



August 20th, 2018

Notice Of Meeting

You are invited to attend the Regulatory and Technical Services Committee Meeting to be held on **Wednesday, 22nd August 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 20 June 2018. (Attached).

 Action Sheet - June 2018.docx

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For Consideration and/or Decision

- 4.0 To consider the following Notice of Motion in the name of Councillor M Larkin re: fly tipping in the Newry, Mourne and Down and Louth Council areas:-

“Sinn Féin as an All Ireland Party have observed the increased and relentless fly tipping in the Newry Mourne and Down and Louth Council Areas. We call on our Council to increase co-operation between both Councils to tackle this scourge. Firmer action needs to be taken on Enforcement of Illegal Dumping. Fines and penalties must reflect the crippling costs to Council and Government. A full and comprehensive review needs to be carried out and we must spread a message of zero tolerance. We request that our Council write to the relevant Department to raise our concerns and request prompt action”.

- Councillor Larkin be invited to be in attendance for discussion on this item.
- (NB: This Motion was referred from the Council Meeting of 2 July 2018)

- 5.0 To consider the following Notice of Motion in the name of Councillor M Savage and Councillor G Stokes re: improve the condition of the Clanrye River in Newry City:-

“That this Council assembles a task force to include all relevant bodies to improve the condition of the Clanrye River in Newry City and that this task force explore all options in the short and long term including the provision of a weir. In the short term Council will work with all agencies to coordinate an immediate clean-up of the River.”

- Councillor Savage be invited to be in attendance for discussion on this item.
 - (NB: This Motion was referred from the Council Meeting of 6 August 2018).
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Building Control and Licensing

- 6.0 Report re: research the possibility of pedestrianizing a section of Kings Lane, Warrenpoint. (Attached).**
[Report re. Kings Lane Warrenpoint.pdf](#) Page 6
- 7.0 Report re: Energy Performance of Buildings (EPB) Audit Report. (Attached).**
[EPB Report for RTS Committee August 2018.pdf](#) Page 11
[Appendix 1 re. Energy Performance of Buildings.pdf](#) Page 13
[Appendix 2 - Energy Performance of Buildings.pdf](#) Page 16
- 8.0 Report re: Car Park Tariff Review Update**
[Report-Carpark Tarriff Review update.pdf](#) Page 24

Planning

- 9.0 Contact from Public Representatives Q1, 4 April to 30 June 2018. (Attached).**
[Contact from Public Reps Q1 4 April - 30 June.pdf](#) Page 26
- 10.0 Record of meetings between Planning Officers and Public Representatives 2018-2019 from June Planning meeting. (Attached).**
[Record of meetings between Planning officers and Public Reps.pdf](#) Page 31
- 11.0 June 18 Planning Committee Performance Report. (Attached).**
[June 18 Planning Committee Performance Report.pdf](#) Page 32
- 12.0 Current Appeals from June Planning Meeting. (Attached).**
[Appeals and Decisions issued at 30 June 2018.pdf](#) Page 37
- 13.0 Record of meetings between Planning Officers and Public Representatives 2018-2019 from July Planning meeting. (Attached).**
[Record of meetings between Planning officers and Public Reps July mtg.pdf](#) Page 64

14.0 Current Appeals from July Planning meeting. (Attached).

 *Current Appeals July 2018.pdf*

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15.0 July 18 Planning Committee Performance Report. (Attached).

 *July 18 Planning Committee Performance Report.pdf*

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Facilities Management and Maintenance

16.0 Report re: Provision of Sanitary Disposal Bins at Public Conveniences.

 *Report re. Sanitary Disposal Bins at PCs.pdf*

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17.0 Report re: Proposed Extension to Warrenpoint Municipal Cemetery

 *Report Proposed Extension to Warrenpoint Municipal Cemetery.pdf*

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 *Appendix 1 Proposed Extension and alterations to Warrenpoint Cemetery.pdf*

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 *Appendix 2 Site Plan of cemetery approved under original planning approval application.pdf*

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18.0 Report re: Update on Proposal to Provide to Local Communities an Environmentally Sustainable Option of Planting Christmas Trees

 *Report Update Report on Sustainable Christmas Trees Project.pdf*

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 *Appendices2,3and4 Christmas trees project.pdf*

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19.0 Report re: Update on Translink's Program for Installation of Bus Shelters in Council Area

 *Update report on Translinks program for installation of bus shelters.pdf*

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Waste Management

20.0 Report re: Strategy to address dog fouling. (Attached).

 *Report re. Strategy to address Dog Fouling.pdf*

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 *Appendix 1 Dog Fouling Campaign.pdf*

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21.0 Report re: Brown Bin Project

 *Report re Brown bin Project.pdf*

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22.0 Report re: Recycling Performance Statistics

 *Report re Recycling Performance Statistics August 2018.pdf*

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 *Recycling Performance Report Appendix 1.pdf*

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 *Recycling Performance Report Appendix 2.pdf*

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23.0 Report re. Temporary Closure of Ballykine Household Amenity Site to accommodate the Mourne Triathlon Event on Saturday 25 August 2018. (Attached).

 *Temp Closure Bann Rd HRC - Mourne Triathlon Event 250818.pdf*

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24.0 Report re: Acquisition of Vehicles 2017-2022. (Attached).

 *Acquisition of vehicles Report 170818.pdf*

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For Noting

25.0 ARC21 Joint Committee Meeting – Minutes of Thursday 31 May 2018. (Attached)

 *arc21 JC Minutes 310518.pdf*

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26.0 Arc21 Joint Committee Members' Monthly Bulletin 26 June 2018. (Attached).

 *ARC21 Members' Monthly Bulletin.pdf*

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27.0 Historic Action Sheet. (Attached).

 *Historic Action Sheet RTS 22 August 2018.pdf*

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ACTION SHEET ARISING FROM RTS MEETING HELD ON WEDNESDAY 20 June 2018

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
RTS/098/201 8	Bus shelter at Cloughreagh Park Bessbrook	The R&TS Committee note the contents of the report and recommend that the issues on which officers required direction be considered by full Council when the DEA Councillors would be in attendance.	K Scullion	Consultation has commenced	
RTS/099/201 8	Waste Strategy Initiative: issue of food waste	A Meeting to be set up between Waste Management and AHC Directorate, to review current educational outreach to schools from a recycling perspective. An update report will then be submitted to the Strategic Waste Working Group in due course. Council to approve multiple issue of kitchen caddies to	J Parkes	Meeting arranged In progress	No No

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		<p>schools on a one off basis, at this stage based on a caddy to be made available for each school classroom, for primary schools collected by the Council.</p> <p>Caddies to be issued/made available free-of-charge and delivered by Council representative as part of the Outreach program.</p> <p>In relation to pre-school facilities, Officers to be enabled to issue a number of free food-waste caddies, where deemed beneficial to both educational and practical to reduce food waste collection tonnages.</p> <p>Consideration should also be given to the brown collection charge, once the collection</p>		<p>In progress</p> <p>Will be addressed as part of rates estimates 19/20</p>	<p>No</p> <p>No</p>

