Apologies were noted.

**Action: Noted**

**Item 3 - Minutes**

The minutes of Joint Committee meeting 035 held on 4 December 2018 were agreed.

**Action: Agreed**

**Item 4 - Matters Arising**

**Chief Executive Temporary Position** - The Chair updated Members on his recent meeting with the Chief Executives. He advised that Councillor Tinsley and Alderman Gibson had joined him at the meeting on Monday the 28<sup>th</sup> January with Liam Hannaway, David Burns and Philip Thompson and he felt that it had been a positive and constructive meeting and thanked Liam Hannaway for arranging it. He advised that the general feedback was to extend the interim arrangements for a further 6 months commencing at the end of February.

He sought the views of Members regarding the extension of the current interim arrangements for a further six months and Members confirmed that they were content with this approach.

**Action: Agreed**

**Item 5 - Minutes**

The minutes of the Special Joint Committee meeting 036 held on 17 January 2019 were agreed.

**Action: Agreed**

**Item 6 - Matters Arising**

There were no matters arising.

**Action: Noted**

The Chair advised Members that the meeting would now go In Committee, which was proposed and seconded accordingly.

**In Committee**

Matters of a confidential and commercially sensitive nature were discussed under these agenda items.

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

<b>Item 7 - Minutes of Joint Committee Meeting 035 held on 4 December 2018 'in committee'</b>	<b>Action: Agreed</b>
<b>Item 8 - Matters Arising</b>	<b>Action: Noted</b>
<b>Item 9 - Notes of Special Joint Committee Meeting 036 held on 17 January 2019 'in committee'</b>	<b>Action: Agreed</b>
<b>Item 10 - Matters Arising</b>	<b>Action: Noted</b>
<b>Item 11 - Residual Waste Treatment Project</b>	<b>Action: Noted</b>
<b>Item 12 - Municipal Waste Disposal Contract Extension</b>	<b>Action: Agreed</b>
<b>Item 13 - Dry Material Recovery Service</b>	<b>Action: Agreed</b>
<b>Item 13A - Supplies Contract</b>	<b>Action: Noted</b>

### **Out of Committee**

The Chair advised Members that the briefing would now return to the main agenda, which was agreed.

### **Item 14 – Review of the Waste Management Plan (WMP) including Strategic Environmental Assessment (SEA)**

Mr Burnett presented a report to advise the Joint Committee on the proposed commencement of the process associated with a comprehensive review of the Waste Management Plan (WMP) and associated Strategic Environmental Assessment.

He reported that DAERA is obliged by legislation to produce a Northern Ireland Waste Strategy (NIWS) and Councils are obliged to produce a Waste Management Plan (WMP) at least every six years, with the last review having taken place in 2015.

He advised that the full review process will take approximately 20 months and accordingly it is intended to commence this process this month.

Mr Burnett reported that the development of the specification will be informed by the NIWS process and other emerging initiatives such as Extended Producer Responsibility on Packaging. Consequently, arrangements are being made for preliminary discussions with DAERA.

Mr Burnett advised Members that he would keep them apprised of substantive developments.

Following discussion the Joint Committee agreed to note this report.

**Action: Noted**

### **Item 15 – Consultation on the Rectification of the Cost Cap Floor Breach in the Local Government Pension Scheme**

Mr Craig presented a report to provide the Joint Committee with the proposed response to the Department for Communities in regards to the consultation on the rectification of the Cost Cap Floor Breach in the Local Government Pension Scheme for comments and approval prior to submission to the Department by the deadline of 15 February 2019.

Following discussion the Joint Committee agreed to approve the response for submission to the Department by the deadline of 15 February 2019.

**Action: Agreed**

### **Item 16 – Contracts and Performance Update**

Ms Boal presented a report to advise the Members on the prevailing monthly situation pertinent to the operational performance of the service and supply contracts.

A summary of the key discussions is replicated as follows:

- *Contract year tonnages in 2017/18 in respect of the Organic Waste Contract increased by 6.5% on previous year rising to 132,235 tonnes delivered for treatment.*
- *Six rejected loads received into organics delivery sites in November 2018.*
- *Orders for Compost.*
- *Tonnages delivered to the MRF contracts in December 2018 were similar to those delivered in the previous year.*

Following discussion the Joint Committee agreed to note the report.

**Action: Noted**

### **Item 17 – Audit Committee Update**

Mr Craig presented a report to provide the Joint Committee with a copy of the Executive Summary of the Audit Committee meeting, scheduled to take place immediately after the Joint Committee meeting, setting out the range of business to be dealt with.

The main issues are as follows:

1. The progress report from the Internal Auditor updating the Committee on the progress made to date on the annual audit plan for the 2018/19 year.
2. An update on the Corporate Risks following the recent quarterly review by the Senior Management Team.
3. The updated expenditure report reflecting the value of expenditure incurred by arc21 in the current financial year together with the main areas of expenditure.
4. A report from the NIAO dealing with the formalities of both the 2017/18 year which has been concluded together with the presentation of the audit strategy which the Local Government Auditor proposes to adopt in respect of the 2018/19 statutory audit of the accounts of arc21.

Members asked Mr Craig if he could give assurance on the level of independent assessment in relation to risk management. Mr Craig outlined the current arrangements and referred to the independence of both the Internal and External Auditors but advised that he would also raise this matter with the members of the Audit Committee later that day.

**Action: Mr Craig**

Following discuss the Joint Committee agreed to note the report.

**Action: Noted**

**Item 18 - AOB**

There was no other business discussed.

**Action: Noted**

**Item 19 - Next Meeting**

The Chair advised that the next scheduled meeting of the Joint Committee was due to be held on Thursday 28 February 2019 at 10.30am and hosted by Newry, Mourne and Down District Council.

**Action: Noted**

**Date:** \_\_\_\_\_

**Chairman:** \_\_\_\_\_