

September 18th, 2018

Notice Of Meeting

You are invited to attend the Regulatory and Technical Services Committee Meeting to be held on **Wednesday, 19th September 2018 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

Members:

Councillor Andrews	Councillor W Clarke
Councillor G Craig	Councillor D Curran
Councillor G Fitzpatrick	Councillor L Kimmins
Councillor J Macauley	Councillor M Ruane
Councillor G Stokes	Councillor D Taylor
Councillor J Trainor	Councillor H Harvey
Councillor A McMurray	

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 22 August 2018. (Attached).

 *RTS Action Sheet.docx*

Page 1

For Consideration and/or Decision

- 4.0 Neighbourhood Services Project Highlight Report. (Attached).

 *Report - NS Project Highlight.pdf*

Page 10

- 5.0 Memorandum of Understanding Partnering Arrangements for the removal of snow and ice from town centre footways and pedestrian areas. (Attached).

 *Report - re. Memorandum of understanding partnering arrangements.pdf*

Page 70

Building Control and Licensing

- 6.0 6 month report for Building Control and Regulation. (Attached).

 *Report - 6 month report for BC and Regulation.pdf*

Page 83

Planning

- 7.0 Current appeals. (Attached).

 *Planning Appeals and Decisions August 2018.pdf*

Page 104

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

 *Planning - 26 September 2018 Committee report.pdf*

Page 149

- 9.0 Planning Committee Performance Report. (Attached).

 *AUGUST 2018 Planning Committee Performance Report.pdf*

Page 150

Facilities Management and Maintenance

- 10.0 Report re: request from Ulster Wildlife to allow culling of grey squirrels on Council owned land. (Attached).**
[Report - Request from Ulster Wildlife to allow culling of grey squirrels.pdf](#) Page 156
- 11.0 Report re: update on proposal to provide local communities with an environmentally sustainable option of planting Christmas trees. (Attached).**
[Report - Update Report on Sustainable Christmas Trees Project V1.pdf](#) Page 158
- 12.0 Report re: structural condition of steps at South Promenade, Newcastle. (Attached).**
[Report - Structural condition of steps at South Promenade Newcastle V1.pdf](#) Page 160
- 13.0 Report re: bus shelter at Cloughreagh Park, Bessbrook. (Attached).**
[Report - Bus Shelter Requests for Cloughreagh Park, Bessbrook v1.pdf](#) Page 164

Waste Management

- 14.0 Report re: charges for collection and disposal of waste at Caravan sites. (Attached).**
[report - Charges for collection and disposal of waste at Caravan Sites.pdf](#) Page 169
- 15.0 To consider Minutes of Waste Strategy Working Group Meeting held on 22 August 2018. (Attached).**
[Report - SWWG of 22 August.pdf](#) Page 171
- 16.0 Report re: temporary closure of Warrenpoint Household Recycling Centre. (Attached).**
[WARRENPOINT HRC.pdf](#) Page 175

For Noting

- 17.0 Arc21 Joint Committee Members' Monthly Bulletin 30 August 2018. (Attached).**
[Arc21 JC 30 August 2018.pdf](#) Page 177

18.0 Arc21 Joint Committee Meeting – Minutes of Thursday 28 June 2018. (Attached).

 *ARC 21 JC mtg minutes from 28 June.pdf*

Page 181

19.0 Historic Action Sheet. (Attached).

 *Historic Action Sheet RTS 19 September 2018.pdf*

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ACTION SHEET ARISING FROM RTS MEETING HELD ON WEDNESDAY 22 AUGUST 2018

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
RTS/108/2018	Monthly Action Sheet	In response to a query from Councillor Taylor regarding progress in relation to a request to set up a meeting regarding Regen Waste, with local residents etc., Marie Ward, Director, advised this was being co-ordinated by Anthony McKay, Chief Planning Officer, and she would get back to Councillor Taylor with an update.	M Ward	In progress	
RTS/109/2018	Fly tipping	Make contact with Louth Council and Armagh, Banbridge and Craigavon Council with a view to addressing fly tipping in a unified way. Address enforcement action in conjunction with the NIEA.	R Moore/L Dinsmore	Letters sent to NIEA, ABC and Co. Louth Council requesting to arrange relevant discussion.	N

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		<p>Carry out fly tipping review and market the message of "Zero Tolerance".</p> <p>Write to the Department raising concerns and requesting prompt action.</p>			
RTS/110/201 8	Clanrye River Newry	<p>Write to Rivers Agency to ascertain their current position regarding the provision of a weir.</p> <p>Start discussions on progress on a clean-up of Clanrye River.</p> <p>Report back to the R&TS Committee when a response has been received from Rivers Agency and consider the establishment of a task force.</p>	R Moore	Letter sent to Rivers Agency.	N
RTS/111/201 8	Pedestrianizing a section of Kings Lane, Warrenpoint	<p>Authorise Council Officers to submit a formal letter of request to the Department to investigate the possibility of converting Kings Lane, Warrenpoint into a pedestrian</p>	E Newell/G McCurry	We are currently liaising with DFI	

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		<p>only zone.</p> <p>Warrenpoint Chamber of Commerce and Trade be advised of the Council's intention to formally request that Kings Lane, Warrenpoint be converted into a pedestrian only zone.</p>			
RTS/112/2018	Energy Performance of Buildings (EPB) Audit Report	<p>Authorise Council Officers to fully implement the EPB Enforcement Procedure to include Penalty Charges Notices where non-compliance was identified.</p> <p>This would be preceded by two information sessions, one in Newry and one in Downpatrick, which the Council would facilitate for Estate Agents within out District supported by the central EPB team from Belfast City</p>	E Newell/G McCurry	Currently liaising with our IT supplier for provision of EPB module.	

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		<p>Council.</p> <p>At the request of Councillor Craig it was also agreed that quarterly progress reports on Building Control performance be tabled at future Committee Meetings.</p>			
RTS/121/2018	Provision of Sanitary Disposal Bins at Public Conveniences	<p>Approve the proposal for 1 No. Sanitary Disposal Bin to be provided in all 31 No. Public Conveniences, with signage provided on the door advising the public. The total cost for the service was £838.24 per annum.</p>	K Scullion	In Progress	Y
RTS/122/2018	Proposed extension to Warrenpoint Municipal Cemetery	<p>Approve the proposed layout for extension to Warrenpoint Municipal Cemetery.</p> <p>Approve that work commence to bring this project to tender stage subject to ensuring proposals are in line with current planning approval.</p>	K Scullion	In progress	Y

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
RTS/123/201 8	Proposal to provide to local Communities an environmentally sustainable option of planting Christmas trees	<p>Approve the procurement of technical support if required to complete the final design to tender stage and management of the completion of works on site.</p> <p>Adopt the proposed Terms of Reference as provided in Appendix 3 circulated - Terms of Reference for Expression of Interest Exercise - Sustainable Christmas Tree Pilot Scheme 2018</p> <p>Purchase 5 No. Christmas trees of the species Abies Nordmanniana at a height of 4.5 metres (from ground level to tip) for planting at five agreed locations.</p> <p>Council to agree with local communities identified within the report (sites 1 to 7 in Table 1) to taking part in a pilot program as per Terms of Reference for Expression of Interest Exercise - Sustainable Christmas Tree Pilot Scheme 2018.</p>	K Scullion	In Progress	Y

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
RTS/125/2018	Strategy to address dog fouling	<p>Agreed to endorse initial approach to the preparation of a Dog-Fouling Strategy and to approve the proposed 'brand' to be used in all literature and publications associated with the Strategy.(Appendix 1 as circulated at Meeting).</p> <p>It was also agreed to approve a two-phased approach to the completion of the Strategy, with Phase 1 to provide pictorial 'brand' to all litterbins throughout the District and also to be used in any Dog-Fouling signage erected by Enforcement Officers and Phase 2 to engage with other Directorates to agree a confirmed Dog-Fouling Strategy for recommendation to the Council, target completion end -December</p>	L Dinsmore	<p>Order placed to purchase 'Brand' stickers for placement on litterbins and notices.</p> <p>Meeting date set for Phase 2 discussions with representatives from other Directorates.</p>	N

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
RTS/126/2018	Brown Bin Project	<p>2018.</p> <p>Agreed that a final call for free issue of brown bins be undertaken, with the intention to discontinue free issue of bins effective from 30 September 2018. Thereafter bins to be recharged at £19, kitchen caddy inclusive.</p> <p>It was agreed the issue of the purchase of food liners be addressed as part of the Rates Estimates 2019/2020.</p>	L Dinsmore	<p>E-mail sent to all Councillors to remind them as to initiative.</p> <p>Notice for final call placed on web-site.</p> <p>Customer Services notified.</p>	Y
RTS/128/2018	Temporary closure of Ballykine Household Amenity Site	<p>Closure of the Bann Road Household Recycling Centre on Saturday 25th August 2018 9.00am - 12.00 noon, during the Mourne Triathlon Event to reduce Health & Safety risk to the public.</p> <p>It was also agreed that this</p>	L Dinsmore	Complete	Y




Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
RTS/129/2018	Temporary closure of Warrenpoint Civic Amenity Site	<p>decision be communicated to the general public.</p> <p>Closure of Warrenpoint Civic Amenity Site for an approximate two week period to facilitate drainage works.</p> <p>It was also agreed that this decision be communicated to the general public.</p>	L Dinsmore	Proposed start date 8 October.	N
RTS/130/2018	Acquisition of Vehicles 2017-2022	<p>Agreed that minor additions/deletions made since to the replacement list presented to RTS in April 2018 be approved. (Appendix 1 circulated at meeting).</p> <p>It was also agreed that future minor changes to replacement list of vehicles for 2018/19 can be made without need for future RTS/Council approvals, subject to individual Business</p>	L Dinsmore	Details notified to Transport Management	Y

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		Cases being approved and the final spend not exceeding spend forecast advised in April, i.e. £2,902,467.00.			

Report to:	Regulatory & Technical Services (RTS) Committee
Subject:	Neighbourhood Services Project Highlight Report
Date:	19 September 2018
Reporting Officer:	Roland Moore, Acting Director: Neighbourhood Services
Contact Officers:	Roland Moore, Acting Director: Neighbourhood Services Johnny McBride, Assistant Director: Community Planning & Performance

Decision(s) Required

For Decision	<input type="checkbox"/>	For Noting Only	<input checked="" type="checkbox"/>
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1.0	Purpose & Background				
1.1	The purpose of this report is to provide Members with a progress update in relation to the Neighbourhood Services project, as well as to seek agreement to a report of the Member workshop held on the 25 June 2018 and proposed Terms of Reference for the (Elected Member) Neighbourhood Services Working Group.				
2.0	Key Issues				
	Overall Status				
2.1	<table border="1" style="width: 100%;"> <thead> <tr> <th style="background-color: black; color: white;">Project</th> <th style="background-color: black; color: white;">RAG Status</th> </tr> </thead> <tbody> <tr> <td>Neighbourhood Services</td> <td style="text-align: center;"></td> </tr> </tbody> </table>	Project	RAG Status	Neighbourhood Services	
Project	RAG Status				
Neighbourhood Services					
2.2	Progress is reported using a traffic-light (Red, Amber, Green or RAG) system to indicate the overall status of the project and the progress made since the Member workshop (June 2018). For the purposes of this meeting, progress is reported up to and including the 31 August 2018 . A similar update was provided to the Efficiency Working Group at its meeting on the 3 September 2018.				
	Elected Member Workshop, 25 June 2018				
2.3	Members will be aware a successful workshop was held in June; the purposes of which was to explore with Elected Members, a potential model for the future design of the Neighbourhood Services Directorate, as well as to consider an overall approach to support the implementation of the project. A report of the workshop is provided at Appendix I for Member approval, whereas a copy of the presentation used at the workshop is provided at Appendix II .				
2.4	Members are asked to note that, as a direct outcome of the workshop, additional work has been undertaken by Officials to further develop the project. This has included establishing the (Officer) Neighbourhood Services Project Board at its inaugural meeting of the 24 August 2018, as well as further exploring the detailed design of the new Directorate.				

	Neighbourhood Services Working Group
2.5	An important enabler for the project is the establishment of the (Elected Member) Neighbourhood Services Working Group. The purpose of this Working Group will be to provide political direction and support to the development and subsequent implementation of the project. Recommended Terms of Reference for this Working Group are attached at Appendix III for Member approval.
3.0	<u>Resource Implications</u>
3.1	There are no resource implications contained within this report, however it is highly likely the project will have very significant resource implications for the Council, both in terms of the upfront investment required to support actual service change, as well as the resources needed to support its management. These can only be quantified once the required changes are specified following Elected Member agreement to detailed service design.
4.0	<u>Equality & Good Relations Implications</u>
4.1	There are no equality and good relations implications arising from this specific report.
5.0	<u>Rural Proofing Implications</u>
5.1	There are no rural proofing implications arising from this report, however due regard will need to be given to the potential rural implications of the service, once detailed design has been completed.
6.0	<u>Appendices</u>
	<ul style="list-style-type: none"> ▪ Appendix I – report of the Elected Member workshop, 25 June 2018; ▪ Appendix II – copy of presentation used at workshop, 25 June 2018; and ▪ Appendix III – recommended Terms of Reference for the Neighbourhood Services Working Group

Chairperson: Councillor C Casey

In Attendance:

Councillor K Loughran	Councillor J MacAuley
Councillor P Byrne	Councillor D Hyland
Councillor B Quinn	Councillor Enright
Councillor G Stokes	Councillor W Clarke
Councillor G Craig	Councillor M Ruane
Councillor B Walker	Councillor R Burgess
Councillor G Hanna	Councillor J Trainor
Councillor H Reilly	Councillor R Mulgrew
Councillor C Casey	Councillor T Andrew

Roland Moore, Director: Neighbourhood Services (Acting)

Dorinna Carville, Director: Corporate Services

Kevin Scullion, Assistant Director: Facilities Management & Maintenance

Joe Parkes, Assistant Director: Waste Management

Johnny McBride, Assistant Director: Community Planning & Performance

Andy Patterson, Assistant Director: Tourism

Gail Kane, Head of Facilities Management

Gavin Ringland, IT Manager

Gerard Byrne, Internal Auditor

Workshop Introduction & Purpose

Mr R Moore advised Members the workshop had been organised for Elected Members to consider and explore a potential model for the future design of the Neighbourhood Services Directorate, as well as to consider an overall approach to support its implementation.

The workshop was required, as the Council had previously agreed to the establishment of a new Neighbourhood Services Directorate in January 2018; since then Council Officers had been researching similar practice elsewhere, as well as considering the potential implications for NMDDC.

Elected Members were provided with a comprehensive presentation, which considered a number of important issues (copy of the presentation is provided at **Appendix A**). The issues raised by Officers were summarised as follows:

- i. **What is Neighbourhood Services?** (this considered the outcomes of research into practice elsewhere, as well as how it had been implemented);
- ii. **What might this look like for NMDDC?** (this considered the potential scope of the model for NMDDC, as well as some of the potential implications for the Council);
- iii. **How can NMDDC approach the transformation?** (this considered important issues such as an appropriate timetable, links with other Council priorities including IT transformation, the importance of employee engagement, as well as establishing appropriate governance arrangements for overseeing the implementation of the project); and

- iv. **Governance arrangements?** (this considered a proposed governance arrangement for how the project would be managed from a political and managerial perspective).

Member feedback and direction was sought on the issues raised, including the proposed governance arrangements for the project. A detailed discussion of the issues raised the following points:

- A requirement for affected employees to buy into the review, and have a meaningful part in its implementation;
- Important that a joined-up approach is developed across all Directorates;
- A requirement for the review to consider efficiency savings but not at the expense of service quality;
- Support for excluding waste collection from the scope of the new Streetscene model as this would be addressed as a separate project; however waste collection would remain a core service of the Neighbourhood Services Directorate;
- The importance of designing a service which is customer-focused;
- A requirement to increase the involvement and participation of local communities;
- The importance of ensuring the general public are kept updated in terms of the changes being made and how they can access services;
- A requirement to harmonise employee terms and conditions to support the implementation of the new service;
- The need for the Council to invest in its people, equipment and resources;
- More information required on how resources were going to be shared-out around across the District; and
- The importance of working collaboratively with the NIHE and Transport NI to support the impact of the new service.

Neighbourhood Services Model

Member likes and dislikes in respect of the model were summarised as follows:

Likes:

- Grouping similar-type services into neighbourhood-based teams, which would also identify a single point of contact for all neighbourhood-based services in each DEA, as well as the use of generic roles but with a unified management structure;
- Establishment of a “one-stop shop” for all customer service requests (on-line & telephony);
- Establishing formal links with the Council’s DEA structures;
- Increasing community capacity, via education, behaviour change & volunteering) to become much more self-sufficient in addressing local environmental issues;
- Opportunities presented to collaborate with other services and agencies;
- A service tailored to local needs but provided to common standards across the District;
- Potential income opportunities created by providing a charged service to others and / or increased sponsorship; and
- An easily recognised branding of the service

Dislikes:

- Potential structural implications (agreed that in the first instance the scope should be restricted to NS & RTS functions only); and
- More detail required on how service equity issues would be managed across rural and urban areas.

Next Steps

Mr R Moore advised Members of the planned next steps in relation to the development of the project. He referred Members to the early establishment of the (Officer) Project Board, as well further work to scope-out the model in more detail and consider its relationship with other Council priorities. A report of the workshop to be brought back for Member agreement.

Proposed Governance Arrangements

AGREED: It was **PROPOSED** by Councillor Walker, **SECONDED** by Councillor Clarke to authorise Officials to work-up more detail in relation to the proposed model and to adopt the proposed governance arrangements for the project as presented.

25-06-18

Neighbourhood Services Elected Member Workshop

Ag freastal ar an Dún agus Ard Mhacha Theas
Serving Down and South Armagh



Comhairle Ceantair
**an Iúir, Mhúrn
agus an Dúin**

**Newry, Mourne
and Down**
District Council



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Welcome

1. Purpose of workshop
2. Desired outcomes
3. Background
4. What is Neighbourhood Services? Feedback session.
5. What may this look like for NMDDC? Feedback session.
6. How can NMDDC approach transformation? Feedback session.
7. Governance arrangements? Feedback session
8. Next steps
9. Close

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Purpose

“To explore with Elected Members a preferred Neighbourhood Service model for Newry, Mourne and Down District Council, as well as an overall approach to support its implementation.”

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Desired Outcomes

- **Understand the need for and the background to the Workshop**
- **Raised awareness of what Neighbourhood Services is and what similar arrangements have been implemented in other Councils**
- **Identify what the guiding principles are for Neighbourhood Services in Newry, Mourne and Down District Council and understand the potential implications**
- **Consider an overall approach and the immediate next steps**

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Background

- **Initial Neighbourhood Services Proposal presented by Interim Director to January RTS with recommendations;**
 - *That Council adopt the principles of the Neighbourhood Services Proposal, with all Directorates to participate and sign-up to the **principles** to be developed, once agreed.*
 - *The Anti-Litter Sub-Committee to be renamed The Neighbourhood Services (Sub-)Committee, with meetings to be held at sufficient frequency to ensure the delivery of the project within timeframe.*

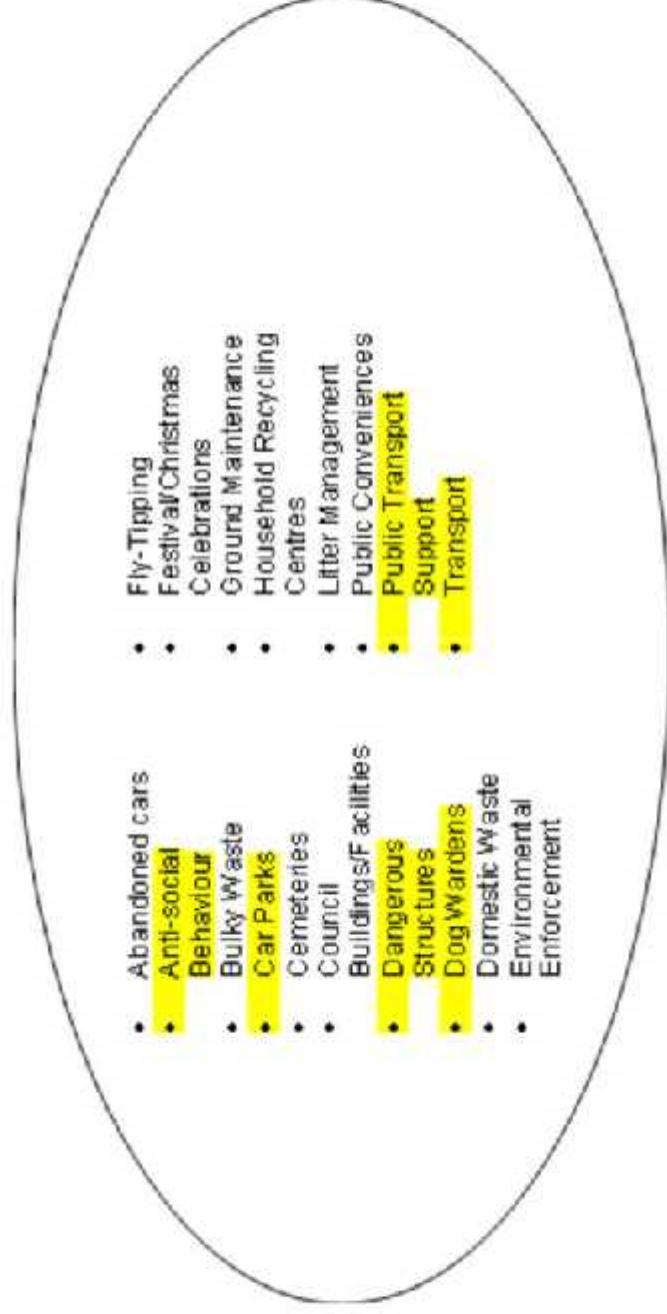


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Background

- **Initial Neighbourhood Services Scope presented to January RTS**
- **do not currently rest with NS Directorate**
- **Scope to improve communications with other Directorates**



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Background

- **The approach for the Neighbourhood Services Transformation; Project was presented to April RTS with recommendations;**
 - *Officers continue to undertake research into benchmarking and best practice for the Neighbourhood Services Proposal.*
 - *A workshop be arranged before the end of June 2018 for all Elected Members to help shape the vision and requirements for the new service.*
 - *Members note the indicative delivery framework in Appendix 1 as the proposed approach to the Neighbourhood Services Transformation.*

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Background

- **Since April RTS, Officers have begun the research and benchmarking with a number of organisations including local authorities in England and NI.**
- **Officers have also held a workshop with APSE consultants to understand key factors of Neighbourhood Services, most of which will follow as part of this workshop.**

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Background

Current Status

- **NS Directorate formed from RTS Directorate in January 2018 with relocation of Planning & Building Control to ERT.**
- **Largest Department is respect of Staff 400+ (over 40% of Council) and Budget of circa £22M (33% of Council).**
- **Deals with many statutory and non-statutory functions**

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Background

Existing Scope

Waste Management

- Refuse Collection & Disposal
- District Cleansing
- Fleet Management &

Maintenance

- Recycling Facilities & Contracts

Facilities Management &

Maintenance

- Grounds Maintenance
- Buildings Maintenance
- Cemeteries & Public Conveniences
- Civic Centre Domestic Services
(Canteens, Caretakers/Security)

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Background

Current Issues

- **Current operational practice is mainly based on pre-RPA operations with 2 legacy Councils, particularly in Waste.**
- **Need to develop standard way of working**
- **Need to develop centralised processes**
- **Need to improve operational practices and service efficiencies**
- **Need to improve customer interaction**

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What is Neighbourhood Services?



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What is Neighbourhood Services?

- **Neighbourhood Services across many Councils are generally the frontline services which many of our customers receive and experience on a daily basis.**
- **It is a generic name for an amalgamation of front-line services.**
- **No definitive list of which services are included.**
- **Means different things to different authorities.**
- **Some or part of the Service can have branded campaign names such as Streetscene, Streetscape, etc.**

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What work is involved in Neighbourhood Services or Street Scene?

A simple definition

**Just doing
everything that
needs to be done**





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What is Street Scene?

A typical street ?



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What is Street Scene?

A typical street



Jobs we do around our own houses

- Cut the grass
- Clear litter
- Weed flower beds
- Mend a fence
- Put the bins out
- A bit of painting



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What is Street Scene?

Supplemented by more skilled work when required



- Channel sweeping
- Pavement sweeping
- Gully Emptying
- Tree / shrub pruning
- Lawn care
- Rubbish collection

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What tends to be included?

No set services – varies from council to council – everybody does it different – but majority include ...

Grounds

Maintenance



**Street
Cleansing**



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What tends to be included?

And to a lesser extent ...

**Waste
Collection**



**Building
Maintenance**



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What tends to be excluded?



Cemeteries & grave digging



Formal Parks

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What are others doing?