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		<p>service has improved, to promote additional usage of brown bins in schools.</p> <p>Also agreed to recommend that the cut-off date for the free issue of brown bins be extended until the end of August 2018 and that Mr Parkes table a report at the August R&TS Committee Meeting reviewing the brown bin roll-out scheme, including uptake and costs and also the uptake and costs of the provision of liners for the brown bin caddies.</p>		See agenda item on this	No
RTS/100/201 8	Dog fouling issues	Note the Report and agree to recommend the development	J Parkes/L Dinsmore	Ongoing	No

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		<p>of an action plan that would address the key issues, including a public campaign to tackle the issue of dog fouling and litter.</p>			
ITEMS LISTED BELOW WERE TAKEN IN CLOSED SESSION					
RTS/104/201 8	Provision of burial services across the Council area	<p>Approval of a review of the Council's provision of burial services being carried out which should consider structural arrangements for the service provision, costs of service provision, environmental considerations and the means by which the Council communicated with individuals who have burial rights within the municipal cemeteries.</p>	K Scullion	To be undertaken	
RTS/105/201	Proposed variation to	As a participating Council, to	J. Parkes	Completed	Yes


Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
8	Arc21 MRF Contract with Bryson Recycling	approve the recommendations of the Arc21 Report, which had been endorsed by the Arc21 Joint Committee, in respect of the proposed variation to the terms of the arc21 MRF Contract with Bryson Recycling.		Arc21 informed.	

Report to:	Regulatory & Technical Services Committee.
Date of Meeting:	22 nd August 2018
Subject:	To research the possibility of pedestrianizing a section of Kings Lane, Warrenpoint.
Reporting Officer (Including Job Title):	Mr Edwin Newell, Acting Assistant Director, Enterprise, Regeneration and Tourism.
Contact Officer (Including Job Title):	Mr Gary McCurry, Duty Manager, Off Street Parking Function.

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>Kings Lane Warrenpoint, is a short roadway which provides access from Church Street, passing between two small Council owned car parks to East Street/Summerhill in Warrenpoint. The portion of Kings Lane giving concern is designated as one - directional from Church Street and generally does not carry a large volume of traffic.</p> <p>Post the recent completion of a mixed use development adjacent to Kings Lane, there now exists 10 self-contained residential apartments and a retail unit, some of which access directly onto Kings Lane via a covered recessed area. This could potentially create a vehicle/pedestrian conflict along this section of Kings Lane.</p> <p>Furthermore, Kings Lane was restricted solely to pedestrian access over the past 18 month period whilst construction of the development was carried out. During this period there did not appear to be any issues arising in relation to traffic management.</p>
2.0	Key issues
2.1	<p>As Kings Lane is designated as a 'public roadway', it therefore comes under the authority of the Department For Infrastructure, (Department).</p> <p>At a recent meeting with representatives from the Department, inclusive of Members from the Warrenpoint DEA Forum, the Department indicated a willingness to progress the proposal via Public Advert and Consultation process with local residents upon receipt of a formal request from Council, to determine feasibility.</p>
3.0	Recommendations
3.1	<ul style="list-style-type: none"> RTS Committee Members are asked to note the content of the above report and provide authorisation for Council Officers to submit a formal letter of request to the Department to investigate the possibility of converting Kings Lane, Warrenpoint into a pedestrian only zone.
4.0	Resource implications
4.1	None.

5.0	Equality and good relations implications
5.1	None at this stage. The Department will have to carry out a consultation process in due course which should address any equality and good relation issues.
6.0	Rural Proofing implications
6.1	None.
7.0	<p>Appendices</p> <p>Appendix 1: Overview of Kings Lane, Warrenpoint.</p> <p>Appendix 2: Apartment unit access onto Kings Lane, Warrenpoint.</p> <p>Appendix 3: Retail unit access onto Kings Lane, Warrenpoint.</p> <p>Appendix 4: View of Kings Lane, looking towards Church Street, Warrenpoint.</p> <p>Appendix 1:</p> <p>Overview of Kings Lane.</p> 

Appendix 2:

Apartment unit access onto Kings Lane.



Appendix 3:

Retail unit access onto Kings Lane.



Appendix 4:

View of Kings Lane, looking towards Church Street.



8.0 Background Documents

None.

Report to:	Regulatory & Technical Services Committee
Date of Meeting:	22 August 2018
Subject:	Energy Performance of Buildings (EPB) Audit Report
Reporting Officer (Including Job Title):	Mr Edwin Newell, Acting Assistant Director, Enterprise Regeneration and Tourism (Building Control and Licensing)
Contact Officer (Including Job Title):	Mr Patrick Hobson, Senior Specialist Building Control Surveyor and Mrs Christine Rice, Technical Officer (EPB and LPS).

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	Newry Mourne and Down District Council have a statutory duty to enforce the Energy Performance of Buildings (EPB) (Certificates & Inspections) Regulations Northern Ireland 2008 (as amended) within its district. There are three specific areas of enforcement under these regulations: (1) Energy Performance Certificates (EPC); (2) Display Energy Certificates (DEC), and (3) Air Conditioning Inspection Reports (ACIR). The purpose of introducing these regulations is to measure the overall energy efficiency of buildings, raise public awareness of energy use in certain public buildings and promote the improvement of the energy performance of buildings.
2.0	Key issues
2.1	As part of the Department of Finance's (DoF) annual audit plan an inspection of Newry Mourne and Down Council's EPB team was carried out by the Buildings Standards Branch over two days, 18 th May and 1 st June 2018, refer to audit report in Appendix 1. In conclusion the auditor, Mr Kevin Collins, was impressed by the level of attention that Newry Mourne and Down District Council have afforded to the EPB initiative.
3.0	Recommendations
3.1	The Energy Performance of Buildings (EPB) Enforcement Procedure for District Councils in Northern Ireland has been agreed by Building Control Northern Ireland (BCNI); refer to copy in Appendix 2. RTS Committee Members are asked to note the content of the above report and provide authorisation for Council Officers to fully implement the EPB Enforcement Procedure to include Penalty Charge Notices where non-compliance is identified. This will be preceded by two information sessions, one in Newry and one in Downpatrick, which the Council will facilitate for Estate Agents within our district supported by the central EPB team from Belfast City Council.
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 – EPB Audit Report Appendix 2 – EPB Enforcement Procedure
8.0	Background Documents
	None



Buildings Standards Branch,
Properties Division
Enterprise Shared Services
Northland House
3-5A Frederick Street
Belfast BT1 2NR

Tel: 028 9025 7056
email: Kevin.collins@finance-ni.gov.uk

Date: 27th June 2018

Cc Patrick Hobson
Christine Rice

Mr Colum Jackson
Newry Mourne and Down District Council
Downpatrick Office
Downshire Civic Centre
Downshire Estate, Ardglass Road
Downpatrick BT30 6GQ

Dear Colum,

As part of the Energy Performance of Buildings (EPB) (Certificates & Inspections) Regulations Northern Ireland 2008 (as amended), an inspection of Newry Mourne and Down District Council was recently undertaken as part of the Department of Finance's (DOF) annual audit plan of all Council areas throughout Northern Ireland.

The audit was performed over two days, 18th May and 1st June 2018 and DOF met with Council representatives Patrick Hobson and Christine Rice.

DOF noted the comprehensive coverage and level of detail afforded to the Energy Performance of Buildings requirements by the Technical Officer in Downpatrick. The Council area is geographically challenging, yet, in respect of the necessity to display Energy Performance Certificates (EPC), all 40 Estate Agents within the catchment area are visited on a monthly basis by one designated member of staff.

DOF reviewed a sample of correspondence relating to 25% (10/40) of Estate Agents and can confirm that monthly visits are appropriately recorded. In addition, an 18% sample (7/40) of inspection reports, commensurate with monthly visits, was also reviewed and provides sufficient evidence of monthly scrutiny by the Technical Officer.

DOF was also impressed by the quality of record keeping maintained by the Technical Officer. Landmark reports are acted upon promptly each month. Letters to public authorities in relation to



DEC's, Advisory Reports and Aircon systems and their accompanying inspection reports are retained in hard copy and suitably filed away.

In relation to Non Domestic EPC's, the Department was advised that some work had been undertaken in 2017 in relation to properties within the Down area of the Council. However, the Technical Officer has subsequently advised that all properties within the Council area have now been identified. Certificates and letters reminding owner/occupiers of the necessity to display these certificates are in the process of being issued and a series of inspections to ensure compliance with this will be rolled out in the next few months.

The Department was also given a demonstration of the Tascomi system which the Council use to manage some of the EPB processes. This system is available to all Councils and is utilised to record visits, detail inspection reports and diary future visits when due.

The Council works closely with the EPB Enforcement team within Belfast City Council. The latter act as support for the individual Council areas. The Technical Officer advised DOF that a recurring issue with one particular Estate Agent and its failure to adequately market properties with an EPC has been escalated to the EPB Enforcement team for possible resolution. EPB Enforcement team in consultation with all 11 Councils are keen to introduce a measure of uniformity and consistency in relation to enforcement policy and DOF were supplied with a copy of their draft procedure which is anticipated will be introduced within the next few months.

In conclusion, DOF have been impressed by the level of attention that Newry Mourne and Down District Council has afforded to the Energy Performance of Buildings initiative. I would like to express my thanks to Christine Rice for her efforts and courtesy throughout my two visits.

Yours Sincerely,

Kevin Collins

Building Standards Branch
DoF Properties Division
Northland House
Frederick Street
Belfast



Telephone No. 028 90257095

Direct Dial Extension : 57095



Enforcement Procedure

Energy Performance of Buildings Regulations Building Control Northern Ireland



Part 1 - Energy Performance Certificates

(a) An EPC is required when the construction of a new building is EPB complete or an existing building is modified for separate use

Note: In accordance with the regulations an EPC is required within *5 days* of a building being deemed EPB complete. DoF define this as the building being 'substantially completed'. ('EPB complete' means that the building has walls, roof, windows and primary heating / ventilation system installed and able to be used to condition the indoor climate.)

1) For all new buildings or where a building has been significantly modified so that part of the building may be used separately; there is a requirement to have an On Construction EPC (OC EPC) provided by the relevant person, to the property owner within five days of being deemed EPB complete.

2) When Building Control becomes aware that a new building is EPB complete, consideration shall be given as to whether a copy of the EPC should be requested. A copy of an OC EPC can **only** be requested within a period of **6 months** after the building is deemed EPB complete. In determining this date, the occupation date will be relevant. An initial written request should be issued if applicable.

3) If after a period of **21 days** post the initial written request, confirmation of the OC EPC has not been received by Building Control, a further formal request under Regulation 32(1) for a copy of the OC EPC and the accompanying recommendation report may be issued (the EPB regulations state: the EPC is required within *7 days* beginning with the day after the date of formal request).

4) If after a period of **7 days** the OC EPC has not been received a Penalty Charge Notice (PCN) under Regulation 33(1) shall be served on the relevant person by an 'authorised officer' (in accordance with the regulations, the PCN sum should be paid within *28 days*).

5) If after a period of **28 days** the Penalty Charge sum has not been paid, proceedings for the recovery of the penalty charge shall be commenced in accordance with EPB Regulation 38.

Note: The penalty charge notice will, **in the first instance**, be for a breach of Regulation 32(4) – the requirement is to provide a copy of the valid documentation within 7 days. A Penalty Charge Notice may also be given in respect of breach of duty under other EPB Regulations.

(b) – An EPC is required when a building is offered for sale or rental

Sale

1) Where the District Council becomes aware (through periodic inspections or complaints) that a building is offered or marketed for sale or has been sold, the Council may issue a written request for a copy of a valid EPC and recommendation report.

2) If the valid EPC information is not received after a period of **21 days** from the date of issuing the written request, a further formal request under Regulation 32(1) for a copy of the EPC and the accompanying recommendation report may be issued (the EPB Regulations state: the EPC is required within *7 days* beginning with the day after the date of formal request). It will be necessary to establish the name and address of the relevant person.

3) If after a period of **7 days** a valid EPC and recommendation report has not been received a Penalty Charge Notice (PCN) under Regulation 33(1) shall be served on the relevant person by an 'authorised officer' (in accordance with the regulations, the PCN sum should be paid within *28 days*).

4) If after a period of **28 days** the Penalty Charge sum has not been paid, proceedings for the recovery of the penalty charge shall be commenced in accordance with EPB Regulation 38.

Note: The penalty charge notice will, **in the first instance**, be for a breach of Regulation 32(4) – the requirement is to provide a copy of the valid documentation within 7 days. A Penalty Charge Notice may also be given in respect of breach of duty under other EPC regulations.

Rental

1) Where the District Council becomes aware (through periodic inspection or complaints) that a building is offered for rental or has been rented, the Council may issue a written request for a copy of a valid EPC and recommendation report.

2) If the valid EPC information is not received after a period of **21 days** from the date of issuing the written request, a further formal request under Regulation 32(1) for a copy of the EPC and the accompanying recommendation report may be issued. (The EPB regulations state: the EPC is required within *7 days* beginning with the day after the date of formal request). It will be necessary to establish the name and address of the relevant person.

3) If after a period of **7 days** the EPC has not been received a Penalty Charge Notice (PCN) under Regulation 33(1) shall be served on the relevant person by an 'authorised officer' (in accordance with the regulations, the PCN sum should be paid within *28 days*).

4) If after a period of **28 days** the Penalty Charge sum has not been paid, proceedings for the recovery of the penalty charge shall be commenced in accordance with EPB Regulation 38.

Note: The penalty charge notice will, **in the first instance**, be for a breach of Regulation 32(4) – the requirement is to provide a copy of the valid documentation within 7 days. A Penalty Charge Notice may also be given in respect of breach of duty under other EPC regulations.