- **Looking for efficiencies through amalgamation of frontline services**
 - **Street Cleansing and Grounds Maintenance reported as these are most common**
 - **Refuse collection not as common**
- **Tailoring and focusing services in specific areas or neighbourhoods**
- **Improving engagement and civic ownership with those neighbourhoods**

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What does APSE Data show?

- **Based on APSE Survey**
 - Fully integrated *streetscene* service
 - Services amalgamated under management but continue to operate independently of each other
 - No *streetscene* operation, services continuing to be managed and operate separately

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What does APSE Data show?

Costs

- **Integrated Services has the highest median cost**
- **HOWEVER - this does not reflect the position that some of the authorities were previously in**

Quality

- **Integrated Services now has the best cleanliness scores**

Customer Satisfaction

- **Grounds Maintenance - similar ratings**
- **Street Cleansing – Integrated Services now has highest satisfaction levels**



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Integrated Services

(experience of other Councils)

Pros

- Potential efficiency savings
- Economy of scale
 - Particularly travel time & plant / fuel costs
- Upskilling / wider skill base
- Neighbourhood approach / community involvement
 - Area / neighbourhood-based working
- Consistency of standards
- “Can do” (everything) approach
- Shared resources
 - Including management & I.T.
- Better communication
- Depot rationalisation
 - potential for centralisation in some cases
- Increased pride in work
- Increased pool of general operatives for sickness / holiday cover



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Integrated Services

(experience of other Councils)

Cons

- More complex and timely to achieve transformational change
- Potential increase in staff costs
 - Job evaluation
- Perception of “dumbing down” for skilled workers
 - (e.g. Gardeners litter picking or loading bins)
- Demarcation between professions / tasks
- May not be suited to some types authorities
 - Seems to work best in semi-urban / semi-rural councils
- Increased training costs
 - One off costs to increase competences and skills
- Competences for new roles
 - Are operatives capable of performing more skilled tasks
- Raised profile raises customer expectations
 - Public perception of quality / potential increase in complaints
- Potential staff reductions
- Prioritising may leave some services short of operatives

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How has it been implemented elsewhere?

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Integrated Street Scene Services

Grounds Maintenance	Street Cleansing
<ul style="list-style-type: none"> Grass maintenance. 	<ul style="list-style-type: none"> Cleansing of Highway and adjacent verge, amenity planted areas and open grass areas.
<ul style="list-style-type: none"> Amenity shrub beds (Inc. herbaceous borders & rose Beds). 	<ul style="list-style-type: none"> Litter bin emptying.
<ul style="list-style-type: none"> Pruning of roses. 	<ul style="list-style-type: none"> Cleansing of gullies.
<ul style="list-style-type: none"> Seasonal Bedding Displays. 	<ul style="list-style-type: none"> Cleansing of Industrial Estates.
<ul style="list-style-type: none"> Preparation & maintenance of hanging baskets. 	<ul style="list-style-type: none"> Removal of fly tipped materials from Council owned land and the Highway.
<ul style="list-style-type: none"> Formal and informal hedge maintenance. 	<ul style="list-style-type: none"> Removal of graffiti and flyposting that is offensive or on a Public Building.
<ul style="list-style-type: none"> Maintenance of dykes, ditches & watercourses. 	
<ul style="list-style-type: none"> Minor tree works. 	

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Environment, Roads & Facilities

The services we provide

- Allotments
- Bereavement Services
- Bridges and Retaining Walls
- Coastal Management, Flood Risk & Land Drainage
- Commercial Recycling & Waste Services
- Consultancy
- Great Orme Tramway
- Green Spaces
- Harbour and Seaboard
- Home to School Transport
- Household Recycling & Waste Services
- Parking
- Public Conveniences
- Response Unit
- Roads and Footpaths
- Street Cleansing
- Street Lighting
- Street Works
- Traffic & Road Safety





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Newcastle-under-Lyme BC



About Streetscene

Streetscene provides a co-ordinated approach to maintaining and improving our neighbourhoods - helping to make a real difference to people's lives.

The service pulls together staff from several professions to focus on management of the whole public realm, from parks and communal areas to roads and pavements. Issues range from grass cutting and tree maintenance to tackling graffiti and fly-tipping.

Equipped with the latest digital hi-tech communication and information systems, Streetscene is a modern, well-managed, professional and flexible service.

Our services include those you would expect such as refuse collection, street cleansing and grounds maintenance but they actually form a part of a much wider range of social, cultural and leisure activities.

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Nottingham
City Council

Neighbourhood Services

- Delivered on a geographical basis
- 3 x Neighbourhood Operations Managers + 9 x Assistant Streetscene Managers
- 21 x Neighbourhood Development Officers – part of Neighbourhood Action Teams (N.A.T.'s) (with representation from police, community protection, Notts Homes as well as Neighbourhood Services)
- 7-day city service to meet demand

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Case Study Research – Derby CC

- **Previous service model** - similar-type services being delivered in the same geographical areas but with different management structures
- **New service model** - similar-type services grouped together in neighbourhood teams but with a single management arrangement
- **Other important changes** – one-stop shop for all customer interaction; increased commercialisation & stronger links with local communities
- **Structure** – single management structure, common service standards, 4 x Area Managers & 4 x neighbourhood teams
- **In-scope Services** – street cleansing, grounds maintenance, refuse collection, fleet management & highways maintenance (now including environmental protection services)
- **Critical success factors** – local community ownership / self-reliance; IT & pay & grading harmonisation

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Case Study Research –



Belfast
City Council

- **Have spend the last two years developing their City and Neighbourhood Services.**
- **Street scene programme is mainly focused on street cleansing and parks section, with their refuse service operated separately.**
- **Have a good education/awareness programme and enforcement that supports the Street Scene Programme.**
- **Service provision is broken into five geographical areas.**
- **At present still implementing new structure requirements.**



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Feedback Session

- **Do the NMDDC Councillors have enough information to understand what has been undertaken elsewhere?**
- **Has the concept of Neighbourhood Services or *Streetscene* been sufficiently explained?**
- **It is acknowledged that not all examples of amalgamation of frontline services may be replicable in NMDDC**
- **Any other questions or feedback?**

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What may this look like for NMDDC?

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What may this look like for NMDDC?

Service transformations

Within the Directorate sits many of the services that effect the environment, some requiring a significant improvement, such as bin collection, street cleansing and public conveniences.

Improved communications

Increase visibility and simplify methods for customers to report, request or pay through improved technology

Identify efficiencies through joined up approach

Redesign processes to reduce non-value activities and have team based approach to Neighbourhoods

Redefine resources

What do we need to deliver this service? People, structure, vehicles, locations, etc?

Managing Performance

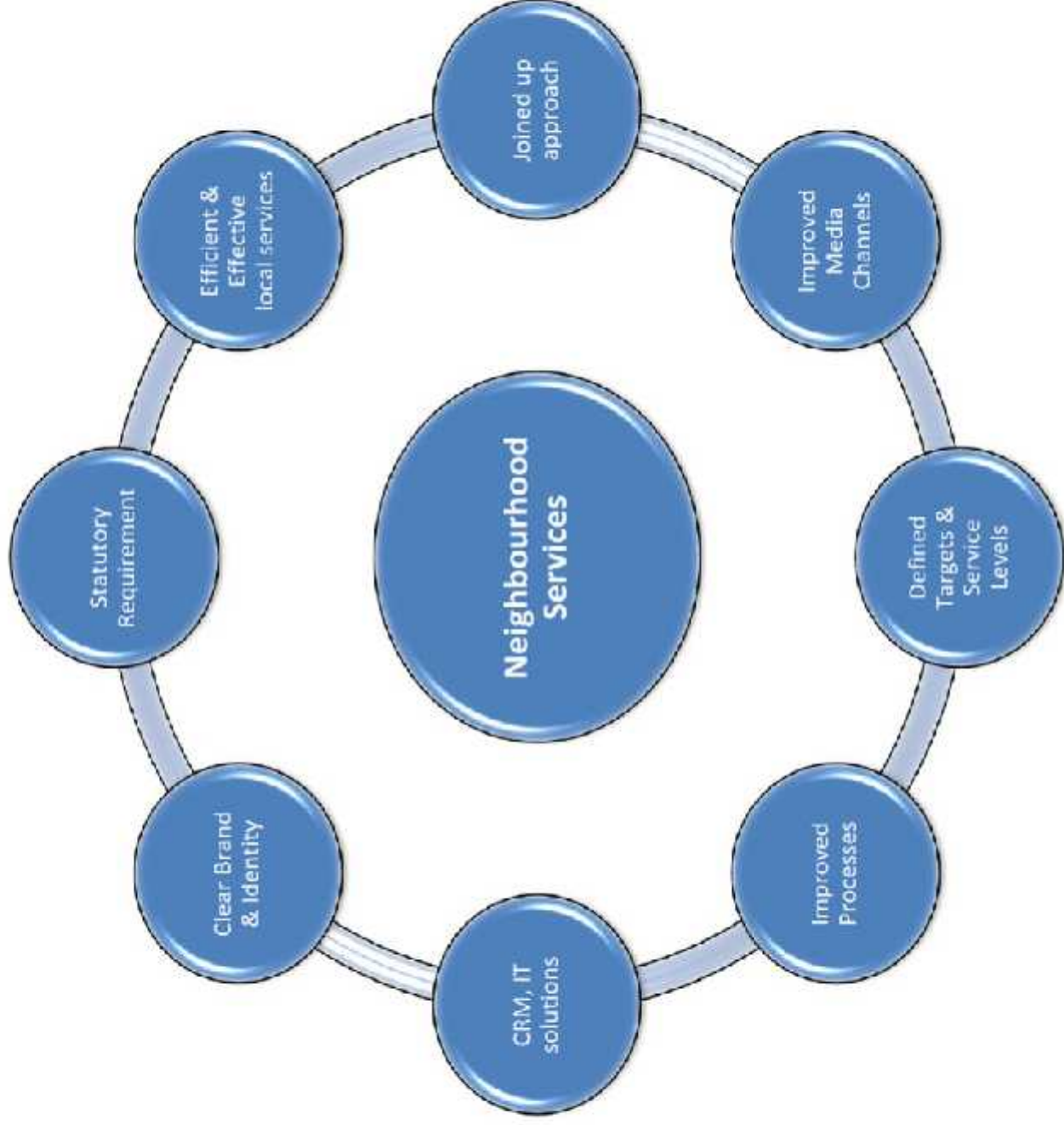
Adherence to publicised targets and service levels

Engage

Encourage ownership of “neighbourhoods” to foster civic pride

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What may this look like for NMDDC?

- **To consider the principles of the future service, these have been themed in specific and relevant areas;**
 - **Frontline refuse**
 - **Streetscene (Street Cleansing and Grounds Maintenance)**
 - **Customer Focus**
 - **Efficiency and effectiveness**

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What may this look like for NMDDC?

Frontline refuse

- **Not considered part of Streetscene at this time but key part of overall Neighbourhood Services Department.**
- **Modernised frontline refuse collection practices through improved use of technology i.e. vehicle telemetry and route optimisation.**
- **Improved refuse collection practices whilst maintaining an element of flexible working for frontline staff with revised T&C's.**
- **Feedback?**

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What may this look like for NMDDC?

Streetscene (Street Cleansing and Grounds Maintenance)

- **Closer working between Street Cleansing and Ground Maintenance to form better and more efficient Neighbourhood Services frontline service.**
- **Undertake review of Street Cleansing and Grounds Maintenance workloads through street cleansing route optimization, review of frequency of cutting, cleansing, litter picking, etc.**
- **Supplement frontline services through peak demands with external support i.e. agency, temporary and contractors.**
- **Feedback?**



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What may this look like for NMDDC?

Customer Focus

- **Improved customer experience through single contact number and online channel for all customer interaction (complaints, requests for service, etc.) and specifically new clear brand for Neighbourhood Services.**
- **Establish closer links with DEA's with dedicated Neighbourhood Services Officer per DEA for contact and coordination of frontline services (services remain centralised).**
- **Establish and adhere to published service levels for frontline services i.e. missed bins, illicit dumping, street cleansing, bulky collection, etc.**
- **Feedback?**

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What may this look like for NMDDC?

Efficiency and effectiveness

- **Improved technology for internal processes for Neighbourhood Services i.e. workflow automation.**
- **Increased commercial view on waste contracts, strategy, campaigns, customer engagement and income opportunities.**
- **Potential closer links to for services not currently in NS directorate.**
- **Review of structure to deliver Neighbourhood Services.**
- **Consider use of outlying depots for service delivery.**

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Feedback Session

- **Do Councillors agree with the principles for Waste Management?**
- **Do Councillors agree with the concept of closer working between frontline service and the implications i.e. Streetscene?**
- **Do we agree to improvement customer interaction, Supervisors /Teams focused per DEA and setting service levels for customers?**
- **Do the Council agree with the need for improved use of technology to make the service more efficient and effective?**
- **Should we become more commercially aware/focused?**
- **Should structural implications for the redesign of this service be considered?**
- **Any other questions or feedback?**

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Break?

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How can NMDDC approach transformation?

- **Phased approach with realistic timescales.**
- **Key interdependencies across organisation to be identified and need for corporate approach to neighbourhood services transformation with lead partners i.e. IT projects, Marketing/Communications Plan, HR org. development and T&C's, link to DEA's, etc.**
- **Establish communications and engagement strategy from start.**
- **Establish governance and process/programme management controls. Direction with Neighbourhood Service working group, report to RTS.**

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How can NMDDC approach transformation?

- **Establish a Trade Union forum for change.**
- **Need for resources to provide professional advice and manage change i.e. dedicated PM resource.**

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Feedback Session

- **Do Councillors agree with the suggested approach for transformation?**
- **Any other questions or feedback?**

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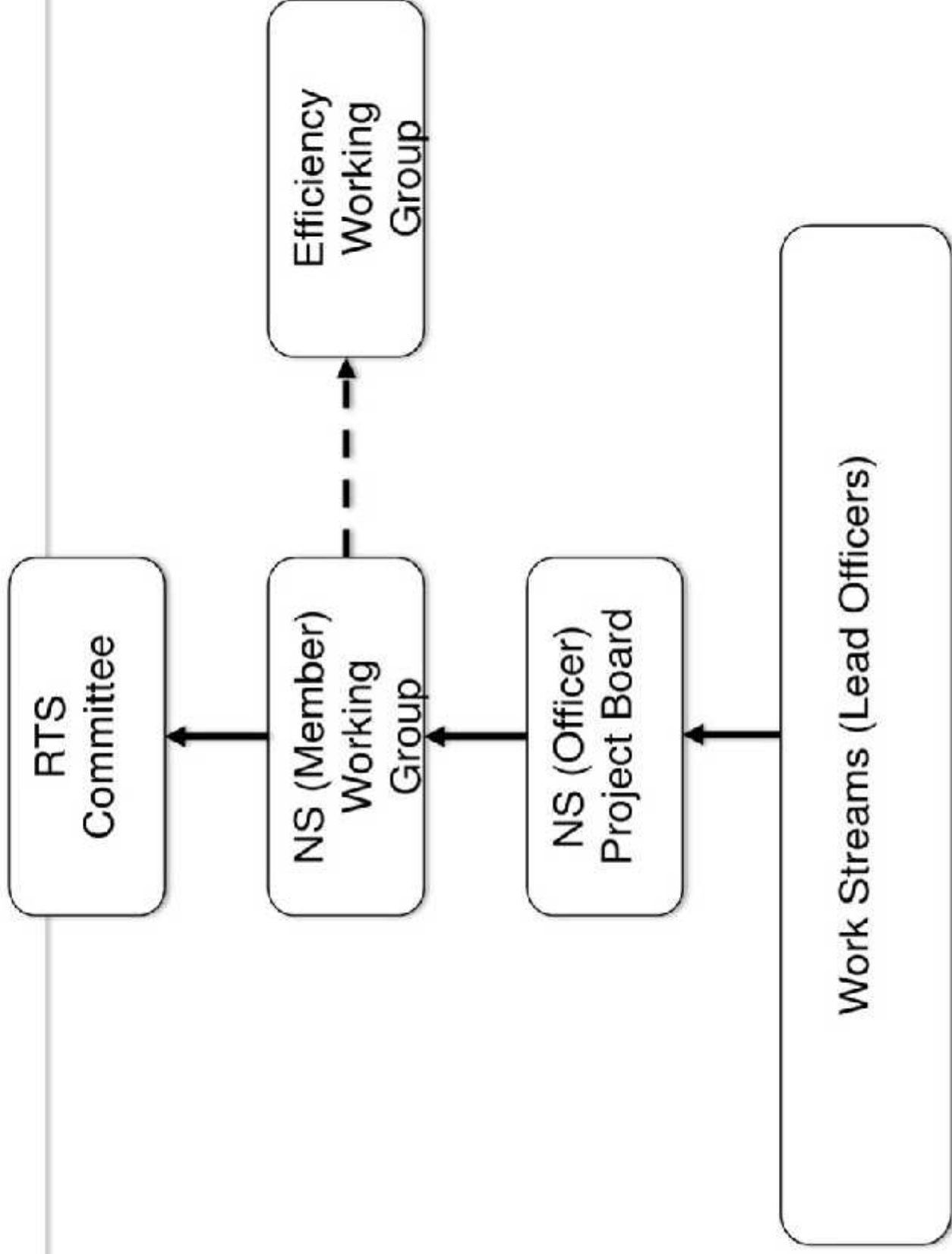
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Governance arrangements?

- **Establish Project Board for Neighbourhood Services Transformation Project with Senior Officers & Project Manager.**
- **Neighbourhood Services Working Group to link with Project Board (6 Cllrs from cross party representation)**
- **Updates from Working Group to Efficiency Working Group for noting and RTS Committee for approval.**
- **Individual work streams scoped and managed by Project Board with Key Officers leading on work streams relevant to their area of business.**
- **Feedback?**

NS project governance



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Feedback Session

- **Are Councillors content with the suggested approach for Governance arrangements?**
- **Any other questions or feedback?**

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Next steps?

- **Establish Project Board**
- **Identify key interdependencies and risks**
- **Identify Projects, Work Streams and schedule**
- **Determine overall project timeline with prioritised work streams**
- **Develop Engagement & Communications Plan**
- **Implement interim structure to facilitate Business as Usual**
- **Report back in 3-4 months for approval to proceed with detailed project**
- **Feedback?**

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Has Desired Outcomes been met?

- **Understood the need for and the background to the Workshop**
- **Raised awareness of what Neighbourhood Services is and what similar arrangements have been implemented in other Councils**
- **Identify what the guiding principles are for Neighbourhood Services in Newry, Mourne and Down District Council and understood the potential implications**
- **Consider an overall approach and the immediate next steps**

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Close

Liam Hannaway
Chief Executive

Thank you



Neighbourhood Services Working Group

Document Reference

Version:	1.0 (DRAFT FOR AGREEMENT)
Report Status:	<ul style="list-style-type: none"> ▪ Draft for agreement at RT5 Committee, 20 September 2018
Date Issued:	13 September 2018
Date(s) of Review:	20 September 2018

Purpose

The purpose of the Neighbourhood Services Working Group (“the Working Group”) is to provide political direction and support to the development and implementation of the Neighbourhood Services project.

The Working Group will be responsible to the Regulatory & Technical Services (RTS) Committee for the successful development and implementation of the project and its constituent activities. This Committee is accountable to Full Council.

Scope

The Working Group shall be authorised to and responsible for:

- Providing political direction and support to the implementation of the project, its governance structures, as well as its activities;
- Ensuring the project and its work packages are delivered, and subsequent benefits realised, in accordance with the desired outcomes and objectives of the project;
- Resolving directional issues (i.e. competing aims, competing resources etc.) between in-scope supporting activities;
- Escalating issues, where appropriate, to the Regulatory & Technical Services (RTS) Committee for redress;
- Overseeing the management of the project’s risks;
- Continually monitoring and reviewing the performance of the project (i.e. timetable, cost, quality etc.);
- Overseeing stakeholder communications and engagement; and
- Making recommendations to the Regulatory & Technical Services (RTS) Committee in respect of all aspects to the development, implementation and closure of the project (i.e. project stages, business case approvals, procurement, change requests etc.)

Methodology

The project will be managed in accordance with a recognised project management methodology.

Membership Arrangements

Membership of the Working Group shall be comprised of the following appointed Councillors:

Sinn Fein	C Casey
	W Clarke
SDLP	G Stokes
DUP	W Walker
UUP	J Macauley
Smaller Parties/Indp	J Tinnelly

Appointments to this Working Group shall be made at the Annual General Meeting (AGM) of the Council.

The Working Group shall be supported by the Acting Director of Neighbourhood Services, as well as by other senior officials from the Neighbourhood Services Directorate and the Council.

Frequency of Meetings

A schedule of meetings shall be agreed by the Working Group.

Secretarial Support & Project Documentation

Secretarial support shall be provided to the Working Group by the Neighbourhood Services Directorate¹.

An appointed Project Manager shall be responsible for maintaining all project documentation relating to all aspects of the project and the operation of the Working Group.

Working Group Reports

The Working Group shall be required to maintain an action sheet (where relevant) for all Meetings and submit them to the Regulatory & Technical Services (RTS) Committee for adoption.

The Working Group shall also receive regular progress reports from the (Officer) Neighbourhood Services Project Board. These progress reports shall also be tabled at the Council's Efficiencies Working Group (EWG) meetings for noting.

¹ In the absence of this resource, secretarial support shall be provided on an interim basis by the PA to the Interim Director of Neighbourhood Services.

Report to:	Regulatory & Technical Services Committee
Subject:	Memorandum of understanding partnering arrangements for the removal of snow and ice from town centre footways and pedestrian areas
Date:	19 September 2018
Reporting Officer:	Roland Moore, Acting Director Neighbourhood Services
Contact Officer:	Roland Moore, Acting Director: Neighbourhood Services
Decisions Required	
Confirm how this Report should be treated by placing an x in either:-	
For decision	<input checked="" type="checkbox"/> For noting only
1.0	<u>Purpose & Background</u>
1.1	Review agreement and schedule with the Department of Infrastructure for the clearance of snow and ice from footways during prolonged winter weather.
2.0	<u>Key Issues</u>
2.1	The partnering arrangements between Transport NI and Councils for treatment of snow and ice from busy town centre footways during prolonged periods of wintry weather.
2.2	When the documents are reviewed and Council are satisfied, the agreement will be extended for a further 12 months in accordance with the 'Scope of the Agreement' Clause 3 and Appendix 1 as amended.
2.3	As the process of clearing of snow and ice would be carried out by staff redeployed from normal duties subject to availability.
2.4	The Council may consider clearing of key NMDCC Facilities in addition to those contained within the MOU.
3.0	<u>Recommendations</u>
3.1	It is recommended to approve the proposal and extend for a further 12 months.
4.0	<u>Resource Implications</u>
4.1	
5.0	<u>Equality and good relations implications:</u>
5.1	It is not anticipated that the proposal will have an adverse impact upon equality of opportunity and good relations.
6.0	<u>Rural Proofing implications</u>
6.1	Due regard to rural needs has been considered and it is not anticipated that the proposal will have any adverse impact upon equality of opportunity and good relations.
7.0	<u>Appendices</u>
7.1	Communication from DFI.



Southern Division

Mr Roland Moore
Director, Regulatory & Technical Services
Newry, Mourne & Down District Council
Monaghan Row
Newry
BT35 3DJ

Marlborough House
Central Way
Craigavon
BT64 1AD

Tel: 03002007892

E-mail:

DFIRoads.Southern@infrastructure-ni.gov.uk

Your Ref:

Our Ref:

Date : 31 August 2018

Dear Mr Moore

MEMORANDUM OF UNDERSTANDING PARTNERING ARRANGEMENTS FOR THE REMOVAL OF SNOW & ICE FROM TOWN CENTRE FOOTWAYS AND PEDESTRIAN AREAS

Please find attached a copy of our agreement and schedules for the clearance of snow and ice from footways during prolonged winter weather.

I would be grateful if you could review these documents and, if satisfied, confirm that Newry, Mourne & Down District Council is content for the agreement to be extended for a further 12 months in accordance with the 'Scope of the Agreement' Clause 3.

I understand that you may wish to agree amendments to the Appendix 1 schedules during the 12 month period and confirm that this is acceptable.

Thank you for your assistance and should you have any queries please do not hesitate to contact me.

Yours sincerely

J A HAMILTON
Network Maintenance Manager

Southern Division
Marlborough House
Central Way
Craigavon
BT64 1AD

Date: 25 April 2016

Canice O'Rourke
Director, Regulatory and Technical Services
Newry & Mourne & Down District Council
Monaghan Row
Newry
BT35 8DJ

Telephone: (028) 3834 1144
Fax: (028) 3834 1867


Dear Mr O'Rourke

**MOU OF PARTNERING ARRANGEMENTS BETWEEN DRD
TRANSPORTNI AND NEWRY, MOURNE & DOWN DISTRICT COUNCIL**

Thank you for your letter dated 1 April 2016 enclosing your updated MOU.

Enclosed please find a signed copy of this agreement for your records.