A copy of an EPC may only be requested within a period of **6 months** after the property tenancy / purchase agreement has been signed.

(c) - Energy performance indicator displayed on marketing

1) Commercial media of properties for sale or rent will be checked to ensure the energy performance indicator of the building, is present. The energy performance indicator should be displayed in a form approved by the Department of Finance.

2) Where the District Council becomes aware (through periodic inspection or complaints) that a building offered for sale or rent does not state the energy performance indicator in the approved form, on all commercial media, it may issue a written advisory notice. The advisory notice will inform the relevant person that their commercial media is not compliant with Regulation 5A and give the relevant person **21 days** to ensure their commercial media complies with the regulations.

3) If after the **21 day period** the energy performance indicator in the approved form, is not present on all commercial media a Penalty Charge Notice (PCN) under Regulation 33(1) shall be served on the relevant person by an 'authorised officer' (in accordance with the regulations, the PCN sum should be paid within *28 days*).

4) If after a period of **28 days** the Penalty Charge sum has not been paid, proceedings for the recovery of the penalty charge shall be commenced in accordance with EPB Regulation 38.

Note: The penalty charge notice **in this instance**, will be for a breach of Regulation 5A(2). The written advisory notice is at the discretion of each Council and it is recommended each relevant person should receive only one written advisory notice in any three month period, thereafter a Penalty Charge Notice should be issued for a breach of Regulation 5A(2).

(d) – Display of energy performance certificates

1) Steps shall be taken to identify, as far as possible, those buildings within the District Council area that should display it's valid Energy Performance Certificate.

This regulation applies to buildings other than dwellings which has a total useful floor area of more than 500m², is frequently visited by the public and has had a Valid EPC issued pursuant to Regulation 5 or 6. Buildings which are identified as meeting this

criteria should display the buildings EPC in a prominent place clearly visible to members of the public.

2) Where Building Control becomes aware that a building subject to this regulation is not displaying its valid EPC in accordance with Regulation 8A; an initial request for compliance may be issued.

3) If compliance is not achieved after a period of **14 days** from the issue of the initial written request, a further written request may be issued highlighting that continued non-compliance will lead to a Penalty Charge Notice.

4) If after a period of **14 days** the EPC is not displayed in accordance with Regulation 8A a Penalty Charge Notice under regulation 33(1) shall be served on the relevant person by an 'authorised officer' (in accordance with the regulations the sum should be paid within *28 days*).

5) Where a Penalty Charge is not paid and the most recent inspection report has still not been obtained after a further period of **28 days** proceedings for the recovery of the penalty charge shall be commenced in accordance with regulation 38.

6) It should be noted that the requirement to display the EPC is a **continuing** requirement for as long as that EPC is valid.

Note: The Penalty Charge Notice will, **in this instance**, be for a breach of Regulation 8A(2)

Part 2 - Display Energy Certificate (DEC)

The Display of a valid DEC

1) Steps shall be taken to identify, as far as possible, those buildings within the District Council area that require a DEC.

2) Periodic inspections should be carried out to establish if a valid DEC has been displayed correctly. Where a building does not have a valid DEC displayed in accordance with the Regulation 11(3), an initial written request for compliance may be issued.

3) If compliance is not achieved after a period of **28 days** from the issue of the initial written request, a further written request may be issued highlighting that continued non-compliance will lead to a Penalty Charge Notice.

4) If after a period of **21 days** a valid DEC is not displayed in accordance with Regulation 11(3) a Penalty Charge Notice under Regulation 33(1) shall be served on the relevant person by an 'authorised officer' (in accordance with the regulations the sum should be paid within *28 days*).

5) Where a penalty charge is not paid after a period of **28 days** proceedings for the recovery of the penalty charge shall be commenced in accordance with EPB Regulation 38.

Note: The penalty charge notice will, **in this instance**, be for a breach of Regulation 11(3). The requirement to display a valid DEC is a **continuing** requirement.

A Valid Advisory Report

6) Where a valid Advisory Report is not in the control or possession of the occupier in accordance with Regulation 11(3), an initial written request for compliance may be issued.

7) If compliance is not achieved after a period of **28 days** from the issue of the initial written request, a further formal request for a copy of the Advisory Report may be issued under Regulation 32(1) (the EPB Regulations state: the report is required within **7 days** beginning with the day after the date of the formal request).

8) If after a period of **7 days** a valid advisory report has not been received a Penalty Charge Notice under Regulation 33(1) shall be served on the relevant person by an 'authorised officer' (in accordance with the regulations sum to be paid within **28 days**).

9) Where a penalty charge is not paid and the valid requested information has still not been obtained after a further period of **28 days** proceedings for the recovery of the penalty charge shall be commenced in accordance with EPB Regulation 38.

Note: The penalty charge notice will, **in this instance**, be for a breach of Regulation 32(4) – the requirement is to provide a copy of the valid documentation within **7 days**. A Penalty Charge Notice may also be served in respect of breach of a duty under other EPB Regulations. The requirement to have a valid advisory report is a **continuing** requirement.

Part 3 - Buildings with Air-Conditioning

1) Steps shall be taken to identify, as far as possible, those buildings within the District Council area that have an air-conditioning system with an effective output rating exceeding 12kW and that uses a refrigerant product for the comfort cooling of the building occupants.

2) Where it is established that a building has an air-conditioning system exceeding 12kW that uses a refrigerant product for the comfort cooling of the building occupants, the date of installation is crucial:

- If the system was put into service **after 30 December 2008**, the relevant person has a period of five years from the commissioning date to carry out an air-conditioning inspection, and thereafter, at regular intervals not exceeding 5 years.

- For systems with an effective rated output of more than 12kW in service **before 31st December 2008**, an air conditioning inspection was required from the 4th January 2011, and at regular intervals not exceeding 5 years thereafter.
- 3) The relevant person shall keep the most recent inspection report and make it available upon a formal request.
 - 4) Where Building Control becomes aware that a valid Air-Conditioning Inspection Report (ACIR) is required; an initial request for compliance shall be issued.
 - 5) Where compliance is not achieved after a period of **28 days** from the issue of the initial written request, a formal request for a copy of the Air Conditioning Inspection Report may be issued under Regulation 32(1) (the EPB regulations state: a report is required within *7 days* beginning with the day after the date of formal request).
 - 6) If after a period of **7 days** the most recent inspection report has not been received, a Penalty Charge Notice under Regulation 33(1) shall be served on the relevant person by an 'authorised officer' (in accordance with the regulations sum to be paid within *28 days*).
 - 7) Where a Penalty Charge is not paid after a period of **28 days** proceedings for the recovery of the penalty charge shall be commenced in accordance with regulation 38.
 - 8) It should be noted that the requirement to keep the most recent inspection report is a **continuing** requirement.
- Note:** The Penalty Charge Notice will, **in the first instance**, be for a breach of Regulation 32(4) – the requirement is to provide a copy of the most recent inspection report within 7 days. A Penalty Charge Notice may also be served in respect of a breach of duty under other regulations.