Yours sincerely



J A Hamilton
Network Maintenance Manager

**Memorandum of Understanding
Of
Partnering Arrangements
between
DRD TransportNI and District/Borough Councils
for
Clearing Busy Town Centre Footways and Pedestrian Areas of Snow and Ice.**

Introduction

1. The purpose of this Memorandum of Understanding (MOU) is to set out the basis of partnering arrangements between TransportNI and Councils for the treatment of snow and ice from busy town centre footways during prolonged periods of wintry weather. It is anticipated that footways will generally only be considered for treatment after significant snow or ice events although there may be occasions when footways could be pre-treated if freezing is forecast following heavy rain.
2. It is appreciated that neither TransportNI nor Councils have a statutory obligation to salt footways and are not resourced for this work but under this MOU footway clearance and salt/grit spreading may be undertaken by TransportNI and/or Council staff, depending on resources available at the time.
3. This MOU sets out a broad framework of key principles agreed by the Department for Regional Development (DRD), the Northern Ireland Local Government Association (NILGA) and the Society of Local Authority Chief Executives (SOLACE) to be put forward for consideration and agreement by individual local councils.
4. It is anticipated that these key principles will be specifically tailored at local level, to take account of council preferences/restraints. For example should existing local arrangements between TransportNI Section Offices and local councils be deemed appropriate by all parties, these arrangements can be retained, subject to agreement and to a schedule of work being agreed by all.

Objectives

5. The objectives of the Memorandum of Understanding are to:
 - Provide an agreed framework which local offices can build on to formalise the level of service to be provided by each organisation in those areas;
 - Define each organisation's duties and obligations in delivering this service;
 - Establish a schedule of footways to be treated in the event of prolonged periods of wintry weather;
 - Promote an efficient and co-operative working relationship between both organisations.

The Role and Commitments of TransportNI

6. TransportNI shall lead consultation, ultimately to be agreed by individual councils, on a schedule of main village/ town/ city centre footways to be treated. This is attached as Appendix 1.
7. TransportNI shall lead consultation, ultimately to be agreed by individual councils, when a salting operation should be carried out, on the basis of conditions, weather information and the availability of resources. The rationale supporting this decision making process should be developed locally.
8. TransportNI will provide Councils with salt, or a salt/grit mix, free of charge to treat those footways on the schedule, when required. TransportNI shall confirm the availability of and determine the release of salt or salt/grit mix required; and such availability and its release will be subject to TransportNI resources and it being required by local councils.
9. TransportNI will extend the indemnity being offered to Councils and their authorised agents, as defined in paragraph 14 of this MOU.
10. TransportNI will offer your council an annual service fee of £2683.52, to help with the administration of this service. This service fee is in accordance with the Service Fee scale currently in force.

The Role and Commitments of Councils

11. During extreme conditions following heavy snowfalls or prolonged freezing council staff may assist the Department with footway clearance and salt/grit spreading on an agreed schedule of footways depending on resource availability at the time.
12. The Council will nominate a representative to be responsible for the council's contribution to the treatment of snow and ice from busy town centre footways during prolonged periods of wintry weather and to attempt to resolve any difficulties or problems that may arise.
13. Councils will assist TransportNI in developing a rationale for when a salting operation should be carried out, on the basis of conditions, weather information and the availability of resources etc.
14. The Council may delegate their responsibilities under this Memorandum in whole or in part to businesses, trading organisations, and community groups ("authorised Council Agents") within their council areas, which are willing to undertake this work. The Council shall be responsible for coordinating and supervising the work of their authorised Council Agents.
15. The Council will work in close liaison with the Department's TransportNI Section Engineer's staff in order to maximise efforts and co-ordinate the deployment of the Department's TransportNI and the Council's workforce, which may comprise both the employees and contractors of the Council, their Trading Organisation Agents and community groups.
16. The Council shall provide sufficient supervisory staff for the personnel employed to carry out the work. Personnel employed to carry include the servants and employees and contractors of the Council and the authorised Council Agents.

Legislation

17. Article 8 of the Roads (Northern Ireland) Order 1993 ("the Roads Order") of the Roads Order imposes a statutory duty to maintain roads (including footways)

adopted for maintenance by the Department. While TransportNI has no statutory obligation to salt roads Article 9 of the Roads Order provides the Department with the legal right to exercise a discretionary power to take such steps as it considers reasonable and practicable to prevent snow and ice interfering with the safe passage of persons or vehicles using a road.

18. For that purpose it may also enter into agency arrangements with any persons for the treatment of roads affected by snow and ice.
19. The Council is empowered by Sections 104 and 105 of the Local Government Act (NI) 1972 to exercise functions on behalf of and to enter into arrangements with a government department for the supply of services.
20. Under these arrangements TransportNI is prepared to offer Councils the same range of defences that are available to the Department. This indemnity will include groups of traders or community groups operating on the Councils behalf.
21. This means that Councils that enjoy discretionary delegated powers can run the same defences as are available to TransportNI. Councils shall indemnify TransportNI against any claims made against TransportNI arising from allegations of negligence or fault on the part of the Council, their staff, contractors or authorised Council Agents in carrying out work under this MOU.

Terms and Conditions of the Memorandum.

22. The Memorandum shall commence on 1 December 2015 and will remain in force for a maximum period of 3 years. It replaces any previous winter service agreements between TransportNI and the Council.
23. Either DRD TransportNI or the Council may seek amendments to the Memorandum at any time.
24. Subject to the consent of both DRD TransportNI and the Council, the Memorandum may be extended at one year intervals.

- 25. The Memorandum may be terminated by either party with 6 months written notice.
- 26. The effectiveness of these arrangements will be reviewed in April of each year. Further analysis of actual costs to carry out this work in order to advocate the finances necessary to undertake this work will also be undertaken in April of each year.

The Signatories

Both organisations signify below their acceptance of the Memorandum on the terms and conditions set out

Signed on behalf of  Borough/District Council.

31/3/16

Date:

Signed on behalf of DRD TransportNI,



Date: 22/4/16

APPENDIX ONE**FOOTWAYS AND PEDESTRIAN AREA****ICE AND SNOW CLEARANCE – PRIORITY 1 / PRIORITY 2**

ROAD	EXTENT	OTHER COMMENTS
		Refer to attached schedules and/or maps identifying locations previously agreed with Councils.

Appendix One lists the footways to be treated in priority order

APPENDIX ONE

FOOTWAYS AND PEDESTRIAN AREAS

ICE AND SNOW CLEARANCE – PRIORITY 1 / PRIORITY 2

ROAD	EXTENT	OTHER COMMENTS
	<u>PRIORITY ONE</u>	
<u>DOWNPATRICK</u>		
Market Street	Irish Street to Entrance to Leisure Centre	
Irish Street	From Scotch Street to Entrance to Irish Street car park	
English Street	From Church Street junction for a distance of 50 m.	
Church Street	From Scotch Street to entrance to Church Street car park.	
Scotch Street	From Church Street junction for a distance of 50 m.	
<u>NEWCASTLE</u>		
Main Street.	From Railway Street to Central Promenade.	
Central Promenade.	From Main Street to Bryansford Road.	
Railway Street	From Entrance to car park at Percy French to Junction with Donard Street	
Donard Street	From Railway Street to Bryansford Avenue.	
Bryansford Avenue	From junction with main Street for a distance of 50 m.	

<p><u>BALLYNAHINCH</u></p> <p>Main Street and High Street.</p>	<p>From Harmony Road to Dromore Road roundabout</p> <p><u>PRIORITY TWO</u></p>	
<p><u>BALLYNAHINCH</u></p> <p>Harmony Road, Windmill Street.</p>	<p>From Main Street Junction to High Street junction.</p>	
<p><u>CASTLEWELLAN</u></p> <p>Main Street.</p> <p>Upper Square</p> <p>Newcastle Road</p>	<p>From Clarmont Place to Bann Road roundabout</p> <p>From Main Street to Main Street.</p> <p>From Main Street to petrol filling station.</p> <p><u>PRIORITY TWO</u> Lower Square Castlewellan</p>	
<p><u>KILLYLEAGH</u></p> <p>Catherine Street, Cross Street.</p> <p>High Street</p>	<p>From Plantation Street to Frederick Street</p> <p>From Castle to Catherine Street.</p>	

Appendix One lists the footways to be treated in priority order.

APPENDIX ONEFOOTWAYS AND PEDESTRIAN AREAICE AND SNOW CLEARANCE – PRIORITY 1 / PRIORITY 2

ROAD	EXTENT	OTHER COMMENTS
NEWRY		
Priority 1 Hill Street and John Mitchell Place, Newry	Kildare Street to William Street	Including Marcus St and Mall to Bus Centre Pedestrian Entrance
Priority 2 Monaghan Street, Newry	Merchants Quay to Patrick Street	Including Patrick Street to SRC
Other Areas		
Mill Street, Buttercrane Quay and Bridge Street	Hill Street to Francis Street to Dublin Bridge to jct Bridge Street car park access road	

Appendix One lists the footways to be treated in priority order

FOOTWAYS AND PEDESTRIAN AREA

ICE AND SNOW CLEARANCE – PRIORITY 1 / PRIORITY 2

ROAD	EXTENT	OTHER COMMENTS
KILKEEL	Priority 2	
Bridge Street, Kilkeel		
Greencastle Street, Kilkeel	From Bridge Street To Hotel	
Newry Street, Kilkeel	From Bridge Street To Town Hall	
Newcastle Street, Kilkeel	From Bridge Street To ASDA	
WARRENPOINT	Priority 2	
The Square / Main shopping area, Warrenpoint	The Square Church Street Duke Street Dock Street	

Appendix One lists the footways to be treated in priority order

Report to:	Regulatory & Technical Services Committee
Date of Meeting:	19 th September 2018
Subject:	6 Month Report for Building Control and Regulation
Reporting Officer (Including Job Title):	Mr Edwin Newell, Acting Assistant Director for Enterprise Regeneration and Tourism, Building Control and Regulation
Contact Officer (Including Job Title):	Mr Edwin Newell, Acting Assistant Director for Enterprise Regeneration and Tourism, Building Control and Regulation

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

<table border="1"> <tr> <td>For decision</td> <td>For noting only</td> <td>X</td> </tr> </table>		For decision	For noting only	X
For decision	For noting only	X		
1.0	Purpose and Background			
1.1	6 month report for Building Control, Licensing and EPB giving an overview of the service.			
2.0	Key issues			
2.1	<p>Building Control Since the last report in March, staff who were on long term sick are back to work and as a result we are meeting all of our Building Control performance targets. There is currently one vacant Building Control Surveyor post in the Downpatrick office which is going through the recruitment process and this position is currently being covered by Agency staff.</p> <p>Licensing Since the last report in March, the Licensing Officer post in Newry was vacated. This has been advertised and interviews will be carried out within the next 4 weeks. One Licensing Officer has been appointed in the Downpatrick office with interviews being carried out within the next 4 weeks for the remaining post.</p>			
3.0	Recommendations			
3.1	For noting.			
4.0	Resource implications			
4.1	None			
5.0	Equality and good relations implications			
5.1	None			
6.0	Rural Proofing implications			
6.1	None			
7.0	Appendices			
	Appendix 1 – Buildings Regulations and EPB Report Appendix 2 – Licensing Report			

6 Monthly Report for RTS Committee Meeting**1.0 Building Regulations Report – Matters for Noting****1.1 Number of Building Regulation Applications Received****1 Mar 2018 – 31 Aug 2018**

1242

1 Mar 2017 - 31 Aug 2017

1312

1.2 Fees Received**1 Mar 2018 – 31 Aug 2018**

Plan Fee £113,528.99

Inspection Fee £220,539.48

Other Fee £2,422.00

Total £336,490.47

1 Mar 2017 - 31 Aug 2017

Plan Fee £111,379.43

Inspection Fee £323,200.98

Other Fee £1725.00

Total £434,580.41

1.3 Site Inspections carried out**1 Mar 2018 – 31 Aug 2018**

6707

1 Mar 2017 - 31 Aug 2017

6405

1.4 Performance

Current performance indicators are being met:-

Domestic Plan Assessments (Target 75%) 93%

Non Domestic Plan Assessments (Target 75%) 83%

BR3 Returns (Target 80%) 93%

2.0 Enforcement

Number of premises visited to assess extent of unauthorised works between March 2018 and August 2018 = 12

23 Priests Road, Castlewellan	Conversion of first floor garage to apartment	Resolved
152 Ballylough Road, Castlewellan	Extension to dwelling	Resolved
24-34 Main Street, Newcastle	Internal alterations	Resolved
36 Upper Damolly Road, Newry	Alterations and extension to dwelling	Resolved
106 Comber Road, Killyleagh		Resolved
62 Violet Hill Avenue, Newry	Roofspace conversion	Resolved
1a Rocks Road, Ballyhornan, Downpatrick	Re-roofing of existing building	Resolved
Unit 1 Milltown Industrial Estate, Warrenpoint	Change of use – sub- division of existing industrial unit	Resolved
14 Ardnabannon Road, Rostrevor	Refurbishment and extension to existing cottage	Resolved
13-15 North Street, Crossmaglen	Proposed alterations to public house	Resolved
27 Mourne View, Ballynahinch	Erection of an attached shed and an exempt conservatory	1 st Reminder letter has been sent out
27 Rath Road, Warrenpoint	Garden Shelter	28 day timeframe has not expired yet

3.0 Dangerous Structures

Number of premises identified as dangerous structures between March 2018 and August 2018 = 10

Adj 3 Station Road, Castlewellan	Loose roof slates and loose gutter sections	Resolved
119 Main Street, Dundrum	Loose slates at rear of roof	Resolved
43 Dublin Road, Newry	Vacant shop – glazing on windows broken	Resolved
53 Head Road, Annalong	Dangerous building due to fire damage	Resolved
Dominic Street, Newry	Slates fell off 3 storey building	Resolved
52 Hill Street, Newry	Debris noted on street	Currently outstanding
13 Quay Lane, Killough	Dangerous building	Currently outstanding
Adj to 8 Fishermans Row, Killough	Dangerous derelict building	Resolved
1 The Slip, Strangford	Loose Slates	Currently outstanding
1 Shore Road, Rostrevor	Tiles falling off roof	Resolved

4.0 Property Certificates

Property certificates responded to date.

1 Mar 2018 – 31 Aug 2018
1452

1 Mar 2017 – 31 Aug 2017
1430

5.0 Fire Risk Assessments

There have been 33 Fire Risk Assessments carried out during the past 6 months.

- Bagenals Castle
- Castlewellan Community Centre Playgroup
- Castle Depot
- Delamont Country and Caravan Park
- Down Leisure Centre Pavilion
- Castle Park Bowling Pavilion
- Castlewellan Pavilion
- Donard Park Pavilion
- Donard Park Toilets
- Islands Park Tennis Building
- Annsborough Pavilion
- Killough Pavilion
- Ballykinlar Pavilion
- Market Street Public Toilets
- Downs Road Toilets
- Tyrella Toilets, Visitor Centre and Gate Lodge
- Central Promenade Toilets
- Rock Pool
- Island Park Toilets
- Dundrum Pavilion
- Drumanakelly Landfill Site Office
- Lough Inch Cemetary Building
- Ballykine Civic Amenity Site Office
- Crossgar Changing Pavilion
- St Colman's Astro Pitch / Pavilion
- Struel Cemetary Amenity Building
- Langley Road Pavilion
- Ballyhornan Public Toilets
- Strangford Pavilion
- Cloonagh Road Civic Amenity Centre
- Castlewellan Public Toilets
- Rosconnor Pavilion
- Ardglass Bathing House

6.0 Energy Performance of Buildings (EPB) Checks 1st March 2018 -31st August 2018

ESTATE AGENTS

- * Total no of agents checked (on site/ website) - 40
- * Total number of non-compliance – 260
- * Number of first warning letters issued – 85
- * Number of successful first warning letters – 65

Display Energy Certificates (DEC's)

- * Number of buildings checked on Landmark - 93
- * Number of buildings compliant on Landmark- 64
- * Number of 2 month expiry letters issued – 402
- * Number of first warning letters issued - 56
- * Number of successful first warning letters - 27

AIR CONDITIONING

- * Number of air con buildings checked on landmark - 108
- * Number of air con buildings compliant - 102
- * Number of first warning letters issued - 8
- * Number of successful first warning letters - 2

EPCs RECEIVED (ON CONSTRUCTION)

- * Number of new dwelling EPC's checked on Landmark – 398
- * Number of new dwellings complaint – 342

**Recommendation:
For Noting**

**Edwin Newell
Acting up Assistant Director of Enterprise, Regeneration and Tourism**

Licensing Report – Matters for Noting

1.0 Application Information

1.1 Application Information

**1 March 2018 –
31 August 2018**

Number of Licensing Applications Received and Validated (Entertainment, Cinema, Petroleum, Amusement, Marriage, Street Trading, Societies Lotteries, Road Closures and Dogs)	6262
Number of Licences Granted (Entertainment, Cinema, Petroleum, Amusement, Marriage, Street Trading, Societies Lotteries, Road Closures and Dogs)	6245
Number of Annual Inspections Carried out (including During Performance Inspections)	240

2.0 List of Entertainment Licences issued from 1 March 2018 – 31 August 2018

Name of Premises	Address
Crossmaglen Community Centre	The Square, Crossmaglen
Old Killowen Inn	10 Bridge Street, Rostrevor
Murphys Bar	2 Dromintee Road, Meigh
McGuigans Bar	48 Monaghan Street, Newry
Rooney's Bar	22 Main Street, Hilltown
Narrow Water Castle (AVA Party)	Newry Road, Warrenpoint
The Aniseed Lounge	29-33 Dromore Street, Ballynahinch
Fossett's Circus	Down Hockey Club, Strangford Road, Downpatrick
Riverside Bar	4 Forkhill Road, Mullaghbawn
Victoria Hotel	1 Dock Street, Warrenpoint
Sheepbridge Inn	143 Belfast Road, Newry
Fossett Brothers Circus	Albert Basin, Newry
Cloughmor Inn	2 Bridge Street, Rostrevor

Name of Premises	Address
Boley Inn	19 Main Street, Hilltown
Attical GAC Social Club	4 Sandy Brae, Attical
Mirabelle Bar	28 Market Street, Downpatrick
Kilkeel Parish Bridge Association	17-19 Greencastle Street, Kilkeel
St Moninna INF Club	55 Forkhill Road, Newry
Cross Square Hotel	4-5 O'Fiaich Square, Crossmaglen
St Patricks Gaelic Social Club	4B Old Road, Mayobridge
St Patricks GFC Dromintee	18 Aghadavoyle Road, Jonesborough
The Yellow Heifer	16 Main Street, Camlough
Canal Court Hotel	29-32 Merchants Quay, Newry
Catholic Working Mens Club	36 Hill Street, Newry
Bellinis	25 Merchants Quay, Newry
Silverbridge Resource Centre	35 New Road, Silverbridge
Silverbridge Harps GAC	35 New Road, Silverbridge
Fizpatricks Bar	7 Church Street, Downpatrick
Trainer's Bar	21 Main Street, Camlough
Longstone GAC	65 Longstone Road, Annalong
Lissummon Community Hall	Leish Road, Lissummon
Hunter Moore Social Club	65 Belfast Road, Newry
Whitecross Lounge	176B Tullyah Road, Whitecross
Forge Bar	100 Carrickasticken Road, Forkhill
Clonduff GAC	18 Castlewellan Road, Hilltown
The Road Houses	67 Ballyhoman Road, Downpatrick
Killyleagh Castle Outdoor Grounds	Castle Lane, Killyleagh
St Bronaghs GAA Club	Mary Street, Rostrevor
St Mochai's GAC	119 Manse Road, Crossgar
St Peters GAA	17-19 Mary Street, Warrenpoint
Warrenpoint Golf Club	Lower Dromore Road, Warrenpoint
Carlingford Lough Yacht Club	Kilowen Point, Rostrevor
The Arkle Bar	17 Irish Street, Downpatrick
Teconnaught GFC	7 Rann Road, Downpatrick
Ballyward Church Hall	Ballyward Road, Ballyward
Marine Tavern	4 Marine Parade, Warrenpoint
Newry Omniplex Cinema	The Quays Shopping Centre, Newry
Minnie Doyle's Bar	13-15 Main Street, Hilltown
Duffy's Circus	Dundrum Road, Newcastle
Duffy's Circus	Belfast Road, Downpatrick
Duffy's Circus	Cranfield Road, Kilkeel
Annalong Presbyterian Church Hall	Major's Hill, Annalong
Annalong Presbyterian Church Net Hall	Major's Hill, Annalong
Railway Bar	79 Monaghan Street, Newry
Mourne Stimulus Day Centre	Council Road, Kilkeel

Name of Premises**Address**

Cuchulainn Park Social Club	Cranny Road, Mullaghbawn
Ballymartin Inn Ltd	17 Ballymartin Village, Ballymartin
Annalong Community Centre	Annalong Marine Park, Annalong
Ye Old Ship Inn	12-14 The Square, Warrenpoint
St John Bosco GFC	10 Water Street, Newry
The Maghera Inn	86 Ballyloughlin Road, Castlewellan
St Michael's Parochial Hall	Rathfriland Road, Dromara
Bridge Centre	Braeside Gardens, Killyleagh
Gormans Bar	2 Bavan Road, Mayobridge
St Patricks GFC	Tullynavall Road, Cullyhanna
The Bank Bar	1-2 Trevor Hill, Newry
Rademon Estate Distillery	Church Street, Crossgar
Magee's Bar	66 Downpatrick Street, Crossgar
The Carman's Inn	15 Downpatrick Street, Crossgar
Dolly's Brae Inn	15 Gargarry Road, Ballyward
Mooney's Bar	36 Main Street, Castlewellan
Kilkeel Golf Club	Mourne Park, Kilkeel
Youth with a Misson (An Cuan)	Shore Road, Rostrevor
Cobbles Bar	15 The Mall, Newry
Killeavy GAC	49 Forkhill Road, Newry
King George VI Memorial Orange Hall	27 Castleblayney Street, Newtownhamilton
Currans Bar and Seafood Steakhouse	83 Strangford Road, Ardglass
Newry Variety Market	Mary Street, Newry
Belleek Country House	16 Main Street, Belleeks
Ma Kearneys	20 Newry Road, Crossmaglen
Downshire Arms	28 Main Street, Hilltown
Glenside Lounge	15 Main Street, Belleeks
Down County Museum	The Mall, Downpatrick
The Anchor Bar	9-11 Bryansford Road, Newcastle
The Whistledown Hotel	6 Seaview, Warrenpoint
Mackens Bar (Gems Bar Ltd)	71-73 South Promenade, Newcastle
Windmill Bar	46 Church Street, Newry
Royal British Legion	5 Derrymore Road, Bessbrook
Turleys Bar	5-7 Scotch Street, Downpatrick
Spa Young Farmers Club	75 Drummaroad Hill, Ballynahinch
Marquee at Strangford Festival	Lower Green/Quay Street, Strangford
Pride in Newry Parade and Festival	McClelland Park, Newry

3.0 List of Petroleum Licences issued from 1 March 2018 – 31 August 2018

Name of Premises	Address
Ghan Filling Station	43 Warrenpoint Road, Newry
Glenview Service Station	10 Dublin Road, Newry
O'Hare's Supermarket	37 Newry Road, Mayobridge
Whitecross Filling Station	15 Kingsmill Road, Whitecross
Barneys Service Station	261 Dublin Road, Newry
Mulkerns Eurospar	51A Forkhill Road, Newry
Barbican Annalong	35 Kilkeel Road, Annalong
Grants Stores	2 Bog Road, Kilkeel
Mac Fuels	56 Forkhill Road, Newry
Killens Service Station	49 Main Street, Hilltown
O'Neills Filling Station	207 Concession Road, Crossmaglen
Newry, Mourne and Down District Council	Council Offices, Greenbank Industrial Estate, Newry
Eurospar	55 Greencastle Street, Kilkeel
Clonalig Fuels	200A Concession Road, Crossmaglen
MCG Wholesale	68 Edenappa Road, Jonesborough
Satellite Filling Station	46 Rathfriland Road, Hilltown
Morgan Xpress Station	251 Dublin Road, Newry
Coolie Oils Ltd	71 New Road, Silverbridge
Clarnew Limited	30A Newry Road, Crossmaglen
Dufferin Garage	6-8 Cross Street, Killyleagh
Meadowside Filling Station	25 Church Street, Downpatrick
Mace	41 Annacloy Road, Downpatrick
Brennans	149 Newcastle Road, Seaforde
Barbican	82 Dundrum Road, Newcastle
Lenons	1 Newcastle Road, Castlewella
Donard View Service Station	76 Crossgar Road, Ballynahinch
Hendersons	2-4 Main Street, Clough
Hendersons	5 Downpatrick Road, Ardglass
Carlises	14 Castlewella Road, Newcastle
O'Hares	121 Drumaness Road, Drumaness
Royal County Down Golf Club	36 Golf Links Road, Newcastle
Dublin Road Service Station	112 Dublin Road, Kilcoo
Henry McVeigh	33 Clonvarghan Road, Newcastle

4.0 List of Amusement Permits issued from 1 March 2018 – 31 August 2018

Name of Premises	Address
Boyle Gaming	45-51 Mill Street, Newry
Casino Palace	8 Water Street, Newry
The Casino	51 Monaghan Street, Newry
Max Sports Club Amusements	5 Margaret Square, Newry
Joyland Amusements	1-11 Central Promenade, Newcastle
Boyle Bingo and Amusements	29 & 31 Church Street, Warrenpoint

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

**01 March
2018- 31
August 2018**

5.1 Animal Welfare Calls

Total number of calls for Northern Ireland	3245
Total number of calls received to date by Southern Region Area	651
Number of calls for Newry, Mourne and Down District area	248
Completed calls for Newry, Mourne and Down District area	203

5.2 Animal Welfare Cases

Number of animal welfare cases in Northern Ireland	2799
Number of animal welfare cases in Southern Region group	595
Number of animal welfare cases in Newry, Mourne and Down District Council	235
Number of calls that are not animal welfare cases	13

5.3 Breakdown of Animal Welfare Cases

Total number of animal welfare cases in Northern Ireland	235
Number of animal welfare cases closed in Northern Ireland	190
Number of animal welfare cases open in Southern Region group	45

5.4 Breakdown of Visits and Actions

Number of visits carried out in Northern Ireland	389
Improvement Notices in Northern Ireland	10
Number of cases of animals seized in Northern Ireland	7

6.0 Street Nameplates

6.1 Street Nameplates

**1 March 2018
– 31 August
2018**

Nameplates Requests Received	63
Nameplates Ordered	56
Nameplates confirmed as being erected	38

7.0 List of Single Language Nameplates erected from 1 March 2018 – 31 August 2018

Street Name

Burrenbridge Road, Castlewellan
 St Nicholas Walk, Ardglass
 Lir Grove, Newtownhamilton
 Drumnaquoile Road, Ballynahinch
 Watsons Road, Newry
 McKnights Hill, Bessbrook
 St Dillions Court, Downpatrick
 Loughaveely Road, Crossmaglen
 Upper Knockbarragh Road, Rostrevor
 Shinn Road, Newry
 Nos. 72 – 72a Newtown Road, Rostrevor
 Nos. 135 – 149A Kilbroney Road, Rostrevor
 Main Street, Dundrum
 School Hill, Dundrum
 Nos. 109 – 129 Strangford Road, Downpatrick
 Cherryhill Road, Ballynahinch
 Drumnahunshin Road, Whitecross
 Kilbroney Road - Numbers 135 - 149a Leading To 70, 72, 72a
 Newtown Road, Rostrevor
 Newtown Road, Rostrevor - Numbers 70, 72, 72a
 Mary Street, Warrenpoint
 O'Rahilly Road, Castlewellan
 Longstone Road, Annalong
 The Square, Rostrevor
 Glen Court, Newry

8.0 Requests for Dual Language Nameplates

8.1 Livins Road, Kilkeel

It was approved to erect a dual-language street nameplate at Livins Road, Kilkeel following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Livins Road, Kilkeel.

25 questionnaires were posted to the same amount of properties at Livins Road, Kilkeel (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.2 Tievedoo Park, Kilkeel

It was approved to erect a dual-language street nameplate at Tievedoo Park, Kilkeel following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Tievedoo Park, Kilkeel.

14 questionnaires were posted to the same amount of properties at Tievedoo Park, Kilkeel (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.3 Tullamona Park, Kilkeel

It was approved to erect a dual-language street nameplate at Tullamona Park, Kilkeel following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Tullamona Park, Kilkeel.

8 questionnaires were posted to the same amount of properties at Tullamona Park, Kilkeel (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.4 Aileen Terrace, Newry

It was approved to erect a dual-language street nameplate at Aileen Terrace, Newry following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Aileen Terrace, Newry.

15 questionnaires were posted to the same amount of properties at Aileen Terrace, Newry (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.5 Ardgreen Drive, Newry

It was approved to erect a dual-language street nameplate at Ardgreen Drive, Newry following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Ardgreen Drive, Newry.

15 questionnaires were posted to the same amount of properties at Ardgreen Drive, Newry (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.6 Castlekeele Heights, Newry

It was approved to erect a dual-language street nameplate at Castlekeele Heights, Newry following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Castlekeele Heights, Newry.

7 questionnaires were posted to the same amount of properties at Castlekeele Heights, Newry (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.7 Dorans Hill, Newry

It was approved to erect a dual-language street nameplate at Dorans Hill, Newry following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Dorans Hill, Newry.

11 questionnaires were posted to the same amount of properties at Dorans Hill, Newry (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.8 Hillside Court, Newry

It was approved to erect a dual-language street nameplate at Hillside Court, Newry following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Hillside Court, Newry.

5 questionnaires were posted to the same amount of properties at Hillside Court, Newry (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.9 Hillside Terrace, Newry

It was approved to erect a dual-language street nameplate at Hillside Terrace, Newry following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Hillside Terrace, Newry.

4 questionnaires were posted to the same amount of properties at Hillside Terrace, Newry (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.10 Longstone Road, Annalong

It was approved to erect a dual-language street nameplate at Longstone Road, Annalong following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Longstone Road, Annalong.

67 questionnaires were posted to the same amount of properties at Longstone Road, Annalong (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.11 Martins Lane, Newry

It was approved to erect a dual-language street nameplate at Martins Lane, Newry following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Martins Lane, Newry.

9 questionnaires were posted to the same amount of properties at Martins Lane, Newry (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.12 The Square, Rostrevor

It was approved to erect a dual-language street nameplate at The Square, Rostrevor following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at The Square, Rostrevor.

19 questionnaires were posted to the same amount of properties at The Square, Rostrevor (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.13 Ballinlare Court, Newry

It was approved to erect a dual-language street nameplate at Ballinlare Court, Newry following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Ballinlare Court, Newry.

24 questionnaires were posted to the same amount of properties at Ballinlare Court, Newry (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.14 Castlekeele, Newry

It was approved to erect a dual-language street nameplate at Castlekeele, Newry following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Castlekeele, Newry.

7 questionnaires were posted to the same amount of properties at Castlekeele, Newry (figure stated to be amount of houses in given area according to Pointer

and Royal Mail).

8.15 The Demense, Newry

It was approved to erect a dual-language street nameplate at The Demense, Newry following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at The Demense Newry.

70 questionnaires were posted to the same amount of properties at The Demense, Newry (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.16 Raymond Kelly Park, Newry

It was approved to erect a dual-language street nameplate at Raymond Kelly Park, Newry following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Raymond Kelly Park, Newry.

7 questionnaires were posted to the same amount of properties at Raymond Kelly Park, Newry (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.17 Springmartin, Newry

It was approved to erect a dual-language street nameplate at Springmartin, Newry following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Springmartin, Newry.

23 questionnaires were posted to the same amount of properties at Springmartin, Newry (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.18 Convent Road, Kilcoo

It was approved to erect a dual-language street nameplate at Convent Road, Kilcoo following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Convent Road, Kilcoo.

13 questionnaires were posted to the same amount of properties at Convent Road, Kilcoo (figure stated to be amount of houses in given area according to Pointer and Royal Mail).

8.19 Ardenlee Drive, Downpatrick

It was approved to erect a dual-language street nameplate at Ardenlee Drive, Downpatrick following a request from an occupant; a postal survey was initiated by the Licensing Section, to each occupier at Ardenlee Drive, Downpatrick.

23 questionnaires were posted to the same amount of properties at Ardenlee Drive, Downpatrick (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 March 2018 – 31 August 2018

Allocation of New Postal Address 210

Postal queries responded to 160
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 Aughrim Court, Kilkeel

The name 'Aughrim Court' was approved for the proposed development at Mountain Road, Kilkeel by Choice Housing Association.

The proposal met the Street Naming Criteria as it 'reflects the local townland name, or a local geographical/topographical feature or social, or historical feature'. and "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'.

This is an existing development. This is a process to formally adopt an existing known development.

10.2 Belvedere Heights, Burren

The name 'Belvedere Heights' was approved for the proposed development at Clontafleece Road, Burren by Aine Cassidy.

The proposal met the Street Naming Criteria as it ' Reflects the local townland name, or a local geographical/topographical feature or social, or historical feature'.

The Site is on an elevated hill overlooking Burren Chapel. The association with the word 'Belvedere' is based on historical church reference to an

elevated premises overlooking the Vatican, hence the name Belvedere Heights.

10.3 **Boirinn View, Burren**

The name 'Boirinn View' was approved for the proposed development at Clontafleece Road, Burren by Aine Cassidy.

The proposal met the Street Naming Criteria as it 'Reflects the local townland name, or a local geographical/topographical feature or social, or historical feature'.

The name is taken from placenames data; *An Bhoirinn* meaning rocky district, small townland in County Down. The site is elevated overlooking Burren district.

10.4 **Harbour Close, Kilkeel**

The name 'Harbour Close' was approved for the proposed development at Harbour Road, Kilkeel by McKinley Contracts Ltd,

The proposal met the Street Naming Criteria as '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'.

The new development is located adjacent to Kilkeel Harbour hence the name Harbour Close.

10.5 **Carquillan Court, Hilltown**

The name 'Carquillan Court' was approved for the proposed development at Carquillan, Hilltown by McAdam Stewart Architects

The proposal 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'.

The site is accessed from Carquillan, hence the name Carquillan Court.

10.6 **St Bridgets Lane, Crossmaglen**

The name 'St Bridgets Lane' was approved for the proposed development at Corrasmoor Road, Crossmaglen by Triange 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 site is in close proximity of St Bridget's Park.

10.7 Hillcrest Way and Hillcrest Avenue, Bessbrook

The names 'Hillcrest Way and Hillcrest Avenue' was approved for the proposed development at McKnights Hill by Lotus Homes.

The proposals 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'.

The site is accessed from Hillcrest Heights, hence the names Hillcrest Way and Hillcrest Avenue.

10.8 Forde Gardens, Seaforde

The name 'Forde Gardens' was approved for the proposed development adjacent to Forde Way, Seaforde for Aiden Rice.

The proposal met with 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'.

The proposed development is directly accessed of Forde Close.

10.9 Brunels View, Dundrum

The name 'Brunels View' was approved for the proposed development at Main Street, Dundrum for Clanmill Developments.

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

10.10 Seaview Lane, Newcastle

The name 'Seaview Lane' was approved for the proposed development at Bryansford Village, Newcastle for Douglas Gale Ltd.

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

10.11 Forde Green, Seaforde

The name 'Forde Green' was approved for the proposed development adjacent to Forde Close, Seaforde for Helm Housing.

The proposal met with 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'.

The proposed development is directly accessed of Forde Close.

10.12 Riverview Walk, Ballynahinch

The name 'Riverview Walk' was approved for the proposed development adjacent to Riverview Heights, Ballynahinch for Lilburn Contracts.

The proposal met with 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'.

The proposed development is directly accessed of Riverview Heights.

10.13 Lawnfield Close, Newcastle

The name 'Lawnfield Close' was approved for the proposed development at Lawnfield, Newcastle for Choice Housing.

The proposal met with 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'.

The proposed development is directly accessed of Lawnfield.

10.14 Old Station Court, Killyleagh

The name 'Old Station Court' was approved for the proposed development at Downpatrick Road, Killyleagh for Eugene Flynn.

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

The proposed development is being built on the site of an old police station.

10.15 Dundrinne Close, Castlewellan

The name 'Dundrinne Close' was approved for the proposed development at Dundrinne Road, Castlewellan for SM Contracts.

The proposal met with 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'.

The proposed development is directly accessed off Dundrinne Road.

**Recommendation:
For Noting**

**Signed
Edwin Newell
Acting up Assistant Director of Enterprise, Regeneration and Tourism**

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
 Killeel
 RT34, 4DF
PROPOSAL Infill site for new dwelling and garage in existing cluster (amended plans)

APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure 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

ITEM NO 2
Planning Ref: LA07/2017/0786/ **PAC Ref:** 2017/A0178
APPELLANT Walter Watson **DEA** Slieve Croob
LOCATION 4 Drumnaquoile Road
 Castlewellan
PROPOSAL Replacement dwelling and detached garage

APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure **Date Appeal Lodged** 04/12/2017
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

ITEM NO 3
Planning Ref: LA07/2017/0319/ **PAC Ref:** 2017/A0188
APPELLANT Mr Sean O'Hare **DEA** Slieve Gullion
LOCATION 10A Limekiln Road
 Newry
PROPOSAL RT35.71 X
 Retention of authorised treatment facility for end-of-life vehicles, including access road and all associated site infrastructure, including areas of hardstanding, drainage systems, all buildings, structures, racks, fencing and gates
APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure Informal Hearing **Date Appeal Lodged** 12/12/2017
Date of Hearing 18/04/2018
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

ITEM NO 4
Planning Ref: LA07/2017/0114/ **PAC Ref:** 2017/A0202
APPELLANT Mr Vincent McGuinness **DEA** Newry
LOCATION 210m South 30 Low Road
 Killeavy
 Newry
PROPOSAL Retention of existing industrial units and yard area for use as a waste transfer station. Includes associated car parking, external storage are and weighbridge.
APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure **Date Appeal Lodged** 22/12/2017
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

ITEM NO 5
Planning Ref: LA07/2016/0952/ **PAC Ref:** 2017/A0213
APPELLANT D & M Downey **DEA** Newry
LOCATION 113-117 Dublin Road
 Newry
PROPOSAL RT35 ROP
 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 DC- Refusal of Planning Permission
Appeal Procedure 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
Date of Site Visit

ITEM NO 6
Planning Ref: LA07/2017/0795/ **PAC Ref:** 2018/A0020
APPELLANT Mr Laurence Patterson **DEA** Rowallane
LOCATION Drumnaconnell House
 56 Ballynahinch Road
PROPOSAL Drumnaconnell West
 Replacement dwelling
APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure **Date Appeal Lodged** 15/05/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

ITEM NO 7
Planning Ref: LA07/2015/0461/ **PAC Ref:** 2018/A0026
APPELLANT John Mackin **DEA** Crotlieve
LOCATION 72 Ballyvalley Road
 Mayobridge
PROPOSAL Replacement dwelling

APPEAL TYPE DC - Conditions of Approval
Appeal Procedure **Written Reps with Site Visit** **Date Appeal Lodged** 29/05/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

ITEM NO 8
Planning Ref: LA07/2016/1407/ **PAC Ref:** 2018/A0027
APPELLANT Richard Newell **DEA** The Mournes
LOCATION 75A Glasdrumman Road
 Annalong
Co. Down
PROPOSAL Proposed extension of curtilage of existing dwelling house and
 retention of existing Domestic Boat House and Yard

APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure **Written Reps** **Date Appeal Lodged** 30/05/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

ITEM NO 9
Planning Ref: LA07/2016/1276/ **PAC Ref:** 2018/A0029
APPELLANT Mr D Boal **DEA** Rowallane
LOCATION 3 Main Street
 Ballynahinch
PROPOSAL Subdivision of existing retail unit to 2No. Retail Units and Change of Use to 4No apartments with extension to first floor to provide 2No. Apartments
APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure **Date Appeal Lodged** 01/06/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

ITEM NO 10
Planning Ref: LA07/2017/1192/ **PAC Ref:** 2018/A0030
APPELLANT Tranquility Ireland **DEA** Newry
LOCATION 97 Fathom Line
 Fathom Lower
 (Main Portion)
PROPOSAL Retention of change of use of domestic dwelling and garage to three short term holiday let accommodation with alterations
APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure **Written Reps with Site Visit** **Date Appeal Lodged** 01/06/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

ITEM NO 11
Planning Ref: LA07/2017/0969/ **PAC Ref:** 2018/A0046
APPELLANT Mr Peter Clerkin **DEA** Crotlieve
LOCATION 160m South Of 106 Leitrim Road
 Hilltown
PROPOSAL Proposed retention and extension of farm shed (amended address)

APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure **Written Reps** **Date Appeal Lodged** 11/07/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

ITEM NO 12
Planning Ref: LA07/2017/0492/ **PAC Ref:** 2018/A0050
APPELLANT East Coast Coaches **DEA** Crotlieve
LOCATION 70 Metres East Of 72 Rathfriland Road
 Newry
PROPOSAL Temporary permission for hard standing (area to be used for the parking and turning of coaches associated with existing bus and taxi depot)

APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure **Informal Hearing** **Date Appeal Lodged** 17/07/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

ITEM NO 13
 Planning Ref: R/2014/0079/F PAC Ref: 2018/A0054
 APPELLANT Mr Brendan Maginn DEA The Mournes
 LOCATION Approx 285m South West Of No 63 Dundrine Road Castlewellan

PROPOSAL 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)

APPEAL TYPE DC- Refusal of Planning Permission

Appeal Procedure Date Appeal Lodged 30/07/2018
 Date of Hearing
 Date Statement of Case Due for Hearing
 Date Statement of Case Due - Written Representation
 Date of Site Visit

ITEM NO 14
 Planning Ref: LA07/2017/1802/ PAC Ref: 2018/A0064
 APPELLANT Mrs Bridget Hasson DEA Slieve Gullion
 LOCATION 80m North East Of No 50 Malahy Conlon Park
 Cullaville Road

PROPOSAL Cullaville
 Proposed infill dwelling and domestic garage

APPEAL TYPE DC- Refusal of Planning Permission

Appeal Procedure Date Appeal Lodged 10/08/2018
 Date of Hearing
 Date Statement of Case Due for Hearing
 Date Statement of Case Due - Written Representation
 Date of Site Visit

ITEM NO 15
Planning Ref: LA07/2017/1668/ **PAC Ref:** 2018/A0065/F
APPELLANT Mr & Mrs Joseph Bell **DEA** Rowallane
LOCATION 33 Cluntagh Road
 Crossgar
 RT30 9ET
PROPOSAL Conversion of stables to domestic annex to be used as granny flat

APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure **Date Appeal Lodged** 10/08/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

ITEM NO 16
Planning Ref: LA07/2017/1394/ **PAC Ref:** 2018/A0066
APPELLANT Mr B And Mrs A Gibney **DEA** Slieve Croob
LOCATION 80m East Of 89 Demesne Road
 Edendarriff
 Rallynahinch
PROPOSAL Dwelling and garage on a farm

APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure **Date Appeal Lodged** 10/08/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

ITEM NO 17
Planning Ref: LA07/2018/0166/ **PAC Ref:** 2018/AO021
APPELLANT Sean Nugent **DEA** Slieve Gullion
LOCATION 60m East Of 66 Slatequarry Road
 Cullyhanna
PROPOSAL Retention of existing farm shed

APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure Informal Hearing **Date Appeal Lodged** 15/05/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

ITEM NO 18
Planning Ref: LA07/2017/0665/ **PAC Ref:** 2018/E0014
APPELLANT Mr James K. Donnelly **DEA** Newry
LOCATION 110 Metres North West Of No. 240 Dublin Road
 Killeen
 Newry
PROPOSAL Retention of agricultural building, erected under permitted development.

APPEAL TYPE DC- Refusal of CLUD
Appeal Procedure **Date Appeal Lodged** 14/06/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

ITEM NO 19
Planning Ref: LA07/2018/0363/ **PAC Ref:** 2018/E0017
APPELLANT Mr And Mrs S Thompson **DEA** Rowallane
LOCATION 19A Rathcunningham Road
 Toye
 Downpatrick
PROPOSAL Use of 19A as a dwelling separate from 19

APPEAL TYPE DC- Refusal of CLUD
Appeal Procedure **Date Appeal Lodged** 28/06/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

ITEM NO 20
Planning Ref: LA07/2018/0373/ **PAC Ref:** 2018/E0022
APPELLANT James Purdy **DEA** Crotlieve
LOCATION 78b Upper Dromore Road
 Warrenpoint
PROPOSAL Car bodywork repairs and construction sealants distribution.

APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure **Written Reps** **Date Appeal Lodged** 11/07/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

Appeal Reference:	2017/A0202
Appeal by:	Mr Vincent McGuinness
Appeal against:	The refusal of full planning permission
Proposed Development:	Retention of existing industrial units and yard area for use as a waste transfer station. Includes associated car parking external storage area and weighbridge
Location:	210 metres south of 30 Low Road, Kileavey, Newry, BT35 8SU
Planning Authority:	Newry, Mourne and Down District Council
Application Reference:	LA07/2017/0114/F
Procedure:	Hearing on 13 June 2018
Decision by:	Commissioner Rosemary Daly, dated 30 August 2018

Decision

1. The appeal is allowed full planning permission is granted, subject to the conditions set out below.

Preliminary Issue

2. The appellant did not provide a statement of case within the required timescales as set out by the Commission. At the hearing the appellant stated in order to be helpful to the Council, they had sent a copy directly to the Council prior to the hearing. The representative from the Council stated that such action was inappropriate and that they had not had time to consider this evidence. Notwithstanding these concerns raised by the Council the appellant set out the reasons why the submission of the statement of case was late and concluded that they were happy to present their evidence orally at the appeal hearing.
3. In the Council's statement of case reason for refusal 5 relating to Planning Policy Statement 4 Planning and Economic Development were withdrawn. Additionally reason for refusal 3 was amended, to make reference to Policy WM2 of Planning Policy Statement 11 Planning and Waste Management

Reasons

4. The main issues in this appeal relate to:
 - a. the principle of the development in the countryside;
 - b. the visual impact of the development on the character and appearance of the countryside in an Area of Outstanding Natural Beauty (AONB);
 - c. the impact of the development on the surrounding residents; and

- d. the impacts of the development on the flow of traffic and road safety in the area.
5. Section 6(4) of the Planning Act (Northern Ireland) 2011 requires that determination of proposals must be made in accordance with the local development plan unless material considerations indicate otherwise. The extant local development plan for the area is the Banbridge/Newry and Mourne Area Plan 2015 (BNMAP). The appeal site is located in the countryside area around 1 kilometre east of the village of Meigh. The site is located with the Ring of Gullion AONB which is noted in the plan but is not within the Ring of Gullion Special Countryside Area. The plan provides no specific policy provision for the consideration of the appeal development located in an AONB.
 6. BNMAP does emphasis the Regional Development Strategy guidance which seeks to manage our waste sustainably. Page 42 (Vol 1) of the plan refers matters relating to waste are considered in the Waste Management Strategy for Northern Ireland and refers to the new approach to waste management driven forward by the UK and EU commitment to sustainable patterns of development which requires the reuse, recycling and recovery of material from our waste.
 7. In respect of economic development the plan makes an allocation of some 170.66 hectares of land in settlements in Newry and Mourne area. No specific land is zoned for economic development in villages and small settlements except for an extension to the existing industrial estate at Jonesborough. The plan is silent on site specific waste management and economic uses in the open countryside.
 8. The Strategic Planning Policy Statement for Northern Ireland 'Planning for Sustainable Development' (SPPS) is material to all decisions on individual planning applications and appeals. The SPPS retains policies within existing planning policy documents until such times as a Plan Strategy for the whole of the Council area has been adopted. It sets out transitional arrangements to be followed in the event of a conflict between the SPPS and retained policy. Any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in the favour of the provisions of the SPPS.
 9. In respect of the appeal development no conflict arises between the SPPS and the prevailing regional policy set out by Planning Policy Statement 21 Sustainable Development in the Countryside (PPS21); Planning Policy Statement 11 Planning and Waste Management (PPS11); and Planning Policy Statement 2 Natural Heritage which makes policy provision for the consideration of new development in an AONB.
 10. Policy CTY1 of PPS21 states there are a range of types of development which in principle is considered to be acceptable in the countryside and that will contribute to the aims of sustainable development. The policy sets out specific cases of non residential development where planning permission will be granted. None of these cases refer to the development of a waste transfer facility. Policy CTY1 continues to state that are a range of other types of non residential development that may be acceptable in principle in the countryside and that such proposals will continue to be considered in accordance with published planning policies. PPS11 sets out the prevailing policy for the development of waste management facilities.