Part 4 - General provisions

- 1) A Penalty Charge Notice shall be served by registered post.
- 2) Where a copy of an EPC and accompanying recommendation report is requested this should be provided. Where this is not possible, confirmation of the unique reference number may suffice to enable the authorised officer to check on the National register.
- 3) Under regulation 32, a copy of the following valid certificates shall not be required to be produced for inspection more than **six months** after the last day on which the person concerned was subject to a duty in relation to the building:
 - energy performance certificate
 - accompanying EPC recommendation report
 - DEC advisory report

- most recent air-conditioning inspection report

4) A Penalty Charge Notice shall not be given after the end of the period of six months beginning with the day (or, in the case of a continuing breach, the last day) on which the breach of duty was committed.

5) A person who receives a Penalty Charge Notice may within a period of *28 days* request the District Council to review the notice. When such a request is received, the review shall be undertaken at the earliest opportunity by an independent third party. A decision to either confirm or withdraw the notice will be conveyed to the applicant.

6) Part 1 of this policy is subject to exemptions please see: Explanatory Guidance reference 3.0 Policy Provisions.

Draft Procedure for BCNI August 2018

Report to:	Regulatory & Technical Services Committee.
Date of Meeting:	22 nd August 2018.
Subject:	Car Park Tariff Review – Update.
Reporting Officer (Including Job Title):	Mr Edwin Newell, Acting Assistant Director, Enterprise, Regeneration and Tourism.
Contact Officer (Including Job Title):	Mr Gary McCurry, Duty Manager, Off Street Parking Function.

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

For decision	For noting only	x
1.0	Purpose and Background	
1.1	At the Regulatory & Technical Services Committee meeting held on 24 th May 2018, it was agreed to conduct a review of car parking tariffs within the District. This was broadened to incorporate a consultation and engagement process involving key stakeholders and residents by means of a 'road show' approach and an online user survey.	
2.0	Key issues	
2.1	Council are now in a position to avail of Consultancy Services to provide elements of the total review process to incorporate consultation and engagement with respective Chambers of Commerce, Business Improvement Districts, DEA forums, local traders and residents. In addition Council Officers will collate comparator data from our partners NSL Ltd and the Department For Infrastructure (DFI), covering the period April-September 2017 – 2018. This data set will identify revenue stream, occupancy trends, Penalty Charge Notice (PCN) offences and successful appeals. The anticipated timescale from initial commission of the Consultancy Services with incorporated collation of all relevant data from partner agencies leading to preparation of the final report, is estimated at 6 weeks. It would be the intention to report to the RTS Committee sitting in October 2018.	
3.0	Recommendations	
3.1	<ul style="list-style-type: none"> RTS Committee Members are asked to note the content of the above report, in the context as an update of the on-going process. 	
4.0	Resource implications	
4.1	None.	
5.0	Equality and good relations implications	
5.1	N/A at this juncture.	

6.0	Rural Proofing implications
6.1	None.
7.0	Appendices
	None.
8.0	Background Documents
	<i>None.</i>

CONTACT FROM PUBLIC REPRESENTATIVES – 4 April – 30 June 2018

DATE	CALLER	ISSUE	REFERRED TO	MODE	DATE CLEARED
2/3/18	Cllr S Doran	Updates requested	A McAlarney	Direct e mail	6/4/18
23/3/18	Cllr H Harvey	Update requested	A McAlarney	Direct e mail	6/4/18
25/3/18	Cllr P Brown	Update requested	A McAlarney	Letter	6/4/18
26/3/18	Cllr T Andrews	Request for meeting	A McAlarney	Direct e mail	6/4/18
4/4/18	Wm Irwin MLA	Update requested	M McIlhone	Telephone call	4/4/18
5/4/18	C McGrath MP	Issues with application	A McAlarney	Direct e mail	5/4/18
"	J McNulty MLA	P Rooney	Call transferred	5/4/18
"	Cllr G Craig	Copy of update to Agent	A McAlarney	Direct e mail	5/4/18
8/4/18	Cllr T Hearty	Update requested	A Davidson	Direct e mail	9/4/18
10/4/18	C McGrath MLA	Update on Change of Use	A McAlarney	Call transferred	10/4/18
"	C McGrath MLA	Update on meeting held	A McKay	E mail sent
12/4/18	W Irwin MLA	Update requested	J McParland	E mail sent
"	C McGrath MLA	Meeting request	A McAlarney	Direct e mail	27/4/18
15/4/18	Cllr P Brown	Update requested	A McAlarney	Direct e mail
16/4/18	Cllr W Walker	Request for meeting	A McAlarney	Direct e mail	16/4/18
"	Cllr D McAteer	To confirm documents received	G Kerr	Call transferred	16/4/18
17/4/18	Cllr G Fitzpatrick	Update requested	J McParland/A McAlarney	E mail	17/4/18
"	C McGrath MLA	Update on progress	A Hay	Direct e mail	17/4/18
"	Cllr G Fitzpatrick	Meeting requested	A McAlarney	Direct e mail	18/4/18
18/4/18	Cllr T Andrews	Update requested	A McAlarney	Direct e mail	18/4/18
"	Cllr J McAuley	Enforcement issue	D Watson	E mail sent
19/4/18	Cllr D Taylor	Update requested	A Davidson	Call transferred	19/4/18
19/4/18	Una Sinn Fein	Update requested	M McIlhone	Telephone call	19/4/18
"	Cllr D Taylor	Enforcement issue	D Watson	Call transferred	19/4/18
"	Cllr T Andrews	Is there a Planning application	A McAlarney	Direct e mail	23/4/18
20/4/18	Cllr Michael Savage	Update requested	Andrew Davidson	E mail sent	23/4/18
"	Cllr G Fitzpatrick	Meeting arrangements	A McAlarney	Direct e mail	23/4/18
"	Cllr W Clarke	Update requested	A McAlarney	Direct e mail

CONTACT FROM PUBLIC REPRESENTATIVES – 4 April – 30 June 2018

DATE	CALLER	ISSUE	REFERRED TO	MODE	DATE CLEARED
23/4/18	Cllr A McMurray	General enquiry	A McAlarney	Call transferred	23/4/18
"	Cllr L Devlin	Query decision	A McAlarney	Call transferred	23/4/18
25/4/18	Cllr T Andrews	Update requested	M Keane	Direct e mail	26/4/18
26/4/18	Cllr R Burgess	Can this application be discussed at tomorrow's meeting?	A McAlarney	Call transferred	26/4/18
"	Cllr G Fitzpatrick	Meeting date	A McAlarney	Direct e mail	26/4/18
"	Sinead Bradleys office	Guidance on making representations	M McIlhone	Telephone call	26/4/18
27/4/18	Catherine for Sinead Ennis	Query	P Rooney	E mail sent	-----
30/4/18	Cllr R Burgess	D Burgess meeting today	A McAlarney	Call transferred	30/4/18
"	Cllr D Taylor	Query	A Davidson	E mail sent	1/5/18
"	Cllr G Fitzpatrick	Meeting venue	A McAlarney	Direct e mail	30/4/18
"	Cllr D Taylor	Query	A Davidson	E mail sent	1/5/18
"	Cllr T Andrews	Request for meeting	A Davidson	Direct e mail	1/5/18
1/5/18	Cllr D Taylor	Query	A Davidson	Call transferred	1/5/18
1/5/18	Cllr Mickey Larkin	Query what CA relates to	R McCrickard	Telephone call	1/5/18
"	Cllr W Clarke	Update requested	A McAlarney	Direct e mail	11/5/18
2/5/18	C McGrath MLA	Query	A McAlarney	Call transferred	2/5/18
3/5/18	C McGrath MLA	Update	C Cooney	Call transferred	3/5/18
"	Cllr R Burgess	Why not yet determined?	M McIlhone	Telephone call	3/5/18
4/5/18	C McGrath MLA	Update requested	A McAlarney	E mail sent	-----
8/5/18	Cllr R Mulgrew	Update requested	A Davidson	Call transferred	8/5/18
"	Yvonne - Chris Hazzard's office	Update requested	A McAlarney	E mail sent	-----
10/5/18	Thomas for J McNulty MLA	Seeking confirmation of meeting	P Rooney	E mail sent	-----
"	Cllr W Walker	Request for meeting	A McAlarney	Direct e mail	10/5/18

CONTACT FROM PUBLIC REPRESENTATIVES – 4 April – 30 June 2018

DATE	CALLER	ISSUE	REFERRED TO	MODE	DATE CLEARED
"	Cllr C Enwright	Query invalid application	A McAlarney	Direct e mail	10/5/18
"	Cllr P Brown	Query decision	A McAlarney	E mail	10/5/18
"	Cllr C Enwright	Query amending application form	M Kelly	Direct e mail	10/5/18
14/5/18	C McGrath MLA	Update requested	A McAlarney	Direct e mail	15/5/18
17/5/18	Cllr L Devlin	Update requested	A McAlarney	Call transferred	17/5/18
"	Cllr L Devlin	Update requested	A McAlarney	Call transferred	17/5/18
"	Cllr S Doran	Updates requested	J McParland	Direct e mail	-----
"	Cllr W Clarke	Update requested	A McKay	Direct e mail	18/5/18
18/5/18	Cllr L Kimmons	Update requested	A Davidson	Direct e mail	18/5/18
"	W Irwin MLA	Update requested	A Davidson	E mail sent	
"	C McGrath MLA	Advice requested	A McAlarney	Direct email	23/5/18
21/5/18	W Irwin MLA	Update requested	J McParland/A Davidson	E mail sent	-----
"	C McGrath MLA	Update requested	A McAlarney	Direct e mail	22/5/18
21/5/18	Cllr L Devlin	Update requested	A McAlarney	Direct e mail	22/5/18
22/5/18	Cllr W Walker	Update requested	A McAlarney	Direct e mail	22/5/18
23/5/18	Cllr D Taylor	Update requested	J McParland	E mail sent	23/5/18
"	Cllr D Taylor	Update requested	A McAlarney	Call transferred	23/5/18
"	Cllr J Moore	Update requested	A McAlarney	Call transferred	23/5/18
24/5/18	W Irwin MLA	Update requested	A Davidson	Email sent	-----
"	C McGrath MLA	Request for meeting	A McAlarney	Direct e mail	30/5/18
28/5/18	Cllr T Hearty	Update requested	A Davidson	Direct e mail	30/5/18
29/5/18	E Rogan MLA	Update requested	A McAlarney	Call transferred	29/5/18
"	Cllr S Doran	Update requested	A McAlarney	Direct e mail	29/5/18
30/5/18	Cllr A McMurray	Meeting request	A McAlarney	E mail sent	30/5/18
"	Cllr G Sharvin	Update requested	A McAlarney	Direct e mail	30/5/18
"	Cllr G Sharvin	Further contact with Agent	A McAlarney	Direct e mail	31/5/18

CONTACT FROM PUBLIC REPRESENTATIVES – 4 April – 30 June 2018

DATE	CALLER	ISSUE	REFERRED TO	MODE	DATE CLEARED
31/5/18	Cllr P Brown	requested	A McAlarney	Direct e mail	-----
"	Cllr G Sharvin	Query re surveys	A McAlarney	Direct e mail	31/5/18
"	Cllr L Devlin	Further query	A McAlarney	E mail sent	-----
"	C McGrath MLA	Updates requested on 3 applications	A McAlarney	Direct e mail	31/5/18
"	Cllr S Doran	Querying Decision	A McAlarney	Direct e mail	31/5/18
"	C McGrath MLA	Update requested	A Hay	Direct e mail	1/6/18
1/6/18	Cllr A McMurray	Copy of Preferred Options Paper	A McKay/A McAlarney	E mail sent	1/6/18
1/6/18	Cllr W Walker	Re Site meeting 31/5/18 with Mr Harte	A McAlarney	Direct e mail	1/6/18
3/6/18	C McGrath MLA	Query Decision	A McAlarney	Direct e mail	4/6/18
5/6/18	C McGrath MLA	Update on Compliant requested	A McAlarney	Direct e mail	5/6/18
7/6/18	Cllr S Doran	Update requested	A McAlarney	Direct e mail	8/6/18
8/6/18	Cllr D Taylor	Update requested	D Watson	Call transferred	8/6/18
"	Cllr S Doran	Meeting request	J McParland	E mail sent	8/6/18
11/6/18	Cllr L Devlin	Update requested	A McAlarney	Call transferred	11/6/18
12/6/18	Cllr G Craig	Update requested	A McAlarney	E mail sent	-----
"	Cllr R Burgess	Query	A McAlarney	Call transferred	12/6/18
"	Cllr D Curran	Requesting a PAD	A McAlarney	Call transferred	12/6/18
"	Cllr G Sharvin	Query re: reasons for refusal	A McAlarney	E mail sent	-----
13/6/18	Cllr W Walker	Telephone call request	A McAlarney	Direct e mail	13/6/18
"	Elizabeth from J McNulty MLAs office	Quicker responses to enquires from Applicant requested	A Davidson	E mail sent	13/6/18
14/6/18	Una for E Rogan MLA	Enforcement query	D Watson	Call transferred	14/6/18
15/6/18	W Irwin MLA	Update requested	A Davidson	Call transferred	15/6/18