11. The development on the site relates to the retention of a waste transfer facility with associated car parking and storage. The appellant's 'waste facility working plan (WFWP) states the facility receives recyclable material such as plastic, paper and cardboard. Table 1.4 Appendix 1 of the WFWP provides a list of the permitted wastes to the site. The WFWP states the wastes fall within non-hazardous or inert classification and that no putrescible or odorous wastes are accepted at this site. Table 5.1 of the WFWP also sets out the prescribed quantities of the permitted waste to be processed/stored on the site. At the appeal hearing the appellant stated that this amounted to around 30,000 tonnes of waste per year, some 60 to 70 tonnes of waste per day. The site does not include any waste disposal facilities. The appellant stated the parked lorries and vehicles around the site, which I note to be located outside the appeal site boundary, are not part of this application or relate to the waste transfer facility on the site therefore I am satisfied that the development does not relate to vehicle dismantling as referred to in paragraph 5.5 of the Council's statement of case.
12. The waste to the site is received directly from waste producers and also from third party waste contractors. A mix of dry recyclables are brought to the facility by skip lorries and rigid body lorries. Once unloaded the waste is segregated by type and baled. Segregated waste is then stored in designated storage areas waiting transfer off the site for further waste treatment and re-use.
13. The appellant stated that some 15 full time members of staff are employed at the premises. The WFWP states the hours of operation are from 7.00 am to 8.00 pm Monday to Friday, 7.00 am to 1.00 pm on Saturdays and closed on Sundays. At the appeal hearing the appellant stated that these hours of operation could be reduced to 8.00 am to 6.00 pm Monday to Friday, 8.00 am to 1.00 pm on Saturdays and closed on Sundays. It is these operating times that I will consider in this appeal.
14. Policy WM2 of PPS11 relates to waste collection and treatment facilities. It sets out the requirements for the development of a waste collection or treatment facility. Criterion (a) states development will be permitted where there is a need for the facility as established through the Waste Management Strategy for Northern Ireland (WMS) and the relevant Waste Management Plan (WMP) for the area. The need must be demonstrated to the satisfaction of the Department or in this instance the Planning Authority.
15. The appellant stated that the development on the site meets with the need for a spread of waste transfer facilities throughout the southern area. The appellant also stated development is in keeping with the waste management hierarchy as advocated in the Northern Ireland Waste Management Strategy (WMS) and the relevant Waste Management Plan (WMP) for the area (established by the Southern Waste Management Partnership (SWaMP)).
16. Furthermore the appellant also claimed the operation of the waste transfer facility operating with a waste management licence in accordance with the Waste Management Licensing Regulations (Northern Ireland) 2016, as amended, at the site since 2015 also established the need for the facility in the area. The WMS for Northern Ireland sets out a recycling target of 60% for local authority municipal waste by 2020, according to the appellant this target has now been increased to 75%.The appellant stated the Northern Ireland WMS advocates an integrated

network of waste transfer sites and the government targets relating to the reduction and reuse of waste as set by the WMS have not yet been met. The waste transfer facility is within the remit of a small scale operation working towards meeting the government targets.

17. The Council did not dispute the need for the waste transfer facility in accordance with the Waste Management Strategy and the relevant Waste Management Plan for the area. Their concern was to its location in an AONB. No persuasive evidence was presented to indicate that there is not a need for the facility. Taking account of appellant's evidence, at the hearing, the waste transfer facility is consistent with the approach to reuse, recycle and recover waste materials as indicated by the Northern Ireland WMS. On the whole I am satisfied, given the modest scale of the development which assists the sorting and recycling of materials and enables a spread of such facilities in the southern area is in accordance with the WMS and WMS. I have no reason to conclude that there is not a need for this waste transfer facility in this area. The appeal development is consistent with criterion (a) of Policy WM2.
18. The requirement of Criterion (b) of Policy WM2 relating to the Best Practicable Environmental Option (BPEO). Following the publication of the Waste Management Strategy 'Delivering Resource Efficiency' the Department issued an update to state it will no longer treat the BPEO as a material consideration in the planning process. This is therefore no longer a requirement in PPS11.
19. Criterion (c) of Policy WM2 sets out the locational criteria for such facilities. In respect of development in the countryside proposals should involve the reuse of existing buildings or is on land with or adjacent to existing building groups. It goes on to say alternatively where it is demonstrated that new buildings/plant are needed these must have an acceptable visual impact and environmental impact.
20. The appeal development is located immediately adjacent to an established complex of buildings located in the countryside. A map provided by the Council noted that the complex to which the appeal development relates comprises of seven buildings (the buildings were noted A3, B2, C1, D4, E6, F7, and G5). Four of the buildings directly front onto Low Road (A3, B2, C1, and D4). Appeal decisions 2007/E089 and 2007/E070 dated 15 June 2009 established that buildings A3, B2 and C1 located along the front part of Low Road were immune from enforcement. Additionally the hatched concrete area to the front of the building along Low Road is also immune from enforcement. Buildings A3, B2 are occupied by SVG Marble and Granite which is an established industrial/commercial use on the adjacent site.
21. Buildings E6 and E7 are not within the appeal site. The appeal development therefore relates to buildings C1, D4 and part of building G5. The building C1, D1 and part of G5 are now conjoined. The matters to be considered in this appeal are does the use of the existing building C1, the retention of building D4 and part of building G5 as a waste transfer station including the rear yard and associated development comply with the locational criteria as specified in criterion (c) of policy WM2.
22. Building C1 is a large established building on the site. Building D4 and the part of building G5 appears a side and rear extension to the main complex of buildings on

and adjacent to the appeal site. Buildings C1 and D4 are set back around some 17 metres from the front elevation of adjoining building that is occupied by SVG Marble and granite. Both the unauthorised buildings (D4 and G5) are subordinate in size and appearance to the main complex of established buildings. I do not consider the expansion of the established building complex by virtue of building D4 and part of G5 to give rise to an unacceptable visual appearance of itself on the surrounding character of the area. The appeal development involves the reuse of existing buildings and is on land adjacent and within an existing group of buildings in the countryside. The new plant, including the weigh bridge and rear yard required for the waste transfer station do not give rise to unacceptable visual or environmental impact as they are screened by the large building complex and the boundary vegetation around the rear part of the site. The development involves the reuse of an established building and is adjacent to an existing building group in the countryside. It therefore meets this element of the locational criteria in the countryside. The matters relating to the environmental and visual impact are considered further below.

23. Criterion (d) of Policy WM2 sets out further five criteria. Whilst I do not consider the development on the site to be of a regional scale it does benefit from easy access to Newry, close to B113 Forkhill Road which leads directly onto the A1 transport corridor. In any case I consider the appeal development sits favourably with this element of criterion (d).
24. For proposals involving the sorting and processing of waste, the criteria states they should be carried out within a purpose built or appropriately modified building unless it can be demonstrated that part or all of the proposed operation can only be carried out in the open. The appellant explained that waste materials are delivered to the site, transferred from lorries to the external enclosed yard to the rear. The waste materials are then brought into the buildings stored and are separated and sorted accordingly. The waste is then compacted into bails some of which are stored outside for collection by lorries to be transported off the site. The yard to the rear of the site is therefore used for delivery and collection of waste and the activity of sorting and processing the waste takes place internally. I am satisfied that the development on the site is consistent with this element of criterion (d).
25. The buildings comprise large warehouse buildings and associated yard appropriate for the sorting and processing of waste. The appellant advised that drainage measures, including an interceptor system, have been put in place to reduce the risk of any run off from the site. The existing building and the retention of the extension of this building have large doorways to permit access for large vehicles in and out of the buildings. The rear yard is surrounded by a high fence compound. The buildings and the yard of themselves appear appropriate for the nature for the type and amount of the waste brought to the site. The development does not involve hazardous waste or the incineration of waste. Furthermore the development does not directly involve the recovery of energy from waste brought to the site. The development on the site does not offend these elements of criterion (d).
26. The final element of criterion (d) is the development will not result in an unacceptable adverse environmental impact that cannot be prevented or appropriately controlled by mitigation measures (see Policy WM1). The Council's

concerns relates to the proposal being compatible or sympathetic with the landscape character of the surrounding area located in an AONB.

27. The compatibility of the development with the character of the surrounding area is also a consideration of Policy WM1 of PPS11. Likewise Policy NH6 of PPS2 states that planning permission for new development in an AONB will only be granted where it is of an appropriate design, size and scale for the locality.
28. The existing building complex is already an established feature in this part of the Slieve Gullion AONB. The Council stated that such uses would be better placed in an urban area. However the locational criteria for development in the countryside as expressed in Policy WM2 and the SPPS allows for the reuse of existing buildings or on land within and adjacent to existing building groups. The design, scale and size of the retention of the building to accommodate the appeal development appear compatible in the context of the adjoining established building complex. The rear yard is surrounded by mature vegetation which restricts views into the yard from the surrounding area.
29. From the Forkhill Road, the settlement of Meigh, and from the railway line, only views of the front elevation of the building are possible and all these views are seen in conjunction with the established building complex the expansion of the building complex to include building D4 and G5 does not significantly alter the appearance and scale of the building complex on the appeal site and adjoining site. From these surrounding viewpoints only intermittent glimpse of the building located on the flat low lying land in the AONB are possible. Surrounding road side and field hedgerows and other buildings in the area substantially restrict views of the entirety of the building complex inclusive of the appeal development.
30. From Slieve Gullion Country Park, views are from an elevated area looking down and over the wider landscape of the AONB. From here the existing building appears as an established complex dotted in the landscape surrounded by existing development and filtered by mature vegetation. The appeal development reads as part of the existing building complex and the retention of the extension (D4 and part of G5) does not significantly add to the appearance or scale of the existing complex when viewed from this area.
31. Appeal decision 2012/A0316 related to the retention of the 5 sheds for agricultural use. In this appeal the Commissioner considered the visual impact of the complex of buildings in the area. I have also looked at the development from the surrounding road network along Low Road and Lower Newtown Road. In this close up area views of the development on the site are screened by roadside and intervening field boundaries. Only the upper half of the building complex is visible. The greatest visual impact is the larger part of the build complex, which is immune from enforcement, and is occupied by SVG Granite and Marble. The additional building (D4) add only marginally to the scale, appearance and size of the existing complex. The design, colour, scale of the appeal development match the existing building on the site. From a distance the building complex including the appeal site appear as one large unit. To the rear of the building complex and the yard, is substantially screened by rows of conifers along the field boundaries. The retention of this screening could be conditioned to ensure the level of screening is maintained to the rear part of the site.

- 32. Access to the site is via a shared access which permits traffic to the rear of the building and to the side and rear of the established building occupied by SVG Marble and Granite. The appearance of the access is not exacerbated by the use of the appeal site and is only visible from the roadside immediately in front of the complex of buildings.
- 33. Having made a visual assessment of the appeal development, including the use of the buildings, I have not been persuaded that the retention of buildings (D4 part of G5) or the use of established buildings on the site, as a waste transfer station, give rise to an unacceptable visual impact on the surrounding landscape or the character of the AONB. The appeal development therefore has an acceptable visual impact in accordance with the locational criteria specified in Policy WM2 for development in the countryside.
- 34. Additionally, taking account of the scale, nature and character of the surrounding area I do not find that the retention of building D4 or the use of the established buildings as a waste transfer station gives rise to concerns in respect of the criteria specified in Policy CTY 13 relating to the integration and design of buildings in the countryside or Policy CTY14 relating to rural character of PPS21. As concluded above I do not find the development to have an unacceptable visual impact and therefore I conclude the development does not offend this criterion of Policy WM1 of PPS11 as it is compatible with the character of the surrounding area. Accordingly the Council's reasons for refusal 2, 3, 6 and 7 are not sustained
- 35. The environmental criteria as expressed by Policy WM1 states that proposals for development should not give rise to harm to human health or result in an unacceptable adverse impact on the environment. Paragraph 4.11 of the SPPS states in respect of safeguarding residential amenity there are a wide range of environment and amenity considerations, including noise and air quality, which should be taken into account. The Council's reason for refusal 8 relates to concerns in respect of this element of Policy WM1 harm to the living conditions of the residents at Low Road due to the level of activity associated with the premises by reason of noise and general nuisance.
- 36. The appeal site is adjoined to an established industrial use (SVG Granite and Marble) along this part of the Low Road. The appellant's WFWP describes measure to control and monitor noise from the appeal site. A separate noise assessment (dated 28th April 2017) and an amended noise assessment (dated 7 August 2017) were undertaken and provided to the Council. The assessments took measurements from the surrounding sensitive noise receptors along Low Road and Lower Newtown Road. The conclusion of the assessments was there was no significant noise impact from the development and that the predicted noise levels do not exceed the World Health Organisation 'Guidelines for Community Noise' 50-55 dB L_{Aeq} limits for external amenity space. The predicted noise levels are likely to fall within the range of 'Noticeable but not intrusive' as the site may be audible but regard to BS41423 it is not likely to exceed the existing ambient noise levels. The Environmental Health Department (EHD) of the Council considered the noise assessment and concluded they had no objections in respect of noise subject to the restrictions of the operation hours as set out in the appellant's WFWP.

37. A letter from 'very concerned residents' raised issues relating to noise from plant machinery and lorries. I note that noise from plant machinery and lorries loading and unloading at the site was considered in the noise assessment. The third party concerns were not substantiated with evidence to persuade me that the development gives rise to an unacceptable level of noise. Accordingly I find the evidence from the Council and EHD having considered the noise assessments in respect of the development to be significant in this case. Furthermore the restriction of the operating hours by means of a planning condition to those times suggested by the appellant would ensure that any noise impact could be limited to operating hours only. Accordingly the concerns relating to noise nuisance from the development are not determining in this case.
38. The Council stated the development gives rise to a general nuisance in this area more in keeping with an urban context such as in an industrial area. The Council did not expand further to outline what the source of the general nuisance concerns related to. To my mind, the Council when considering this issue does not take account of the adjacent established industrial use. The appeal development must be considered in its surrounding context. It was accepted that general nuisance such a litter, odour and vermin associated with such industrial site, particularly waste management sites were all issues that are monitored and controlled by the waste management licence, which the development also requires to lawfully operate. Part 5 of the appellant's WFWP sets out measures to manage and monitor amenity impacts relating to dust, fibres and particulates from the site, control of odours, noise, pests, scavenging birds and other scavengers and control of litter. The Council or third party objectors did not provide any persuasive evidence to demonstrate that these nuisance issues would cause a demonstrable harm to human health or an unacceptable adverse impact on the environment.
39. Third parties raised concerns relating to environmental pollution, dust and windblown rubbish around the area. Rivers Agency stated there are no designated watercourses within the site; the site does not lie within any flood plain therefore environmental pollution into surrounding watercourses is limited. At the appeal hearing the appellant stated that interceptors had been put in place to limit the impacts of drainage from the site. A condition restricting the type of waste (including the European Waste Catalogue Codes) is necessary to control the type of waste brought to and sorted on the site. This would also limit any environmental impacts from the development. In respect of concerns relating to rubbish and dust coming from the site I note that the appellant must adhere to the relevant precepts in respect of pollution prevention and that would be regulated by means of a waste management licence for the development which I note the appellant has applied for in this case. Accordingly I do not find these concerns to be determining in this case.
40. Section 4 of the appellant's WFWP describes how the site operations and includes measures to address fire management and prevention on the site. I note the third parties concerns of fire risk relating to the storage of a large amount of flammable material, these concerns were not substantiated with evidence to persuade me that the site give rise to an unacceptable risk of fire. Third parties stated that fires are lit on an ongoing basis which normally takes place after 6 pm in the evenings and weekends or bank holidays. No evidence was presented to demonstrate the nature and frequency of such fires. I therefore do find these allegations to be determining. Restricting the operating times, including bank holidays and public

holidays would mean that such activity on the site should not happen outside of operating hours. Accordingly these objections and the Council's reason for refusal 8 are not determining in this case and are not sustained.

41. Policy WM1 of PPS11 also requires that the road network can satisfactorily accommodate, or can be upgraded to accommodate, the traffic generated and that adequate arrangements shall be provided within the site for parking, servicing and circulation of vehicles. Third parties raised concerns relating to damage to country roads and potholes and danger of meeting lorries. These concerns were not supported with corroborative evidence. The Council's reason for refusal 9 raised related to the inadequate road infrastructure to facilitate the development and therefore give rise to concerns relating to road safety and the inconvenience to the flow of traffic.
42. At the appeal hearing the appellant stated that 15 staff are employed at the facility, but that most of the staff shared transport to and from the site. It was also stated that 3 HGV delivered/collected around some 60 to 70 tonnes of waste per day to and from the site. These traffic movements related to the prescribed quantity waste storage on the site. A condition ensuring the development relates to waste storage categories and quantities is necessary to control the scale of the development on the site.
43. The Low Road, which the site is accessed from, is a minor country road. In the area is a low bridge and level crossing associated with the neighbouring railway line. As part of the planning application the appellant had completed a transport assessment form. At the appeal hearing the representative from the Department of Infrastructure Roads Department (DFI) stated the further clarification at the hearing in respect of vehicle movements including the amount of waste moved on and off the site means they do not have concerns relating to the impacts of the development on road safety and the convenience of road users in the area. They accepted that visibility splays of 2.4 meters by 70 metre would be adequate to achieve a safe access to the site. It was noted that this requirement is achievable at the point of the existing access. Subject to a condition ensuring that visibility splays of 2.4 meters by 70 metres are provided at the point of access DFI stated they did not have any objection to the development on the site. Such visibility splays are necessary to ensure that the access will not prejudice the road safety or significantly inconvenience the flow of traffic onto the Low Road at the point of access to the site. No objections were raised by the Roads Department in respect of the internal servicing, parking and circulation on the site.
44. I have noted the third party concerns in respect of traffic on the road infrastructure in the area. As noted above a safe access can be achieved to facilitate the development onto Low Road, no persuasive evidence has been provided to lead me to consider the third party concerns over ride the opinion of the DFI Roads Department. I am satisfied the development can meet the necessary road safety requirements and adequate arrangements for traffic using the site as set by Policy WM1 of PPS11 and Planning Policy Statement 3 Access Movement and Traffic (PPS3). Accordingly the objections on road safety and the Council's reason for refusal 9 are not determining in this appeal.
45. Furthermore having now considered the impacts of the development on the surrounding environment, which I have found not to be determining and which can

be controlled and managed to a great extent by the Waste Management Licence required to operate the waste transfer facility on this site. A breach of any of these issues could result in the loss of the necessary Waste Management Licence required to operate the facility. I therefore do not consider the development give rise to an unacceptable impact on the environment. The development therefore meets this part of the locational criteria for such development in the countryside in accordance with Policy WM2 of PPS11. The Council's reason for refusal is therefore not sustained.

46. The Council's fourth reason for refusal states that the proposal is contrary to the Local Development Plan as it falls outside the town centre boundary, industrial area as designated in the BNMAP. The Council noted that plan makes provision for sufficient industrial land to accommodate the development of a waste transfer station. As noted above the Council did not contest the need for the development but for its visual impact on the AONB. Paragraph 7.2 of the justification and amplification of Policy WM2 indicates policy is to seek to facilitate the increase in the number, type and range in size of waste treatment facilities in line with the WMS and the relevant WWP. BNMAP is silent on the locational requirements of such waste treatment facilities. The criteria and location requirements as set out in Policy WM2 of PPS11 and the SPPS makes provisions for such development in countryside areas. The appeal development satisfies the locational requirements for development in the countryside. Accordingly I consider the Council's reason for refusal 4 to be misplaced as a determining issue for such development in the countryside.
47. Concerns were also raised about the development devaluing property in the area. The appeal site is adjacent to an existing industrial building in the countryside. I was told at the hearing that waste transfer station has been operating on the site for around 4 years. The third parties concerns were general and were not supported with evidence to demonstrate how the use of the site has resulted in a devaluation of properties in the area. Accordingly this concern is not determining in this case.
48. All in all the appeal development for a waste transfer station and associated development is consistent with the requirements of WM1 and WM2 of PPS11 and that as expressed in the SPPS. The development meets the need to reduce and recycle waste in the southern area of Northern Ireland and meets the locational criteria for such development in the countryside. The development therefore does not offend policy CTY1, CTY13 or CTY14 of PPS21 or similar policies stated in the SPPS. Furthermore I do not find the development to be contrary to the BNMAP.
49. The visual impacts of the development on the surrounding character of the area and the wider AONB are limited to the site and its immediate surroundings including the established building complex in the area. The design, size and scale of the development therefore have limited impact on the AONB and are consistent with policy NH6 of PPS2. Furthermore I have considered the impact of the development on the surrounding neighbouring amenity which I have found not to be determining in this case. The appeal development is therefore an acceptable other type of development in accordance with Policy CTY1 of PPS21, the Council's reason for refusal 1 is not sustained. As all of the Council's reasons for refusal have not been sustained the appeal is therefore allowed subject to the conditions set out below.

Conditions

1. The hours of operation of the development hereby approved shall be limited to 8.00 am to 6.00 pm Monday to Friday and 8.00 am to 1.00 pm on Saturdays and closed all day on Sundays, bank holidays and public holidays. No machinery shall be operated, no processes shall be carried out and no deliveries taken at or dispatched from the site outside of these hours.
2. The waste materials to be accepted at the waste transfer facility hereby approved shall be restricted to those falling within the European Waste Catalogue Codes listed in the table below.

	Waste from agriculture, horticulture, aquaculture, forestry, hunting and fishing
02 01 04	waste plastics (except packaging)
02 01 10	waste metal
	Waste from wood processing and the production of panels and furniture, pulp, paper and cardboard
	Waste from wood processing and the production of panels
03 01 01	waste bark and cork
03 01 05	sawdust, shavings, cutting, wood, particle board and veneer other than those mentioned in 03 01 04
	Waste from pulp, paper and cardboard production and processing
03 03 01	waste bark and wood
03 03 07	mechanically separated rejects from pulping of waste paper and cardboard
03 03 08	wastes from sorting of paper and cardboard destined for recycling
03 03 10	fibre rejects, fibre, filler and coating sludge's from mechanical separation
	Waste from the leather and fur textile industry
04 02 09	wastes from composite materials (impregnated textile, elastomer, plastomer)
04 02 12	wastes from finishing other than in 04 02 14
04 02 21	wastes from unprocessed textile fibres
04 02 22	wastes from processed textile fibres
	Waste from organic chemical processes
07 02 13	waste plastic
07 02 17	wastes containing silicones other than those mentioned in 07 02 16
	Wastes from photographic industry
09 01 07	photographic film and silver and silver compounds
09 01 08	photographic film and paper free of silver and silver compounds
	Wastes from thermal processes
10 11 12	waste glass other than those mentioned in 10 11 11
	Wastes from shaping and physical mechanical surface treatment of metals and plastic level
12 01 05	plastics shavings and turnings
	Waste packaging, absorbents, wiping cloths, filter materials and protective clothing not otherwise specified.
15 01 01	paper and cardboard packaging
15 01 02	plastic packaging
15 01 03	wooden packaging
15 01 04	metallic packaging
15 01 06	mixed packaging
15 01 07	glass packaging
15 01 09	textile packaging
	Absorbents, filter materials, wiping cloths and protective clothing
15 02 03	absorbents, filter materials, wiping cloths and protective clothing other than those mentioned in 15 02 02
	Wastes not otherwise specified in the list
16 01 17	ferrous metals
16 01 18	non-ferrous metals
16 01 19	plastic

16 01 20	glass
	Construction and demolition wastes (including excavated soil from contaminated sites).
	Concrete, bricks, tiles and ceramics
17 01 01	Concrete
17 01 02	bricks
17 01 03	tiles and ceramics
17 01 07	mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06
	Wood, glass and plastic
17 02 01	Wood
17 02 02	glass
17 02 03	plastic
	Metals (including their alloys)
17 04 01	copper, bronze, brass
17 04 02	aluminium
17 04 03	lead
17 04 04	zinc
17 04 05	iron and steel
17 04 06	tin
17 04 07	mixed metals
17 04 11	cables other than those mentioned in 17 01 10
	Soils (including excavated soil from contaminated sites) stones and dredging spoil
17 05 04	soil and stones
	Insulation materials and asbestos containing construction materials
17 06 04	insulation materials other than those mentioned in 17 06 01 and 17 06 03
	Gypsum based construction material
17 08 02	gypsum-based construction materials other than those mentioned in 17 08 01
	Other construction and demolition waste
17 09 04	mixed construction and demolition wastes other than those mentioned in 17 09 01, 17 09 02 and 17 09 03
	Waste from waste management facilities, off site waste water treatment plant and the preparation of water intended for human consumption
	Wastes from mechanical treatment of waste (for example sorting, crushing, compacting, palletising and otherwise specified)
19 12 01	paper and cardboard
19 12 04	plastic and rubber
19 12 05	glass
19 12 07	wood other than that mentioned in 19 02 06
19 12 08	textiles
19 12 09	minerals (for example sand, stones)
	Municipal waste (household waste and similar commercial industrial waste and institutional wastes) including separately collected fractions
	Separating collected fractions (except 15.01)
20 01 01	paper and cardboard
20 01 02	glass
20 01 10	clothes
20 01 11	textiles
20 01 38	wood other than that mentioned in 20 01 37
20 01 39	plastics
20 01 40	metals
	Garden and park waste
20 02 02	soil and stones
20 02 03	other non-biodegradable wastes
	Other municipal wastes
20 03 01	mixed municipal waste
20 03 03	street-cleaning residues
20 03 07	bulky waste

3. Visibility splays of 24 metres by 70 metres should be provided at the point of access of the development onto the Low Road within 4 weeks of the date of this decision. Thereafter it should be permanently retained.
4. The existing mature boundary vegetation along the site's southern and eastern boundary shall be permanently retained at a height above 4 metres above ground level. Any vegetation along these boundaries that is removed or becoming seriously damaged shall be replaced with vegetation of a similar size and species unless the planning authority gives written consent to any variation.
5. The waste acceptance and storage thresholds on the site should not exceed the limits as set out on Table 1.5 below

Table 1.5 Waste Storage		
Permitted Waste Categories		Maximum Permitted Quantities
<u>Unprocessed waste</u>	Maximum Daily Intake	100 tonnes
	Maximum storage capacity	75 tonnes
	Maximum annual throughput	30,000 tonnes
	Maximum storage time	10 working days
<u>Segregated Wastes</u>	Scrap Metal	15 tonnes
	Wood	15 tonnes
	Paper and cardboard	75 tonnes
	Plastics	250 tonnes
	Residual Waste	25 tonnes
<u>Quarantined, non-permitted wastes</u>	Oil	500 litres
	Lead batteries	1 x 10m ³ battery box
	Gas bottles	1x2m ³ cage
	Tyres	20 tyres
Quarantined wastes should be removed from the site within 5 working days unless listed above.		