CONTACT FROM PUBLIC REPRESENTATIVES – 4 April – 30 June 2018

DATE	CALLER	ISSUE	REFERRED TO	MODE	DATE CLEARED
"	E Rogan MLA	General enquiry	A McAlarney	Call transferred	15/6/18
"	Cllr S Doran	Update requested	A Davidson	Call transferred	15/6/18
20/6/18	Cllr R Gibson	Query	M McIlhone	Telephone call	20/6/18
21/6/18	Cllr R Mulgrew	Query	P Rooney	E mail sent	*****
25/6/18	Cllr H Reilly	Request for application to be brought to Council	C McAteer/J McParland	Direct e mail	25/6/18
26/6/18	J Wells MLA	Enforcement issue	D Watson	Call transferred	26/6/19
"	Cllr S Doran	Query	J McParland	E mail sent	26/6/18
27/6/18	Catherine S Ennis MLA office	Update requested	J McParland	Call transferred	27/6/18
29/6/18	Dawn for C Hazzard MLA	Request for speaking rights	M McIlhone	Telephone call	29/6/18
"	Cllr R Mulgrew	Request for PAD	A Davidson/P Rooney/ M McIlhone	Telephone call	29/6/18

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

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DATE OF MEETING	PLANNING OFFICER'S NAME/S	PUBLIC REPRESENTATIVE'S NAME
23/04/2018	A McAlarney	Cllr W Walker Cllr Andrews
27/04/2018	A McAlarney	Cllr Burgess
30/04/2018	A McAlarney	Cllr Walker
30/04/2018	A McAlarney	Cllr Fitzpatrick
10/05/2018	A McAlarney	Colin McGrath MLA
31/05/2018	A McAlarney	Cllr Rice
04/06/2018	A McAlarney	Cllr McMurray
29/06/2018	G Kerr	Cllr B Quinn

Newry, Mourne & Down District Council – June 2018

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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

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

3. Live applications per Case Officer

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

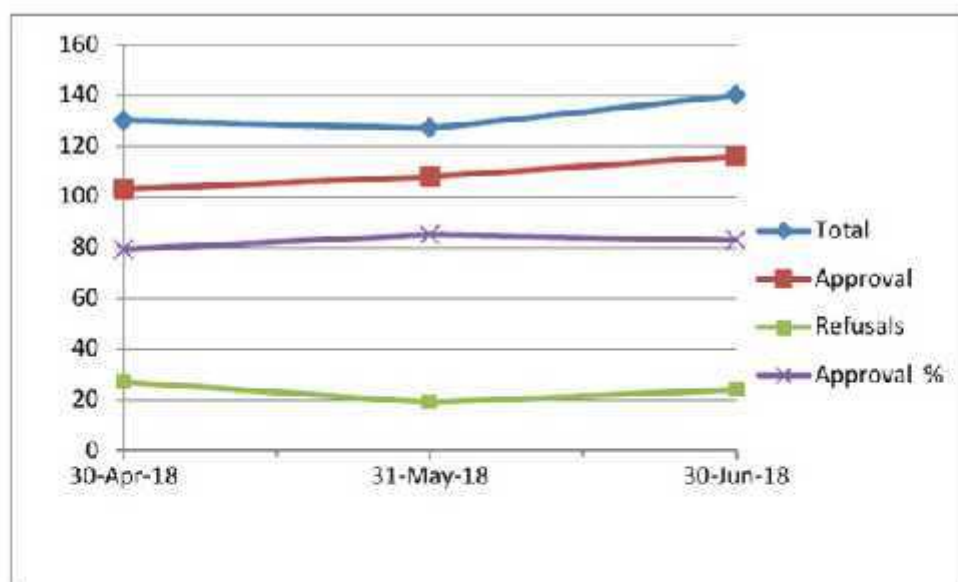
Newry, Mourne & Down District Council – June 2018

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

5. Decisions Issued YTD

Month 2017/18	Number of Decisions Issued	Breakdown of Decisions	
April	130	Approvals (103)	79%
		Refusals (27)	21%
May	257	Approvals (211)	82%
		Refusals (46)	18%
June	397	Approvals (327)	82%
		Refusals (70)	18%



Newry, Mourne & Down District Council – June 2018

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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

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*
Totals	55	35	20

* 1 application withdrawn by Applicant

8. Appeals

Planning Appeal Commission Decisions issued during May 2018

Area	Number of current appeals	Number of decisions issued	Number of decisions Allowed	Number of decisions Dismissed	Other decisions
Newry & Mourne	12	3	1	2	0
Down	6	1	0	1	0
TOTAL	18	4	1	3	0

Newry, Mourne & Down District Council – June 2018

Statutory targets monthly update - up to May 2018 (unvalidated management information)

Newry, Mourne and Down

Year to date	Major applications (target of 30 weeks)				Local applications (target of 15 weeks)				Cases concluded (target of 39 weeks)			
	Number relevelled	Number decided/withdrawn ¹	Average processing time ²	% of cases processed within 30 weeks	Number relevelled	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%	114	118	16.9	43.2%	38	14	48.3	64.3%
June	0	-	0.0	0.0%	0	-	0.0	0.0%	0	-	0.0	0.0%
July	0	-	0.0	0.0%	0	-	0.0	0.0%	0	-	0.0	0.0%
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	0	4	67.3	0.0%	214	227	15.6	47.6%	87	20	50.2	65.0%

Source: NI Planning Portal

Notes:

1. CLUDS, TFOs, MMCS 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 – June 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.

Current Appeals

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AUTHORITY Newry, Mourne and Down

ITEM NO 1
Planning Ref: LA07/2017/0687/ **PAC Ref:** 2017/A0168
APPELLANT Steven And Diane Campbell **DEA** The Mournes
LOCATION 30m North Of 94 Greencastle Road
 Kilkeel
PROPOSAL RT34.4DF
 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: LA07/2016/1647/ **PAC Ref:** 2017/A0169
APPELLANT DBM Contracts **DEA** Newry
LOCATION 20 Metres East Of 6 Daisy Hill
 Carnagat
PROPOSAL Newry
 Erection of two dwellings and retention of retaining walls

APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure **Date Appeal Lodged** 22/11/2017
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

Current Appeals

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ITEM NO 3
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 4
Planning Ref: LA07/2017/0319/ **PAC Ref:** 2017/A0188
APPELLANT Mr Sean O'Hare **DEA** Slieve Gullion
LOCATION 10A Limekiln Road
 Newry
 BT35 7LX
PROPOSAL 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

Current Appeals

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ITEM NO	5		
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 area 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	6		
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			

Current Appeals

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ITEM NO 7
Planning Ref: LA07/2016/1331/ **PAC Ref:** 2017/A0214
APPELLANT Ms Joanna Magee **DEA** Downpatrick
LOCATION Lands Adjoining And Between 57 And 61 Churchtown Road
Downpatrick
PROPOSAL Two detached dwellings and garages

APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure **Date Appeal Lodged** 23/01/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

ITEM NO 8
Planning Ref: LA07/2017/0770/ **PAC Ref:** 2017/A0228
APPELLANT Mr And Mrs J McPolin **DEA** Slieve Croob
LOCATION 13 Downpatrick Road
Ballynahinch
BT24 8SH
PROPOSAL Proposed detached garage, rear extension to dwelling and extended
site curtilage

APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure **Date Appeal Lodged** 20/02/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