This decision is based on the following drawings:-

- Drawing 01 Site location Map date received 24 Jan 2017
- Drawing 02 WML Site Layout date received 24 Jan 2017
- Drawing 03 Figure 2 Site Layout date received 24 Jan 2017
- Drawing 04 Waste Transfer Station floor plan received 24 Jan 2017
- Drawing 05.Waste Transfer Station elevations received 24 Jan 2017
- Drawing 06 Site drainage plan received 24 Jan 2017
- Drawing 07 Site Access received 24 Jan 2017

COMMISSIONER ROSEMARY DALY

List of Appearances

Planning Authority:- Mr G Murtagh, Newry, Mourne and Down District Council
Mr R Loughan, DFI Roads

Appellant:- Mrs G Jobling
Mr V McGuinness

List of Documents

Planning Authority:- "A" Statement of Case and Appendices, Newry, Mourne and
Down District Council
PAC1 – Map defining buildings on the site and adjacent site

Appellant:- PAC2 Aerial photograph of the site

Appeal Reference:	2018/A0008
Appeal by:	Mr Lindsay Martin
Appeal against:	The refusal of full planning permission
Proposed Development:	Retention of shed for equestrian use
Location:	To the rear of 23 Ballymaderphy Road, Lisnacree, Kilkeel
Planning Authority:	Newry, Mourne & Down District Council
Application Reference:	LA07/2017/0195/F
Procedure:	Written representations and Commissioner's site visit on 25 July 2018
Decision by:	Commissioner Brigid McGlinchey dated 6 August 2018

Decision

1. The appeal is allowed and full planning permission is granted, subject to the conditions set out below.

Reasons

2. The main issues in this appeal are whether the proposal is acceptable in principle in the countryside and whether the building integrates into the surrounding landscape.
3. The Planning Act (Northern Ireland) 2015 requires the Commission, in dealing with the appeal to have regard to the local development plan, so far as material to the planning application, and to any other material considerations. The Banbridge Newry & Mourne Area Plan 2015 operates as the local development plan for the area where the site is located. In the plan, the site lies in the countryside outside any settlements. The plan contains no provisions material to the site or the appeal proposal. The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. This policy document sets out the transitional arrangements that will operate until a local authority has adopted a Plan Strategy. During this transitional period planning authorities will apply the SPPS and retained policy documents.
4. Planning Policy Statement 21: Sustainable Development in the Countryside (PPS21) is a relevant retained policy document. Policy CTY1 of PPS21 lists the types of development which in principle are considered to be acceptable in the countryside and will contribute to the aims of sustainable development. It indicates that planning permission will be granted for outdoor sport and recreation uses in accordance with PPS8 (Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation) which is another pertinent retained policy document in this case.

5. The proposal seeks the retention of a building which has been the subject of an unchallenged enforcement notice served in February 2010 which required the demolition of the building. The building is located to the rear of the appeal site behind a dwelling and garage positioned towards the site frontage. Though the appellant owns the dwelling and garage, he is not in control of the appeal building. Whilst previous planning applications have been submitted seeking the retention of the building for various uses and were deemed not to be acceptable, this does not preclude consideration of the appeal proposal.
6. Policy OS3 of PPS8 indicates that proposals for outdoor recreational use in the countryside will be permitted where all of eight criteria are met. The various types of outdoor recreational uses are referred to in the justification and amplification of the policy. Paragraph 5.33 specifically deals with 'Equestrian Uses' and states that outdoor participatory recreational uses such as riding schools will normally be considered acceptable in principle provided the scale of ancillary buildings is appropriate to its location and can be integrated into their landscape. Whilst only the example of riding schools is stated as being acceptable in principle, this would not bar consideration of other equestrian uses under the policy. The appellant indicated that the proposed equestrian use is to facilitate horse riding and that it is for commercial purposes. Though he has made reference to training and grooming horses in his comment on proposed draft conditions, the nature of the proposed equestrian business has not been clearly stated. Notwithstanding the lack of details regarding the proposal, the policy makes no distinction between types of equestrian uses or between private and commercial uses.
7. Paragraph 5.33 goes on to state that wherever possible, consideration should be given to the reuse of existing traditional or redundant farm buildings in association with such proposals. Although the building is not a farm building having been initially erected for servicing vehicles and is the subject of an enforcement notice, this does not prevent consideration of its acceptability for use for equestrian purposes under this policy. Though the building with a footprint of approximately 157sqm and a ridge height of 6.7m is relatively large compared to many typical buildings designed for domestic equestrian use, the appellant has indicated that proposal is commercial in nature. The appeal building is commensurate with the design and size of many outbuildings seen in the wider locality and the appellant has asserted that the scale and height of the building, which has a large sliding door on one gable, would facilitate loading and unloading of horseboxes and trailers.
8. None of the listed criteria to be met under Policy OS3 entails provision of supporting information to demonstrate that there is a need for this type of development within the rural area. The planning authority's argument presented in this regard is therefore misplaced. The concern as set out in its reason for refusal relates to criterion (iii). This criterion requires that there is no adverse impact on visual amenity or the character of the local landscape and the development can be readily absorbed into the landscape by taking advantage of existing vegetation and/or topography. The stated objection is that the development cannot be readily absorbed into the landscape due to the lack of existing vegetative screening.
9. This issue of impact of the building on the landscape under Policy OS3 overlaps with tests set out in Policy CTY13 of PPS21 which deals with the integration of buildings in the countryside. Policy CTY13 permits a building in the countryside

where it can be visually integrated into the surrounding landscape and sets out criteria regarding the unacceptability of a building. The planning authority's objection under this policy relates to criteria (b), (c) and (f). Criterion (b) is where the site lacks long established natural boundaries or is unable to provide a suitable degree of enclosure for the building to integrate into the landscape. Criterion (c) is where it relies on the use of new landscaping for integration and criterion (f) is where it fails to blend with the landform, existing trees, buildings, slopes and other natural features which provide a backdrop.

10. The subject building is positioned in a corner of the appeal site abutting a concrete wall which defines the rear boundary of the site and an existing hedgerow which runs along the north-eastern boundary. The other boundaries of the site are defined by concrete walls. The existing vegetative boundary, which is not depicted on the site layout plan, is low lying and provides limited screening for the appeal building and of itself would not provide a suitable degree of enclosure. Nevertheless, criterion (iii) of Policy OS3 also refers to topography as playing a role in absorbing development into the landscape whilst criterion (f) of Policy CTY13 makes reference to landform and natural features providing a backdrop.
11. The planning authority accepts that the appeal site is located within a natural hollow in the landscape. From its identified critical viewpoint on the brow of a hill on the approach along Ballymaderphy Road from the south east which is approximately 150m from the appeal site, only the roof of the building is discernible. Due to the roadside hedge thereafter, views of the building are restricted until approximately 50m from the site. From this closer perspective, the building is seen in context with the dwelling with little appreciation of the actual separation distance between them. The building is seen against a backdrop of rising ground and a mature clump of vegetation to the east. This combination of natural features provide a sense of enclosure and assist with absorbing the building into the landscape and helps offset the absence of any landscape feature in the foreground. Nonetheless, the proposed semi-mature hedgerow and trees to be planted to the inside of the site boundary block wall as shown on the site layout plan submitted with the appellant's statement of case would add visual relief and improve the integration of the building into the landscape. The building however would not rely primarily on this new landscaping for integration.
12. The other identified critical viewpoints are from the northwest approach along Ballymaderphy Road. Due to roadside hedges and vegetation, the available close range views towards the appeal site are limited and intermittent. The only sustained available perspectives are approximately between 130m - 200m from the appeal site. From these available mid-range viewpoints, the building is seen in the context of the site boundary hedge in the foreground and the rising ground beyond with prominent farm buildings seen on the ridge line. Though the separation distance of the building from the dwelling is more readily apparent from these perspectives, the prominent farm buildings in the distance are seen between them and ameliorates this disconnection. Notwithstanding the low height of the existing site boundary hedge, it in combination with the rising background terrain provides a sense of enclosure for the appeal building and assists with integrating it into the landscape. I consider that if the stretch of the boundary hedgerow extending beyond the rear of the dwelling was allowed to grow on, the visual integration of the building into the landscape would be improved.

13. The only other available viewpoint is from an elevated section of Balymaderphy Road which provides a limited long range view towards the appeal site from a distance of approximately 400m away. From here, the appeal building does not stand out as being overly prominent or adversely impacting on the visual amenity of the landscape among the myriad of the other built form seen in the same context.
14. I judge that the appeal building when seen from the available viewpoints can be absorbed into the landscape by taking advantage of the existing topography and other natural features including the existing boundary hedgerow. If this hedgerow is allowed to grow on and supplemented and if new additional planting of hedging on the opposite site boundary is established and grown on to a similar height and supplemented with trees, I consider that the proposal would have no adverse impact on the visual amenity and character of the area. Subject to the implementation of such appropriate landscaping conditions, the proposal would accord with criterion (iii) of Policy OS3 and would not offend criteria (b), (c) and (f) of Policy CTY13. The planning authority therefore has not sustained its second reason for refusal under Policy OS3 of PPS8 or its third reason for refusal under Policy CTY13 of PPS21.
15. Since the proposal epitomises an outdoor sport and recreation uses in accordance with PPS8, it represents one of the types of development which in principle is considered to be acceptable in the countryside under Policy CTY1 of PPS21. The planning authority therefore has not sustained its first reason for refusal. As none of the reasons for refusal have been upheld, the appeal succeeds subject to the imposition of appropriate conditions.
16. In order to prevent the shed being used for purposes unconnected with this permission, a condition tying the uses of the shed to equestrian uses is necessary. As the appellant has indicated that the commercial equestrian use might include training and grooming of horses, these activities should be incorporated into the planning authority's suggested draft condition. In the interests of road safety, the visibility splays at the point of access onto Balymaderphy Road as indicated on the site location plan submitted with the planning application should be laid out and cleared before the use of the building commences. The site is approximately level with the road and therefore the proposed condition regarding the gradient of the access is unnecessary. The access point into the shed is already 5m wide and extends back 10m from the road and the suggested condition in respect of this is also unnecessary.
17. To assist with integration, the existing hedgerow which is already in place and established along the north eastern boundary of the site should be retained and supplanted with new planting where necessary. Whilst the appellant submitted a site layout plan with landscaping in his statement of case, this did not allude to this boundary hedgerow. The stretch of the existing hedge to the rear of the dwelling should be allowed to grow on to a height of not less than 2m and maintained thereafter. This could be supplemented with new trees and planting within the site as shown on the appellant's layout drawing. The new planting along the south eastern boundary as shown in the appellant's drawing is necessary and also should be allowed to grow on to a minimum of height of 2m. Conditions to secure these landscaping actions are necessary.

Conditions

- (1) The shed hereby approved shall be used for the purposes of keeping horses including training and grooming of horses and the storage of foodstuffs and other such related items. The shed shall not be used for any other commercial purposes.
- (2) The visibility splays and forward sight distance at the point of access onto Ballymaderphy Road shall be provided in accordance with Drawing 02 date stamped received on 3 February 2017 prior to the commencement of the use hereby permitted.
- (3) The area within the visibility splays shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the commencement of the use of the building and shall be retained and kept clear thereafter.
- (4) The existing hedgerow along the north eastern boundary of the appeal site shall be retained. The stretch of this hedge to the rear of the dwelling shall be allowed to grow on to a height of not less than 2 metres and shall be retained thereafter.
- (5) The new planting of hedging and trees along the south eastern boundary as shown in Drawing No. WD01 submitted with the appellant's statement of case shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice. The landscaping shall be carried out during the first available planting season after the date of this permission. The new hedgerow along the south eastern boundary shall be allowed to grow on to minimum height of 2m and retained thereafter.

Hedging or trees dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the planning authority gives written consent to any variation.

This decision approves the following drawings submitted with the planning application:-

- Drwg. No. 01 – 1:1250 scale Site location plan;
- Drwg No. 02 – 1:100 scale Ground floor layout and elevations and 1:500 scale Site layout plan (except with respect to the concrete block wall along the north eastern boundary of the site); and
- Drwg. No. WD02 1:500 scale Site layout plan with landscaping schedule submitted with the appellant's statement of case.

COMMISSIONER BRIGID McGLINCHEY

List of Documents

Planning Authority:-

C1 Statement of case + Appendices

Appellant:-

A1 Statement of case + Appendices including visual analysis of the surrounding area and Site layout plan with proposed landscaping

A2 Rebuttal + Appendix

Appeal Reference:	2018/A0006
Appeal by:	Mr Mark Cooper
Appeal against:	Refusal of Full Planning Permission
Proposed Development:	Change of house type and amended access in substitution for P/2014/1233/F
Location:	55m NW of 48 (situated between Nos. 50 & 54 Tamnaharryhill Road , Mayobridge.
Planning Authority:	Newry, Mourne and Down District Council
Application Reference:	LA07/2017/0743/F
Procedure:	Written representations and accompanied site visit on 2 nd August 2018
Decision by:	Commissioner Helen Fitzsimons on 15th August 2018

Decision

1. The appeal is allowed subject to conditions.

Reasons

2. The main issues in this appeal are whether the proposed development would provide a safe access arrangement onto Tamnaharryhill Road and if it represents an infill opportunity.
3. The appeal site is located outside any settlement limits as designated by the Banbridge, Newry and Mourne Area Plan 2015 (BNMAP) the local development plan which operates for the area. BNMAP offers no specific policy or guidance pertinent to the appeal site. Planning Policy Statement 3 'Access Movement and Parking' is a material consideration.
4. Policy AMP 2 of PPS 3 states that planning permission will be granted for a development proposal involving direct access onto a public road where (a) such an access will not prejudice road safety or significantly inconvenience the flow of traffic. The Council and an objector raised concerns under this requirement.
5. Development Control Advice Note 15 (DCAN 15) 'Vehicular Access Standards' is Supplementary Planning Guidance which sets out the standards for vehicular accesses. The standard x distance for an access carrying up to 60 vehicles per day is 2.4m and this can be achieved at the access to the appeal site. The standards set out in Table B 'Y Distance and Forward Sight Visibility, are based on traffic speeds on the priority road. Transport NI estimate the speeds in both directions on this part of Tamnaharryhill Road to be in the region of 30 miles per hour given its proximity to its junction with the B7; the rising nature of the road;

and the bend in and crest on the road just past No 51 Tamnaharryhill Road . I spent some time at the appeal site prior to the accompanied site visit observing the traffic movements on Tamnaharryhill Road and I agree with Transport NI that traffic speeds are unlikely to exceed 30mph in this location. From my observations the priority road is unlikely to carry more than 3000pd. Given this a 'Y' distance of 70m metres would be required in both directions. Notwithstanding that the Transport NI case officer estimated the distance and forward sight visibility to the right hand side (RHS) emerging to be 25m, at the site visit the Transport NI official measured the distance and forward sight visibility as 58m. Table B of DCAN 15 also provides a lesser requirement in each standard and this is known as the bracketed figure. Note one of Table B states that the values in the square brackets are permitted where visibility standards will not be reduced to such a level that danger is likely to be caused. Given my observations on the nature and of the road and speeds at this location and that the achievable visibility splay to the RHS exceeds the bracketed figure by some 13m I am satisfied that there would be no prejudice to the safety and convenience of road. There is a telegraph pole within the visibility splay and moving it to the rear of the verge, within which it is located, would ensure clear visibility on the RHS emerging.

6. The objector raised the matter of use of existing visibility from adjacent properties and that the appellant has not served notice. The appellant would not be carrying out any works to those existing visibility splays. The matter of visibility standards is to ensure a clear view. It is legitimate to take existing adjacent visibility splays into account in the assessment of a new adjacent access. I am satisfied that the appellant is in control of the land to the front of the appeal site and this sufficient for him to provide adequate visibility in conjunction with the existing clear views either side.
7. The Council's first reason for refusal based on Policy AMP 2 of PPS 3 is not sustained and the objector's concerns are not upheld.
8. Given that I have been able to determine the appeal on the information given by the appellant in writing and by Transport NI at the accompanied site visit the Council's second reason for refusal based on lack of information is not sustained.
9. Policy CTY 8 of PPS 21 'Ribbon Development' states 'planning permission will be refused for a building which creates or adds to a ribbon of development.' 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...' For the purpose of this policy 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.
10. The objector raised the matter of the principle of the proposal as an infill development under Policy CTY 8. The appeal site is a small gap in a continuous and substantial built up frontage, comprising a dwelling at No 50 and a dwelling and garage at No 51 all with frontage to the road, which could accommodate one dwelling. I note that this was also the basis upon which extant planning permission P/2014/0223/F was granted by the Council on 5th August 2016. There is a laneway between the southern boundary of the appeal site and No 50 Tamnaharryhill Road, the objector told me that the Council has been recently rejecting proposals similar to this arrangement because the private roadway represents a break in the

road frontage and that the infill criteria for such sites are not fully met. However, he gave me no documentary evidence in support of his arguments in the form of planning decisions or case officer's reports.

11. The case officer's report for planning application P/2014/0223/F, which I requested from the Council, contains photographs showing a laneway in place on the southern side of the appeal site at the time that application was under consideration and subsequently approved, and therefore there is no change in circumstances regarding the configuration of the built up frontage. Taking account of this; the lack of documentary evidence in support of the objector's arguments; and that an extant planning permission remains in place I am not persuaded that his concerns under Policy CTY 8 of PPS 21 are determining in this appeal.

Conditions

1. Before building works commence on the appeal site visibility splays of 2.4m x 70m to the south and 2.4m x 58m to the north of the junction of the access onto Tamnaharryhill Road shall be laid out and permanently retained and the telegraph pole located within the northern visibility splay shall be relocated to the back of the verge.
2. This permission shall be commenced within five years of the date of this decision.

This decision is based on the following drawings

- 1:1250 scale site location plan;
- 1:500 scale site plan
- 1:100 scale elevational drawing
- 1:100 scale plans and sections; and
- 1:100 scale floor plans

COMMISSIONER HELEN FITZSIMONS

2018/A0006

Attendances

Planning Authority:- Mr G Murtagh (Newry Mourne and Down District Council)
Mr O Laughlin (Transport NI)
Mr J Killen

Appellant:- Mr K J Sharry (Agent)
Mr M Copper(Appellant)

Objector:- Mr and Mrs Pollard

List of Documents

Planning Authority: - C1 Written Statement and Appendices

Appellant:- A1 Written Statement
A 2 Comments

Objector:- Obj 1 Written Statement

Appeal Reference:	2017/A0252
Appeal by:	Stuart Moffett
Appeal against:	Refusal of Full Planning Permission
Proposed Development:	Erection of a Dwelling on a Farm.
Location:	15m west and to the rear of 81 Cloughanramer Road Newry
Planning Authority:	Newry Mourne and Down District Council
Application Reference:	LA07/2017/1175/F
Procedure:	Informal Hearing on 29 th June 2018
Decision by:	Commissioner Helen Fitzsimons on 30 th July 2018

Decision

1. The appeal is allowed subject to conditions.

Reasons

2. The main issues in this appeal are whether the proposed development
 - is acceptable in principle in the countryside;
 - if it would result in ribbon development;
 - if it would have an adverse impact on the visual amenities of the countryside; and
 - whether it would erode rural character.
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 PPS 21. 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 (c) that the new buildings is visually linked or sited to cluster with an established group of buildings on the farm and where practicable access to the new dwelling should be obtained from an existing lane.

5. Footnote 26 of the SPPS states that for its purposes 'agricultural activity' is as defined by Article 4 of the European Council Regulations (EC) No. 1037/2013. At Article 4 (c) (i) agricultural activity means production, rearing or growing agricultural products, including harvesting, milking, breeding animals, and keeping animals for agricultural purposes.
6. The appellant presented me with evidence spanning a number of years which indicates that he grows and harvests silage for sale to other farmers. In order to establish active farming the period referred to in both PPS 21 and the SPPS is described as 'currently active' which to my mind means 'in the here and now'. At my site visit I observed that fields within the farm business, attributed to the appellant, had been recently cut and the Council Official concurred with this. He also said that at that time it would appear that the farm was active. There is nothing to dispute the evidence presented by the appellant or that the land is currently being actively farmed. That being so I must conclude that criterion (a) of Policy CTY 10 of PPS 21 is met.
7. The farm business is registered to the appellant at 79 Cloughanramer Road, a dwelling, and this dwelling is the farm house. Adjacent to this and in the farm yard is a shed which is in use as an impact vehicle recovery business by the appellant. It is the Council's view that this workshop is not a building associated with the farm business and should be discounted. The policy only requires that the new building is visually linked or sited to cluster with an established group of 'buildings on the farm' it does not specify that they must be in use with the farm business. There is no evidence that the shed has been 'hived off' from the farm and so it is a building on the farm irrespective of what it is being used for. The appeal proposal would be viewed with this building when seen from Cloughanramer Road both at the access to the proposed dwelling and between Nos. 77-81. It is proposed to construct a new access to the proposed dwelling from west of No 77 Cloughanramer Road by upgrading an existing agricultural lane. Criterion (c) of Policy CTY 10 is met.
8. An exception under Policy CTY 8 of PPS 21 'Ribbon Development' states that planning permission will be refused for a building which creates or adds to a ribbon of development. Paragraph 5.33 of Policy CTY 8 says that 'A ribbon' does not necessarily have to be served by individual accesses nor have a continuous or uniform buildings line. Buildings sited back, staggered or at angles and with gaps between them can still represent ribbon development, if they have a common frontage or are visually linked. The council considered that the siting of the proposed new dwelling and its access behind this row of dwellings would extend the ribbon to the east beyond a bend in the road. I accept that there would be a visual linkage between the existing ribbon and the proposed development however, given the set back from the road and that the existing ribbon appears as a linear form of development extending from north to south west of the appeal site I do not consider that the proposed development would add to the existing ribbon of development. The Council has not sustained its second reason for refusal based on Policy CTY 8 of PPS 21.
9. As The proposed development meets the requirements of Policy CTY 10 'Dwellings on Farms' of PPS 21 and does not offend the requirements of Policy CTY 8 'Ribbon Development' it is acceptable in principle in the Countryside and Policy CTY 1 of PPS 21 is also met. The Council has not sustained its first reason for refusal.

10. Policy CTY 13 of PPS 21 'Integration and Design of Buildings in the Countryside' states that planning permission will be granted for a building in the countryside where it can be visually integrated into the surrounding landscape and it is of appropriate design. A new building will not be acceptable in seven stated circumstances. The Council raised objections under three of those circumstances (b) that the site lacks long established boundaries; (c) it relies primarily on the use of new landscaping for integration; and (d) the ancillary works do not integrate with their surroundings. Paragraph 5.59 of Policy CTY 13 says that 'the main criteria against which the degree of visual impact will be considered include the location of the site within the landscape, the position of the building within the site and its relationship with surrounding buildings.' Paragraph 5.41 of Policy CTY 10 implicitly acknowledges that the existing farm group or application site may not be well landscaped and allows for the presence of existing vegetation to be discounted when making a visual assessment of proposals. When seen from the Council's identified vantage point the proposed development would be viewed with the existing buildings on the farm with little appreciation of any physical separation that may exist between the proposed new dwelling and the shed. I accept that new planting would be required on the undefined north and western boundaries of the appeal site and along the access lane to aid with integration. However, given that the thrust of Policy CTY 10 is to group new development with existing groups of buildings I find, on balance, the failure of the appeal proposal to meet those specific requirements of Policy CTY 13 outweighed by the requirements of Policy CTY 10 for dwellings on farms. The Council has not sustained its fourth for refusal based on Policy CTY 13 of PPS 21.
11. Policy CTY 14 'Rural Character' provides for the grant of planning permission for a building in the countryside where it does not cause a detrimental change to, or further erode rural character. A new building will be unacceptable for five stated reasons. The Council raised objections under reason (b) its results in a suburban style build up of development when viewed with existing and approved buildings (d) it creates or adds to a ribbon of development and (e) the impact of ancillary works would damage rural character. As the proposed development is sited to be visually linked to existing buildings on the farm in accordance with the overall thrust of PPS 21 which is to group new buildings with existing development it is not a suburban form of development; I have already found that the proposed development would not result in ribbon; and given my conclusions regarding the need for new planting and that planting would aid integration the impact of the ancillary works would not appear suburban in form. The proposed development would not fail any of the requirements of Policy CTY 14 of PPS 21 and the Council has not sustained its fifth reason for refusal.

Conditions

1. Before building works commence the visibility splays identified on drawing numbered 1661-15/01 shall be laid out at the junction of the access lane with Cloughanramer Road and permanently retained.

2. No development shall take place until there has been submitted to and approved by the planning authority a landscaping scheme showing trees and hedgerows to be provided along the northern and western boundaries of the site and the location, numbers, species and sizes of trees and shrubs to be planted within the site. The scheme of planting as finally approved shall be carried out during the first planting season after the commencement of the development. Trees or shrubs dying, removed or becoming seriously damaged within five years of being planted shall be replaced in the next planting season with others of a similar size and species unless the planning authority gives written consent to any variation.

3. The development shall be begun before the expiration of five years from the date of this permission.

This decision is based on the 1:1250 scale site location plan and the drawing numbered Job No 1661-15/01

COMMISSIONER HELEN FITZSIMONS

List of Documents

Planning Authority: -
Post Hearing
Appellant:-
Post Hearing

C1 Written Statement
C2 Planning History
A1 Written Statement and Appendices
A2 Letter of Offer; Certificates and Newspaper Article

Attendances

Planning Authority:-
Appellant:-

Mr G Murtagh
Mr T Wilson (Tom Wilson Planning)
Mr M Byrne (Building Design)

Appeal Reference:	2018/A0003
Appeal by:	Mr Philip Prescot
Appeal against:	Refusal of Full Planning Permission
Proposed Development:	Retention of replacement domestic garage
Location:	32 Dunnaval Road, Kilkeel
Planning Authority:	Newry, Mourne and Down District Council
Application Reference:	LA07/2017/1663/F
Procedure:	Written Representations with Commissioner's site visit on 26 th July 2018
Decision by:	Commissioner Helen Fitzsimons on 9th August 2018

Decision

1. The appeal is allowed subject to conditions.

Reasons

2. The main issues in this appeal are whether the proposed development would;
 - be sympathetic with the built form and appearance of the existing property;
 - detract from the character and appearance of the surrounding area;
 - have an adverse impact on residential amenity; and
 - be unsympathetic to the character of the Mournes Area of Outstanding Natural Beauty (AONB).
3. The appeal site is located within the settlement limits of Dunnaval/Ballyardle by virtue of Designation DB01 in the Banbridge, Newry and Mourne Area Plan 2015 (BNMAP) the local development plan which operates for the area. BNMAP offers no specific policy or guidance pertinent to the appeal site. The first Addendum to Planning Policy Statement 7 'Quality Residential Environments' entitled 'Residential Extensions and Alterations' states that planning permission will be granted for a proposal to extend or alter a residential property where all of four stated criteria are met. The Council raised objections under criteria (a) that the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area; and (b) that the proposal does not unduly affect the privacy or amenity of neighbouring residents
4. Paragraph A11 of the Addendum says that garages and other associated outbuildings should be subordinate in scale and similar in style to the existing property, taking account of materials, the local character and the level of visibility of

the building from surrounding views. The appeal site comprises the appellant's single storey dwelling sited in a generously sized plot that sits above road level. It is bounded on either side by dwellings and a business park is located immediately opposite. The front elevation of the dwelling faces the road with a 'gazebo' like structure on its western elevation. The garage is sited in the western corner of the plot behind the dwelling. The 'gazebo' like structure and vegetation within the plot serve to limit views of the garage to partially across the frontage of the appeal site. The garage measures 10m x 11.8m and is 6m in height. It is finished in painted render to match the house. From the road, albeit that it is a large structure, because of the limited views it appears subordinate to the main dwelling. It is sympathetic with the built form and appearance of the existing property and it does not detract from the appearance and character of the surrounding area. Criterion (a) of Policy EXT 1 of the first Addendum to PPS 7 is met.

5. The vehicular entrance to the garage is via a large roller shutter door, which is not an uncommon arrangement for modern domestic garages. There is a second 'domestic' door to the garage and this serves an area where there is a fridge/freezer, sink and washing machine; a common utility space arrangement for many households. At my site visit I noted four cars and a van within the garage which belong to the appellant and his family members. There is a mechanic's tool box situated at the rear of the garage, which would be used where an occupier carries out repairs to his own vehicles. The interior of the garage; its outer areas; and around the dwelling show no signs of oil stains, which one might expect from a commercial garage. I was given no evidence by the Council of vehicles calling to the appeal site for car repairs; that the appellant is employed as a mechanic; or any other evidence to persuade me that the garage is being used for commercial purposes. In addition I noted no signage at the property. On the balance of what I observed at my site visit, and in the absence of any other evidence, I am satisfied that the garage is in domestic use, and that any car repairs are on a hobby basis. A planning condition would ensure that this remains the case. Given all of this I am satisfied that there would be no adverse impact on the residential amenities of adjacent occupiers by virtue of commercial car repair activities. Criterion (b) of Policy EXT 1 of the first Addendum to PPS 7 is met.
6. As I have concluded that both criteria (a) and (b) of Policy EXT 1 of the first Addendum to PPS 7 are met the Council has not sustained its first reason for refusal.
7. Policy NH 6 of Planning Policy Statement 2 'Natural Heritage' states that Planning permission for new development within an Area of Outstanding Natural Beauty will only be granted where it is of an appropriate design, size and scale for the locality and where three stated criteria are met. The Council raised objections under criterion (a) that the siting and scale of the proposal is sympathetic to the special character of the Area of Outstanding Natural Beauty in general and of the particular locality. The appeal site is located in an urban area within the AONB. It is surrounded by built development and there is little appreciation of the special character and landscape value of the AONB at this location. The addition of the garage on the appeal site does not appear as out of character with its surroundings and consequently is not unsympathetic to the special character of the AONB. The Council has not sustained its second reason for refusal based on Policy NH 6 of PPS 2.

Conditions

1. The garage shall only be used for domestic purposes incidental to the residential use of No. 32 Dunnaval Road.

This decision is based on the 1:1250 scale site location plan; the 1:100 scale elevations drawing and the 1:100 scale proposed floor plan and elevations.

COMMISSIONER HELEN FITZSIMONS

List of Documents

Planning Authority: -

C1 Written Statement and Appendices
C2 Comments

Appellant:-
Post Hearing

A1 Written Statement
A2 Comments

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 T Andrews
27/04/2018	A McAlarney	Cllr R Burgess
30/04/2018	A McAlarney	Cllr W 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 MLA
09/08/2018	G Kerr / P Smyth	Cllr B Quinn
14/08/2018	A McAlarney	Cllr W Walker

1. Live Applications

MONTH 2017/18	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

2. Live Applications by length of time in system

Month 2017/18	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	914
May	506	193	78	33	106	916
June	483	201	84	33	108	909
July	540	189	90	34	107	960
August	482	187	99	34	111	913

3. Live applications per Case Officer

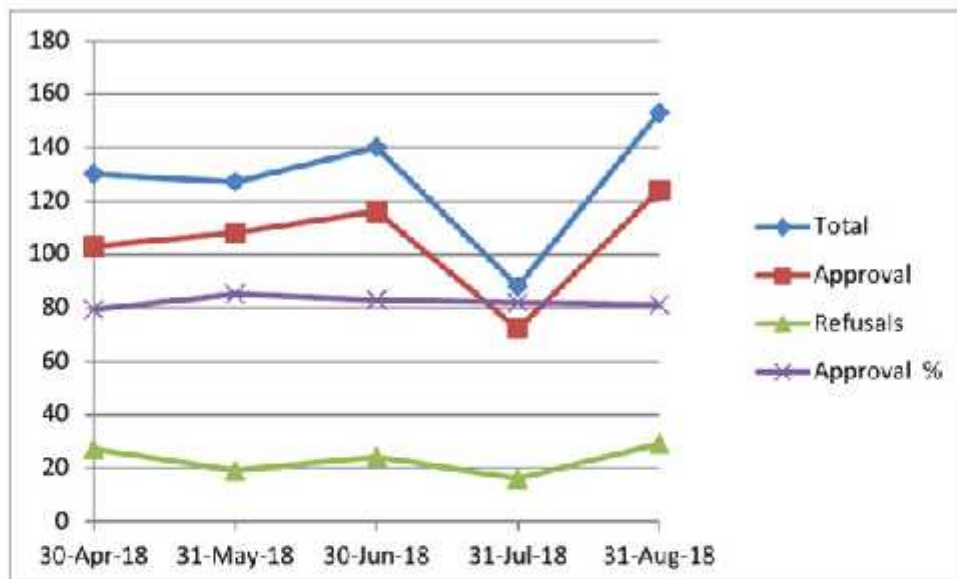
Month 2017/18	Average number of Applications per Case Officer
April	51
May	49
June	48
July	51
August	48

4. Decisions issued per month

Month 2017/18	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

5. Decisions Issued YTD

Month 2017/18	Number of Decisions Issued	Breakdown of Decisions	
		Approvals	Refusals
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%



6. Enforcement Live cases

Month 2017/18	<=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

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
Totals	94	53	41

* 1 application withdrawn by Applicant

8. Appeals**Planning Appeal Commission Decisions issued during July 2018**

Area	Number of current appeals	Number of decisions issued	Number of decisions Allowed	Number of decisions Dismissed	Other decisions
Newry & Mourne	12	5	5	0	0
Down	7	0	0	0	0
TOTAL	19	5	5	0	0

Newry, Mourne & Down District Council – August 2018

Statutory targets monthly update - up to July 2018 (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 ¹	Average processing time ²	% of cases processed within 30 weeks	Number received	Number decided/withdrawn ¹	Average processing time ²	% of cases processed within 15 weeks	Number opened	Number brought to conclusion ³	"70%" conclusion time ³	% of cases concluded within 39 weeks
April	0	2	110.4	0.0%	100	109	14.0	52.3%	49	6	170.2	66.7%
May	0	2	67.3	0.0%	116	118	16.9	43.2%	50	14	48.3	64.3%
June	1	1	20.2	100.0%	135	132	15.1	50.0%	49	25	49.2	60.0%
July	0	-	0.0	0.0%	107	81	15.2	49.4%	39	7	52.8	71.4%
August	0	-	0.0	0.0%	0	-	0.0	0.0%	0	-	0.0	0.0%
September	0	-	0.0	0.0%	0	-	0.0	0.0%	0	-	0.0	0.0%
October	0	-	0.0	0.0%	0	-	0.0	0.0%	0	-	0.0	0.0%
November	0	-	0.0	0.0%	0	-	0.0	0.0%	0	-	0.0	0.0%
December	0	-	0.0	0.0%	0	-	0.0	0.0%	0	-	0.0	0.0%
January	0	-	0.0	0.0%	0	-	0.0	0.0%	0	-	0.0	0.0%
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%
Year to date	1	5	48.6	20.0%	458	440	15.4	48.6%	187	52	48.0	63.5%

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'.

Newry, Mourne & Down District Council – August 2018

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.

Report to:	Regulatory & Technical Services Committee
Date of Meeting:	19 th September 2018
Subject:	Request from Ulster Wildlife to allow culling of grey squirrels on Council owned land
Reporting Officer (Including Job Title):	Kevin Scullion , Assistant Director Facilities Management and Maintenance
Contact Officer (Including Job Title):	Aidan Mallon, Head of Maintenance and Danielle Begley, Biodiversity Officer

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

For decision	<input type="checkbox"/>	Y	For noting only	<input type="checkbox"/>
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1.0	Purpose and Background
1.1	<p>Council have been approached by Ulster Wildlife to discuss working in partnership on their 'Red Squirrels United' project. This four-year project, funded by EU Life14 and Heritage Lottery Fund, will help prevent further spread of grey squirrels into areas that are currently home only to reds through conservation and community engagement activities.</p> <p>A key area within the project is Rostrevor Oakwood. The woodland is a haven for Red squirrels; however the greys living in Kilbroney park are a major threat.</p> <p>Ulster wildlife request permission to include Kilbroney Park in their culling efforts. Greys are culled by a licenced and trained officer using an air rifle. The officer carries out culling at times of the day when very few park users are present, usually at first light.</p> <p>Other Council owned sites, including Donard Park and Warrenpoint Town Park, could also be included in the culling efforts, as these are strongholds for greys re-populating red habitat.</p>
2.0	Key issues
2.1	<p>Once common, red squirrels have declined rapidly since the 1950s. Numbers in the UK have fallen from around 3.5 million, to a current estimated population of around 120,000. This is reflected across Ireland where the red squirrel population is now estimated to be less than 40,000.</p> <p>Red squirrels continue to be in serious decline due to disease, the loss and fragmentation of woodland habitat and competition from the more robust grey squirrel. There are now only a handful of refuges left for red squirrels in Northern Ireland.</p> <p>It is because of this that Red squirrels are afforded the highest level of protection</p>

	<p>in Northern Ireland under the Wildlife (NI) Order 1985. They have also been listed as a priority species in our Council Local Biodiversity Action Plan (LBAP).</p> <p>Within our Corporate Plan the Council commits itself to fulfil its statutory duty for biodiversity through implementation of our LBAP document.</p>
3.0	Recommendations
3.1	To approve the request from Ulster Wildlife to permit controlled culling of grey squirrels on council owned sites subject to proof of licence, Insurance and agreed Method Statement
4.0	Resource implications
4.1	Officer time.
5.0	Equality and good relations implications
5.1	It is not anticipated that the proposal will have an adverse impact upon equality of opportunity and good relations.
6.0	Rural Proofing implications
6.1	Due regard to rural needs has been considered.
7.0	Appendices
	None
8.0	<p>Background Documents</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> <ul style="list-style-type: none"> <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> <i>b) Have, in the Chief Executive's opinion, been relied upon to a material extent in preparing the report.</i> <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>

Report to:	Regulatory & Technical Services Committee
Date of Meeting:	19 th September 2018
Subject:	Update on proposal to provide local communities an environmentally sustainable option of planting Christmas Trees
Reporting Officer (Including Job Title):	Kevin Scullion, Assistant Director Facilities Management & Maintenance
Contact Officer (Including Job Title):	Kevin Scullion, Assistant Director Facilities Management & Maintenance

<p>Confirm how this Report should be treated by placing an x in either:-</p> <table border="1"> <tr> <td>For decision</td> <td><input type="checkbox"/></td> <td>Y</td> <td>For noting only</td> <td><input type="checkbox"/></td> </tr> </table>		For decision	<input type="checkbox"/>	Y	For noting only	<input type="checkbox"/>
For decision	<input type="checkbox"/>	Y	For noting only	<input type="checkbox"/>		
1.0	Purpose and Background					
1.1	At last month's Committee Meeting it was agreed to proceed with the Environmentally Sustainable Option of Planting Christmas Trees Project and authorisation was approved for the purchase of five Christmas Trees. Subsequent to this, the Council's Sub Committee on Christmas Illuminations met and through discussion recommended that the number of trees to be purchased be increased from five to seven.					
2.0	Key issues:					
2.1	<p>The two additional sites to be considered are:</p> <ol style="list-style-type: none"> 1. Lower Green in Castlewellan 2. Lislea Green in Crossgar. <p>The tender has now been issued for this purchase and will close on the 24th September 2018. The Committees approval of this change is requested.</p>					
3.0	Recommendations:					
3.1	Council agree to purchase of seven number Christmas trees of the species Abies Nordmanniana at a height of 4.5 metre (from ground level to tip) for planting at seven agreed locations.					
4.0	Resource implications					
4.1	<p>Officer time.</p> <p>Available Revenue budget for purchase of Christmas Trees in this current financial year is £35,000.00. This budget was initially set based on supply of "cut" trees but it is proposed to use this budget location for the purchase of Christmas trees which are to be planted.</p>					

5.0	Equality and good relations implications:
5.1	It is not anticipated that the proposal will have an adverse impact upon equality of opportunity and good relations.
6.0	Rural Proofing implications
6.1	Due regard to rural needs has been considered.
7.0	Appendices
	None
8.0	<p>Background Documents</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> <ul style="list-style-type: none"> <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> <i>b) Have, in the Chief Executive's opinion, been relied upon to a material extent in preparing the report.</i> <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>

Report to:	Regulatory & Technical Services Committee
Date of Meeting:	19 th September 2018
Subject:	Structural Condition of Steps at South Promenade, Newcastle
Reporting Officer (Including Job Title):	Kevin Scullion, Assistant Director Facilities Management & Maintenance
Contact Officer (Including Job Title):	Kevin Scullion, Assistant Director Facilities Management & Maintenance

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

For decision	<input type="checkbox"/>	Y	<input checked="" type="checkbox"/>	For noting only	<input type="checkbox"/>
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1.0	Purpose and Background
1.1	<p>An inspection was carried out to report on the structural condition of the steps at South Promenade, Newcastle, as concern had been raised regarding erosion at the steps. Attached at Appendix 1 are photographs showing the location of the steps.</p> <p>A Structural Engineer was appointed to examine the steps and he as reported as follows.</p> <p>The steps lead from the car park down onto the beach approximately 100m South of the Shimna River along Central Promenade. There are 10 steps constructed in concrete which lead down onto the beach. The steps are approximately 1m wide and 0.9m long & 0.3m deep with rock armour on the townward side and natural rounded boulders set in concrete on the Harbor side. The concrete rests on boulders and stones.</p> <p>Inspection indicates there was erosion to the stone armour. The steps are being undermined to the underside with the erosion. The bottom step which is independent and is not connected to the rest of the steps has sunk. There has been previous concrete repairs carried out. Approximately 20m South of the steps a large area of stone armouring has been eroded.</p> <p>A section of stone/concrete armouring approximately 2m long x 0.9m wide has been washed away and the remaining armouring has been undermined by approximately 0.5 - 0.75m. Pockets of erosion have also occurred under the steps by up to 0.6m. The section to the South approximately 10m x 10m has been eroded by wave action.</p> <p>The voids to the underside of the steps should be infilled with concrete grout. This could be done by shuttering both sides of the steps and infilling the voids. The stone/concrete armouring to the sides of the steps to be replaced. The bottom step to be repaired and repositioned. The adjacent eroded area of stone/concrete armouring should be replaced and made good.</p>

	The breaching of the armouring weakens the entire defence system as this will rapidly disintegrate. The larger area of stone armouring also affords protection to the pedestrian footpath and roadway. Carrying out these works will require a Marine Licence.
2.0	Key issues:
2.1	<ul style="list-style-type: none"> • The structural condition of steps at South Promenade which lead from the walkway to the beach have been examined by a Structural Engineer following concern raised about the impact of coastal erosion on the steps. • The report from the Structural Engineer has made a number of recommendations for repair to the steps. • Such repair work will require a Marine Licence before works can commence.
3.0	Recommendations:
3.1	Approval to proceed to submit an application for a Construction Marine Licence to DAERA to undertake repairs to concrete steps at South Promenade, Newcastle.
4.0	Resource implications
4.1	Marine Licence application fee and advertisement costs of approximately £900.00. Cost to undertake works not known at present.
5.0	Equality and good relations implications:
5.1	It is not anticipated that the proposal will have an adverse impact upon equality if opportunity and good relations.
6.0	Rural Proofing implications
6.1	Due regard to rural needs has been considered.
7.0	Appendices
	Appendix 1 – Photographs of erosion to steps at South Promenade, Newcastle
8.0	<p>Background Documents</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> <ul style="list-style-type: none"> <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> <i>b) Have, in the Chief Executive's opinion, been relied upon to a material extent in preparing the report.</i> <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 1– Photographs of erosion to steps at South Promenade, Newcastle



Photo 1 - View of steps and adjoining car park



Photos 2 - View of Steps from beach

Report to:	Regulatory & Technical Services Committee
Date of Meeting:	19 th September 2018
Subject:	Bus Shelter at Cloughreagh Park, Bessbrook
Reporting Officer (Including Job Title):	Kevin Scullion, Assistant Director Facilities Management & Maintenance
Contact Officer (Including Job Title):	Kevin Scullion, Assistant Director Facilities Management & Maintenance

Confirm how this Report should be treated by placing an x in either:-			
For decision	Y	For noting only	
1.0	Purpose and Background		
1.1	<p>At the Council's Monthly Meeting in July 2018 a number of actions were agreed in relation to responding to a request to have a bus shelter or shelters installed within the Cloughreagh/John F Kennedy Park developments and to contact Translink in relation matters raised by local residents.</p> <p>Below are the specific actions agreed along with the action taken:</p> <ul style="list-style-type: none"> NMDC consult within the guidelines of the Council - with residents within 50metres of the site, on the options of erecting two bus shelters located at Cloughreagh Community Centre and Oak Close. <p>Two sites were identified, one at John F Kennedy Park, Bessbrook, adjacent to the Arches Housing Development and a second site at Cloughreagh Park adjacent to Oak Close, Bessbrook.</p> <p>Both sites have been considered having due regard to the Council policy on bus shelter requests and the findings from this are provided at Appendix 1.</p> <ul style="list-style-type: none"> Translink to be asked by NMDDC why some residents and elected members were being told that the originally approved site was recommended, but advising other residents and elected members that it wasn't and allegedly Translink were on record as stating this. <p>A letter was sent to Translink dated 31st July 2018 and Translink responded in a letter dated 3rd August 2018 as follows:</p> <p>"Thank you for your letter dated 31st July 2018 in relation to the bus shelter in Cloughreagh Park. When Translink were first approached in relation to this shelter our Inspector visited the site and was satisfied that we were getting a shelter put into the area by the Council. There were a number of alternative sites which would also have suited our</p>		

	<p>needs but we had no objection to the site offered by the Council.</p> <p>When offering our bus services Translink are always grateful to get facilities which will benefit our passengers. This was the case in Cloughreagh and we were not going to object to the provision of a bus shelter being provided”.</p> <ul style="list-style-type: none"> • local residents speak directly to Translink to discuss this matter further, seeking clarity on this matter. <p>Action for local residents.</p>
2.0	Key issues
2.1	The recommendations provided are in line with Council Policy on bus shelters.
3.0	Recommendations
3.1	To proceed with the recommendations provided in Appendix 1 of the report.
4.0	Resource implications
4.1	Officer time. Capital budget within this financial year for provision of bus shelters. Capital budget of £135,000 over financial years 2017/18 to 2021/2022
5.0	Equality and good relations implications
5.1	It is not anticipated that the proposal will have an adverse impact upon equality of opportunity and good relations.
6.0	Rural Proofing implications
6.1	Due regard to rural needs has been considered.
7.0	Appendices
	Appendix 1: Report on Bus Shelter Requests
8.0	Background Documents
	<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> <ul style="list-style-type: none"> <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> <i>b) Have, in the Chief Executive's opinion, been relied upon to a material extent in preparing the report.</i> <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 1: Report on Bus Shelter Requests

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

1. New bus shelter at John F Kennedy Park, Bessbrook

Background & Summary of Findings to date

At the Councils Monthly Meeting in July 2018 it was agreed to consider this application under the Council policy for requests for bus shelters.

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

Table 1

Consultee	Response	Comment
Transport NI	No objections in principle provided Cantilever type structure used, location in accordance with submitted plans, and future liability and maintenance is with Council. Before installation Council must enter into Licence Agreement with Dfi	Complies with Policy
PSNI	No objections	Complies with Policy
Translink	Translink would pick up at least 40 passengers from this area.	Complies with Policy
Local property owners/residents within 50 metre radius of proposed site	20 residents consulted. 4 responses received, 2 for and 2 against. Less than one third of residents consulted objected to the bus shelter. Kidzone Play Group (one of the two objectors) objected on road safety grounds. Their concerns were relayed to Dfi for comment – see Note 1 for Dfi response.	Complies with Policy Note 1: While the safety of road users is paramount in everything that DfI Roads do, I am of the opinion that the inclusion of a bus stop at this location will not prejudice road safety. Rule 223 & 243 of the Highway Code advises that road users should give priority to buses (223) and not park at or near bus stops (243) except when forced to do so by stationary traffic. From the information provided there also appears to be no direct conflict in timings. However, I appreciate there may be early arrivals for school pickups.

		<p>The promotion of sustainable modes of transport is a key aspect of the Programme for Government (indicator 25) to increase the use of public transport and active travel. This will play a small part in that objective.</p> <p>It should also be noted that the provision of both the proposed bus shelters within the Cloughreagh Park area would provide for better access within acceptable walking distances for those wishing to use the service rather than a single central location.</p>
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Recommendations

A cantilever type bus shelter (no side panels) to be erected at this location in accordance with Dfi agreement.

2. New bus shelter at Cloughreagh Park, Bessbrook

Background & Summary of Findings to date

At the Councils Monthly Meeting in July 2018 it was agreed to consider this application under the Council policy for requests for bus shelters.

Table 2 below summarises consultation process which has been carried out having regard to Council Policy Requirements.

Table 2

Consultee	Response	Comment
Transport NI	No objections in principle, provided Cantilever type structure used, location in accordance with submitted plans, and future liability and maintenance is with Council. Before installation Council must enter into Licence Agreement with Dfi	Complies with Policy
PSNI	No objections	Complies with Policy

Translink	Translink would pick up at least 40 passengers from this area.	Complies with Policy
Local property owners/residents within 50 metre radius of proposed site	<p>20 residents consulted. 12 responses received, 5 for and 7 against. As more than one third (35%) of residents consulted have objected to the shelter it fails to meet policy requirements</p> <p>Once refused a request may not be reconsidered for a further 12 month period.</p>	Does not comply with Policy

Recommendations

A bus shelter should not be erected at this location as it does not fulfill all the criteria as per Council policy.

Report to:	Regulatory and Technical Services Committee
Date of Meeting:	19 September 2018
Subject:	Charges for collection and disposal of waste at Caravan Sites
Reporting Officer (Including Job Title):	Mr Joe Parkes: Assistant Director (Waste)
Contact Officer (Including Job Title):	Mr Liam Dinsmore: Head of Waste Processing

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

For decision	For noting only	<input checked="" type="checkbox"/>
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1.0	<p>Purpose and Background</p> <p>A Report was submitted to the Council, June 2018, detailing proposals relating to waste collection, waste reduction and changes to charging rates applicable to Caravan Sites.</p> <p>On the proposal of Councillor Tinnelly, seconded by Councillor Taylor, it was unanimously agreed to defer taking a decision on the implementation of charges for the collection and disposal of waste at Caravan Sites until the end of the current season, and that a full report, with costings, be brought back to the RTS Committee Meeting in September.</p> <p>It was also noted that proposed increases should be communicated by Officers through further discussions with Operators, with agreement to be achieved in advance of new season charging</p>
2.0	Key issues
2.1	Key issues are as set out in the May Report, including Legal Opinion, with added requirement that agreement be achieved prior to new season collection arrangements and any notifications sent out by Operators to their customers.
2.2	Discussions should take place with Operators with direction of travel to recover costs.
2.3	Detailed report to be presented at October RTS to highlight costs to Council and implementation plan for increasing charges to caravan operators.
2.4	Any agreed charging scheme would then be factors into rates estimates process for 2019/2020 budget year and beyond.
3.0	Recommendations
3.1	<p>1. Discussions to be held with Caravan Operators regarding proposed Price Increases, with meeting scheduled to be held on Friday 29 September 2018.</p> <p>2. Further update to be provided to RTS Committee, October 2018.</p>
4.0	Resource implications
4.1	Currently the Council does not recover collection costs regarding refuse collection

	services and it is considered that implementation of a revised scale of charges will address this requirement.
5.0	Equality and good relations implications
5.1	It is not considered that any adverse implications will arise with respect to equality of opportunity and good relations.
6.0	Rural Proofing implications
6.1	It is not considered that any issues arise but will be considered before submission of a final report
7.0	Appendices
	None
8.0	<p>Background Documents</p> <p>Read Report : Caravan Collection. Charges for collection and disposal of wastes at Caravan Sites (Report considered by RTS, 21 May 2018).</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> <ul style="list-style-type: none"> <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> <i>b) Have, in the Chief Executive's opinion, been relied upon to a material extent in preparing the report.</i> <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>

A Meeting of the Strategic Waste Issues Working Group was held at Monaghan Row Offices on 22 August 2018.

Present at the Meeting were:

In the Chair; Councillor Charlie Casey

In attendance: Councillor Craig, Councillor Andrews, Councillor Stokes.

Apologies recorded for Councillors Mc Auley, Doran, Enright.

Officers: Mr Joe Parkes and Mrs Tara Cunningham

Officers in attendance: Mr Roland Moore, Director of Neighbourhood Services
(Acting)

Mr Liam Dinsmore, Head of Waste Processing

Mr Patrick Mc Shane, Environmental Co-Ordinator

Councillor Andrews proposed, seconded by Councillor Craig that Councillor Casey retain the Chair for the Working Group during the present year.

1. To consider Minutes of Strategic Waste Working Group

Read Minutes of Working Group held on 19 December 2017 and 8 February 2018. *Noted* that Minutes for February Meeting were for a single issue and that Minutes for December 2017, recorded the wider brief for the Committee.

2. To Restate 9-Point Plan agreed by Strategic Waste Management Group

Read: Immediate, Short-term and Long Term Strategic Waste Actions (memo dated 22 August from Mr L Dinsmore).

Mr Dinsmore advised that he had updated the 9-point plan.

Councillor Andrews noted that point to implement a common-collection system for glass had been dropped to Point No.9, due to fact that this would shortly be implemented.

Recommendation: Updated 9-Point Plan updated on the proposal of Councillor Andrews, as seconded Cllr Craig.

3. To consider issues relating to current educational outreach to schools from a recycling perspective.

Mr Dinsmore advised that following the RTS Committee which had met on 20 June 2018, decision had been taken to submit an update report to the Strategic Waste Working Group and as such to address this requirement, Mr Mc Shane would present the update report to the Committee.

Mr Patrick Mc Shane, Environmental Co-Ordinator, proceeded to outline initiatives undertaken in this respect as follows:-

- *Schools Awareness Newsletter
- *Eco-Schools Information Events
- *Schools Environmental Poster Competition
- *Calendar Postal Prize Giving
- *Environmental Calendar
- *Youth Speak Competition
- *Eco-Schools
- *School Talks/Arc21 bus, as examples of ongoing initiatives to the total of 123 Schools in the District.

Noted Emphasis on Food Waste and Brown Bin during 2017/18.

Mr Dinsmore confirmed close links with Waste Management and advised as to door-stepping to target areas not perceived to achieve recycling levels. Councillor Casey thanked Mr Mc Shane for his update.

It was agreed: On proposal of Councillor Craig as seconded by Councillor Andrews, as follows:-

1. To adopt the schedule of activities to be provided by AHC.
2. Arising from Waste Services proposal that Education Officers now do liaise with Waste Services:-
 - * to distribute kitchen caddies on a one-off basis, one for each classroom, for primary schools collected by the Council. *Noted* 97 schools.
 - * caddies to be made available to pre-school facilities, where deemed beneficial to reduce food waste collection tonnages.
3. To note Report of Neighbourhood Services Waste Team Meeting, 3 May 2018.

3(a) (Read; Minutes of Waste Team Meeting, 3 May 2018).

Mr Dinsmore advised that Minutes were from an Officers Meeting, which group review within Waste Services regarding all aspects of Waste Reduction.

Mr Dinsmore went on to say that it was through this group that Strategic Waste Strategy initiatives were implemented.

Report was noted .

3(b) Waste Strategy

(Read Waste Strategy Report: Document Control update June 2018)

The Working Group reviewed the current version of the Councils Waste Strategy as highlighted strategies and programmes for 2018/19 and 2019/20.

Group members noted current recycling performance and noted future initiatives.

Mr Moore advised that it was important that the Group did note that Officers would regularly report as to the success of different initiatives, with Glass Co-Mingled Project and Civic Amenity Sites the current main focus areas along with ongoing education and communications initiatives.

Councillor Casey asked that the first collection time at 7.30am, be respected by collection squads, as bins not collected did lead to contamination.

Recommendation: Reports were adopted on the recommendation of Councillor Craig as seconded by Councillor Andrews.

4. To consider correspondence from DAERA Ref: Quarterly Waste Management Statistics

Councillor Casey advised that this item and Report from Mr Joe Parkes, Assistant Director E Waste, to be taken concurrently due to similar nature of Reports.

(Read: 4a) The Northern Ireland Local Authority Collected Waste Management Statistics, 26 July 2018.

4b) Report from Mr Joe Parkes, Recycling Performance 2017/18 v 2016/17.)

Mr Dinsmore provided detail from the Reports:

- a.recycling level 2017/17 provisionally recorded at 46.2%
- b.continued downward trend for Black Bin Wastes(14.5% by weight)
- c.increase in Blue Bin Recovery(3%)
- d.increase in Brown Bin Recovery(60%)

Following in-depth discussion regarding the statistics, Councillors expressed satisfaction with detail provided and the fact that Council did appear to be on target to achieve a 50% rate by 2020.

Discussion held regarding longer term strategy and other available options. Mr Dinsmore referred to APSE, State of the Market Surveys and agreed to place to next Agenda.

Recommendation: a) Reports were marked Noted.

5. To consider Communications and Educational Initiatives Relative to Waste Strategy.

Mr Dinsmore advised as to four areas of work:

- Recycle Right: Your easy guide to recycling
- Ongoing Communication Events
- Role for Education Officers
- Door Stepping Proposal

Councillor Stokes and Craig asked that Communications be kept high on the Agenda.

Recommendation:

- a) Officials to consider proposal to Rates Estimates to continue to provide Recycle Bags to be available free-of-charge and to review options in this respect.**
- b) Brown bins to be available Free of Charge to end-September.**
- c) Officials to continually review Communications initiatives and to design same to seek to achieve greatest impact Ref: Recycling Performance *Noted* upcoming project to introduce a fully-comingled collection system at Downpatrick.**

6. Date of next Meeting

Noted next meeting scheduled at November 2018.

Signed **P.W. Dinsmore**
 Head of Waste Processing

4 September 2018

Report to:	Regulatory and Technical Services Committee
Date of Meeting:	19 September 2018
Subject:	Closure of Warrenpoint Household Amenity Site to facilitate drainage works
Reporting Officer (Including Job Title):	Mr Joe Parkes, Assnt Director Waste
Contact Officer (Including Job Title):	Mr Liam Dinsmore , Head of Waste Processing

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

For decision	<input checked="" type="checkbox"/>	For noting only	<input type="checkbox"/>
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1.0	Purpose and Background
1.1	<p>Urgent works are required to upgrade drainage at the Warrenpoint Household Recycling Centre.</p> <p>Under the Water (Northern Ireland) Order 1999, the consent of the DAERA is required to discharge site drainage liable to contamination. Drainage is currently to surface water, via interceptor arrangement.</p> <p>An application has been made to the Department to redirect some drainage, with potential contamination to sewer. Purpose of Report is to advise Council as to closure of site and to seek approval for spend to facilitate the works.</p>
2.0	Key issues
2.1	<p>The relevant legislation, the Water Environment (Water Framework Directive) Regs (NI) 2003 requires that measures are put in place to prevent pollution. It is considered that opportunity should now be taken, to upgrade drainage at Warrenpoint Household Recycling Centre, in accordance with the guidelines.</p> <p>Operational issues have resulted in drainage lines being blocked, which requires specialist cleaning contractor to address, at an additional cost.</p> <p>Works will require expenditure at approximately £18,000, which works are not budgeted. Works could be delayed but it is considered that works should now be undertaken and to include installation of a silt-trap to address recurrent blockages to the drainage system, from Sweeper Waste.</p> <p>Works will be programmed for a one week closure, effective 8 October 2018. It is considered that this represents a period of low site usage.</p> <p>Alternative waste receipting measures will be provided, to receive recyclable wastes at the adjacent Warrenpoint Municipal Cemetery Car Park, with arrangement made to receive waste paper, cardboard, white goods and black bag wastes.</p>

	<p>No facility will be available for green wastes, metal or wood wastes with requirement to use Newry Site during the closure period.</p> <p>This alternative temporary arrangement has been approved by NIEA.</p>
3.0	Recommendations
3.1	<p>1: Urgent works to be undertaken to achieve Consent for Discharge in accordance with relevant guidelines, with approval sought for this unbudgeted spent at estimated cost £18,000, effectively redirecting site drainage to controlled sewerage. Costs for these works to be drawn from anticipated underspend for RTS projects from capital programme.</p> <p>2:Warrenpoint Household Recycling Centre to be closed to the public for a one-week period to facilitate works, with alternative arrangement to be provided at the Carpark at Warrenpoint Municipal Cemetery , where non-hazardous household wastes may be received and removed off-site on a daily basis. Officers to undertake necessary notifications and PR to public for the disruption caused by these works.</p>
4.0	Resource implications
4.1	1: Project Cost at £18,000 is not budgeted .Works will be undertaken within the existing Capital Budget against underspends on other projects.
5.0	Equality and good relations implications
5.1	It is not considered that and Equality or Good Relations implications apply.
6.0	Rural Proofing implications
6.1	No Rural proofing implications apply.
7.0	Appendices
	None
8.0	<p>Background Documents</p> <ol style="list-style-type: none"> 1. The Water Environment(Water Framework Directive)Regs (NI)2003. 2. Water (Northern Ireland)Order 1999. <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"> 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> b) <i>Have, in the Chief Executive's opinion, been relied upon to a material extent in preparing the report.</i> <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>

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 – Senior Management Interim Arrangements**For approval**

Following notice of the retirement of John Quinn as Chief Executive as reported to the May meeting, the Joint Committee subsequently agreed at the June Committee to initiate a process for ensuring business continuity through Acting Up by Senior Management during the period when the post remains vacant.

A report detailing the outcome of this process will be tabled at the meeting. The Joint Committee will be asked to consider the recommendations therein.

Item 4 - Minutes of Joint Committee Meeting 032 held on 28 June 2018**For approval**

The Joint Committee's approval is sought for the minutes of the meeting held on 28 June 2018.

Item 5 - Matters Arising**'IN COMMITTEE' ITEMS - COMMERCIALY CONFIDENTIAL****Item 6 - Minutes of Joint Committee Meeting 032 held on 28 June 2018 held 'in committee'****For approval**

The Joint Committee's approval is sought for the minutes of the meeting held on 28 June 2018 'in committee'.

Item 7 - Matters Arising

Item 8 - Residual Waste Treatment Project

For noting

Planning Permission – following the decision of the Northern Ireland Court of Appeal to give its judgement on 6 July 2018 (before the end of the courts summer term) and dismiss the appeal made by the Department for Infrastructure, the Department has not to date exercised the right to further appeal to the UK Supreme Court (based in London) to dismiss its appeal of the High Court judgement delivered on 14 May 2018 and the associated order that rescinded the grant of planning permission for developing the Hightown Quarry as part of arc21’s residual waste treatment project. As the normal time limit to appeal (3 August 2018) has expired and it has been reported in the news media that the Department in response to questions has indicated it does not intend to appeal further, this implies that the Department have accepted they acted *ultra vires* in granting planning permission for developing waste treatment infrastructure at Hightown Quarry and the order of the High Court to quash the granting of planning permission stands unchallenged. However, on the 9 August 2018 the Attorney General of Northern Ireland filed documents with the UK Supreme Court that referred five questions that are grounded in the devolution settlement for Northern Ireland for which the Attorney General seeks clarity from the Supreme Court. It is anticipated that the arguments around what the answers to these questions should be will be similar to the arguments that were deployed in the Northern Ireland Belfast courts for arc21’s project.

Grid Connection - An extension of time for NIE Networks to provide a connection offer has been granted by the Utility Regulator to complete the technical studies.

Item 9 - Organic Waste Treatment Contract

For noting

Members are advised that a report on considerations with respect to the treatment facility is likely to be submitted to the next meeting of the Joint Committee.

OUT OF COMMITTEE & RETURN TO MAIN AGENDA

Item 10 - Contracts and Performance Update

All for noting except Recovery/Disposal of Residual Waste which is for approval

Sustained dry spell has caused a reduction in arc21 Organics tonnages in comparison to same period in 2017.

One incident of a rejected load in July 2018 delivered into Organics delivery site.

Incident at Antrim Transfer Station leading to significant damage to party wall.

Contract high tonnage for Textiles in July 2018.

Approval sought for main elements for a new Recovery/Disposal Residual Waste Contract.

Contract for the collection and treatment of WEEE Display Units entered into.

Item 11 - Revenue Estimates

For approval

The Joint Committee is presented with the proposed Revenue Estimates of arc21 setting out the costs involved in the range of operational activities in the medium term, as required covering the next three years, for approval.

Taking into account the current rate of inflation, the pay award agreement which expires in March 2020 and high level guidance from Constituent Councils, the estimated expenditure of the Joint Committee represents an increase of around 1% year on year, as shown in Appendix B.

Specifically, the estimated costs of running the Joint Committee in 2019/20 year are £1.178m compared to £1.165m in 2018/19, representing a 1.12% increase.

The Mid Year Population Estimates provided by NISRA are used to allocate the costs to Participant Councils and the most up to date population statistics, for 2017, together with the reallocation of costs, can be seen in Appendix B.

Periodic reviews of the Waste Management Plan are required to be undertaken and provision has been made for this work to be done in 2019/20.

Details of other costs that Councils need to consider, such as the Educational Vehicle service, Waste Treatment and Supplies Contracts and Land Assembly costs, have been provided separately to Council Officers as budget provision is dependent on their own individual requirements.

Item 12 - Environmental Consultation**For noting**

The purpose of the consultation was to seek views on the use of environmental principles and accountability for the environment in England following the UK's exit from the EU.

Item 13 - NILAS 2017/18**For noting**

The NIEA have issued the draft reconciliation letter covering the 2017/18 position.

All arc21 Councils have met their target this year and there is no requirement to initiate the Transfer protocol.

Next Meeting: Thursday 27 September 2018 to be hosted by Antrim and Newtownabbey Borough Council

ITEM 4
ARC21 JOINT COMMITTEE
Meeting No 032
Hosted by Lisburn & Castlereagh City Council
MINUTES
Thursday 28 June 18

Members Present:

Councillor M Magill	Antrim and Newtownabbey Borough Council
Alderman R Gibson (<i>Deputy Chair</i>)	Ards and North Down Borough Council
Alderman A Carson	Ards and North Down Borough Council
Councillor O Gawith	Lisburn & Castlereagh City Council
Councillor D O'Loan (<i>Chair</i>)	Mid and East Antrim Borough Council
Councillor B Adger	Mid and East Antrim Borough Council
Councillor D Curran	Newry, Mourne and Down District Council

Members' Apologies:

Councillor S Ross	Antrim and Newtownabbey Borough Council
Councillor A Cathcart	Ards and North Down Borough Council
Councillor G Milne	Belfast City Council
Councillor M Collins	Belfast City Council
Councillor J Bunting	Belfast City Council
Alderman J Tinsley	Lisburn & Castlereagh City Council
Councillor L Poots	Lisburn & Castlereagh City Council
Councillor R Wilson	Mid and East Antrim Borough Council
Councillor W Clarke	Newry, Mourne and Down District Council
Councillor G Craig	Newry, Mourne and Down District Council

Officers Present:

J Quinn	arc21
G Craig (<i>Secretary</i>)	arc21
H Campbell	arc21
K Boal	arc21
J Green	arc21
R Burnett	arc21
M Laverty	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:

G Girvan	Antrim and Newtownabbey Borough Council
D Lindsay	Ards and North Down Borough Council
N Grimshaw	Belfast City Council
C Campbell	Belfast City Council

The Chair advised the Committee of two new representatives from Antrim and Newtownabbey Borough Council, Councillors John Blair and Stephen Ross who replaced Alderman Mervyn Rea and Councillor Brian Duffin. He noted however that Councillor Blair had since become an MLA and would therefore be replaced with a new representative, the details of which was yet to be advised.

The Chair also congratulated Councillor Dermot Curran on his new appointment as President of NILGA.

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 031 held on 31 May 2018 were agreed.

Action: Agreed

Item 4 - Matters Arising from the Minutes

All matters arising were discussed under agenda items.

Action: Noted

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

In Committee

The Chair read out section 4.15 of the Councillors' Code of Conduct.

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

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

Item 5 - In Committee Minutes of Meeting No. 031 held 31 May18	Action: Agreed
Item 6 - Matters arising from the Minutes	Action: Noted
Item 7 - Residual Waste Treatment Project	Action: Noted
Item 8 - Procurement and Contract Legal Services Contract	Action: Agreed
Item 8.2 - Bring Sites Mixed Paper Contract	Action: Agreed

Out of Committee

The Chair advised Members that the meeting would now return to the main agenda, which was further proposed and seconded.

Item 9 - Contracts and Performance Update

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

A summary of the key discussions is replicated as follows:

- *Increased volumes of organic waste were received for processing in May 2018. Over 2,100 tonnes more material was delivered than in the last highest month, which occurred in June 2017.*
- *Vigilance requested due to recent spate of small fires at waste facilities.*

Following discussion, the Joint Committee agreed to note the report.

Action: Noted

Item 10 - 2017/18 Waste Statistics

Mr Burnett presented a report on the indicative position in respect of key waste statistics covering the 2017/18 year which included the following:

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

Following discussion, the Joint Committee agreed to note the report.

Action: Noted

Item 11 - arc21 Customer Survey 2017/18

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

He reported that all members of the Joint Committee and Steering Group Officers were invited to participate in the survey. The survey was conducted using a propriety web based system with the answers being anonymous.

The survey format consisted of ten multi-choice questions covering a number of aspects relating to the services provided by arc21. There was also the provision for participants to offer comments after each question.

Mr Burnett thanked the Officers and Members who duly responded and participated in the survey.

Following discussion, the Joint Committee agreed to note the report.

Action: Noted

Item 12 - Recruitment of Chief Executive Position

Mr Craig presented a report to the Joint Committee in respect of the proposed recruitment process for the new Chief Executive of arc21, including short-term interim arrangements necessary to ensure business continuity, for approval.

He reported that at the Joint Committee meeting held on 31 May 2018, the Chair informed Members that he had received notice that the Chief Executive, Mr John Quinn, intended to retire on 31 August 2018 and that arrangements now needed to be made for the recruitment of a new Chief Executive.

Mr Craig set out the proposed process for both recruiting a permanent Chief Executive and also a temporary Chief Executive. He explained that, in terms of the temporary position, through the normal practice of acting up arrangements the functions of the Chief Executive would be reallocated, as additional duties, to the current two Directors who formally report to, and deputise, for the Chief Executive. He also explained that this process would result in the current decision making structure being retained through one of the two current Directors being nominated as Acting Chief Executive.

Mr Craig set out four recommendations in his report, replicated below, to enable the process to get underway as quickly as possible.

- Authorises the Chair to commence the process for the recruitment of a new Chief Executive;
- Authorises the Chair to seek a proposal from the Local Government Staff Commission, for Members consideration and approval, in relation to the undertaking of the recruitment process for the permanent position;

- Authorises the Chair to put in place temporary acting up arrangements for the continuity of the business of the Joint Committee during the time when the permanent Chief Executive position remains vacant; and
- The Joint Committee formally reviews and reassesses the position after six months in the event that the new Chief Executive post has not been filled.

Following discussion it was agreed to approve the recommendations.

Action: The Chair

The Chair also informed Members that this meeting would be the last that Mr Quinn would attend. He explained that with holiday commitments and annual leave to use up Mr Quinn would not be able to attend the July and August formal meetings but was pleased to confirm that Mr Quinn was able to come back in August for a final farewell.

Item 13 - arc21 Corporate Plan 2018-20

Mr Craig presented the Joint Committee with the Draft Corporate Plan for the two years to March 2020 for consideration and approval.

He reported that given the fact that the outcome of the negotiations on the exit from the EU by the United Kingdom and its implications for the Joint Committee remain unknown, the focus of the Corporate Plan is very much business as usual for the next two years.

He explained that, at the same time, a flexible approach would be adopted, and is built in to the Plan, to enable arc21 to take into account any issues that may emerge from the Brexit talks and consider any implications for the strategic plans of the Joint Committee.

The Joint Committee was asked to consider and approve the Draft Corporate Plan for the two-year period to March 2020.

Following discussion the Joint Committee agreed to approve the Plan.

Action: Agreed

Item 14 - AOB

Councillor Gibson advised the Committee of the recent passing of Councillor John Shields who had been a former Member of the Joint Committee, representing Ards Borough Council previously, and condolences were noted by all present.

Action: Noted

Item 15 - Next Meeting

The Chair advised that the next scheduled meeting of the Joint Committee was due to be held on Thursday 26 July 2018 at 10.30am and hosted by Mid and East Antrim Borough Council.

Action: Noted

Date: _____

Chairman: _____

HISTORIC
ACTION SHEET – REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING

19 September 2018

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		RTS MEETING – 18 MAY 2016			
RTS/78/2016	Council Public Amenity Space near the Council public toilets at Castlewellaan		K Scullion	It was further agreed that the suggestion of providing dancing fountains in Castlewellaan Square would be investigated.	N
RTS/87/2016	Tender for final capping at Drumanakelly Landfill Site	Agreed to tender for the final capping at Drumanakelly Landfill Site	J Parkes/L Dinsmore	Stage 5 Capping works are progressed with Capping presently approximately 90% complete.	N

19 September 2018

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		RTS MEETING – 9 DECEMBER 2015			
RTS/142/2015	Old Furniture at Council Recycling Sites	Council adopt a policy that people leaving old furniture at Council amenity sites be given the opportunity to donate it to charity and that expressions of interest be sought from charitable organisations to collect this furniture for upgrading and re-use.	J Parkes/L Dinsmore	Expressions of Interest Document has been completed but is currently held pending consideration of other issues relating to operation of Civic Sites. It is anticipated that report will be transferred to a later meeting of RTS. Position remains as previous, with intent that this matter will be progressed by June 2018.	N