Current Appeals

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ITEM NO 9
Planning Ref: LA07/2017/0823/ **PAC Ref:** 2017/A0246
APPELLANT Adrian McParland **DEA** Slieve Gullion
LOCATION Adjacent And 30m South-west Of No.20 Newry Road
 Belleek
 Armanah
PROPOSAL Site for dwelling and garage (Policy CTY8)

APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure Written Reps **Date Appeal Lodged** 09/03/2018
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: LA07/2017/1095/ **PAC Ref:** 2017/A0251
APPELLANT Mr William Jordan **DEA** Rowallane
LOCATION 1 Milltown Lane
 Carsontown Road
 Saintfield
PROPOSAL Detached garage and store (partly constructed)

APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure **Date Appeal Lodged** 15/03/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

Current Appeals

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ITEM NO	11		
Planning Ref:	LA07/2017/1175/	PAC Ref:	2017/A0252
APPELLANT	Stuart Moffett	DEA	Crotlieve
LOCATION	15m West And To The Rear Of 81 Cloughanramer Road Newry BT34 1QG		
PROPOSAL	Erection of a dwelling on a farm		
APPEAL TYPE	DC- Refusal of Planning Permission		
Appeal Procedure	Informal Hearing	Date Appeal Lodged	09/03/2018
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:	LA07/2017/1627/	PAC Ref:	2017/A0254
APPELLANT	Mr Gerard Donnelly	DEA	Slieve Gullion
LOCATION	20 Metres East Of 15 Newry Road And 45 Meters North Of 96 Maphoner Road Mullaghbawn		
PROPOSAL	Proposed 2 No. dwellings on an in-fill site		
APPEAL TYPE	DC- Refusal of Planning Permission		
Appeal Procedure	Written Reps	Date Appeal Lodged	21/03/2018
Date of Hearing			
Date Statement of Case Due for Hearing			
Date Statement of Case Due - Written Representation			
Date of Site Visit			

Current Appeals

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ITEM NO 13
Planning Ref: LA07/2017/0743/ **PAC Ref:** 2018/A0006
APPELLANT Mark Cooper **DEA** Crotlieve
LOCATION 55m NW Of No. 48 (Situated Between Nos 50 & 54) Tamnaharry Hill Road
PROPOSAL ~~Mavohridge~~
Change of house type and amended access in substitution of P/ 2014/0223/F

APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure **Written Reps with Site Visit** **Date Appeal Lodged** 16/04/2018
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: LA07/2017/0795/ **PAC Ref:** 2018/A0020
APPELLANT Mr Laurence Patterson **DEA** Rowallane
LOCATION Drumnacconnell House
56 Ballynahinch Road
Drumnacconnell West
PROPOSAL 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

Current Appeals

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ITEM NO	15	PAC Ref:	2018/A0026
Planning Ref:	LA07/2015/0461/	DEA	Crotlieve
APPELLANT LOCATION	John Mackin 72 Ballyvalley Road Mayobridge		
PROPOSAL	Replacement dwelling		
APPEAL TYPE	DC - Conditions of Approval		
Appeal Procedure		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	16	PAC Ref:	2018/A0029
Planning Ref:	LA07/2016/1276/	DEA	Rowallane
APPELLANT LOCATION	Mr D Boal 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			

Current Appeals

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ITEM NO 17
Planning Ref: LA07/2018/0166/ **PAC Ref:** 2018/AO021
APPELLANT Sean Nugent **DEA** Slieve Gullion
LOCATION 60m East Of 88 Slatequarry Road
 Cullyhanna

PROPOSAL Retention of existing farm shed

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 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



Appeal Decision

Park House
87/91 Great Victoria Street
BELFAST
BT2 7AG
T: 028 9024 4710
F: 028 9031 2536
E: info@pacni.gov.uk

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Appeal Reference:	2017/A0189
Appeal by:	Rosana Huq.
Appeal against:	The conditional grant of outline planning permission.
Proposed Development:	2. No. infill dwellings and garages.
Location:	Land to the South of 24 Crossgar Road East, Crossgar.
Planning Authority:	Newry, Mourne and Down District Council.
Application Reference:	LA07/2017/0018/O
Procedure:	Written representations and accompanied site visit on 28 th March 2018.
Decision by:	Commissioner Damien Hannon dated 6 th June 2018.

Decision

1. The appeal is dismissed.

Reasons

2. The main issue in this appeal is that of road safety.
3. The appeal site lies within the open countryside outside any settlement development limit as designated in the Ards and Down Area Plan 2015 (ADAP). The ADAP operates as the relevant Local Development Plan (LDP) but however, contains no provisions specific to the matter of road safety. Furthermore, there is no conflict between the provisions of the Strategic Planning Policy Statement for Northern Ireland – Planning for Sustainable Development 2015 (SPPS) and those of retained policy in respect of road safety issues. Consequently the policy context relevant to this appeal is provided by Planning Policy Statement 3 – Access, Movement and Parking (PPS 3)
4. Policy AMP 2 of PPS 3 states that planning permission will only be granted for a development proposal involving direct access onto a public road where such access will not prejudice road safety or significantly inconvenience the flow of traffic. It is added that the acceptability of access arrangements will be assessed against the Department's published guidance. Development Control Advice Note 15 - Vehicular Access Standards (DCAN 15) is such published advice. It is also stated in Policy AMP 2 that consideration will be given to factors including the nature and scale of proposed and existing development, the standard of the existing road network and the speed and volume of traffic using the adjacent public road.
5. Outline planning permission (LA07/2017/0018/O) was granted in September 2017 for two infill dwellings and garages at the appeal site subject to condition 3 requiring the submission of detailed plans at reserved matters stage indicating visibility splays

at the access onto Crossgar Road East of 2.4m x 70m to the north and 2.4m x 62m to the south. The reason for this condition was to ensure a satisfactory means of access in the interests of road safety and the convenience of road users.

6. Conflicting evidence was submitted regarding traffic speeds on the road. The appellant submitted a Speed Survey that indicated the 85th percentile for traffic to be 31mph. However based on my own observations, I concur more with the Council's higher figures and estimate traffic speed on approach from the north to be between 35 and 40 mph and 35mph on approach from the south. In accordance with advice set out in DCAN 15 this would produce a requirement for visibility splays of 2.4m x 70m to the north and 2.4m x 62m to the south.
7. Crossgar Road East has a narrow carriageway and I observed it to have a low level of usage. Although vehicles on approach from the south are unlikely to overtake due to the curvature of the road, there is a possibility that this manoeuvre could be attempted by drivers on approach from the north. Notwithstanding these factors, I have been given no persuasive evidence that, given the vehicle speeds and alignment of the road in the vicinity of the appeal site, a reduction in these standards would not result in likely danger to road users. The Council's objection to a reduction of the visibility standards on road safety grounds based on Policy AMP 2 of PPS 3 is sustained. The condition, as originally imposed remains necessary and the appeal must fail.

This decision is based on the following, originally approved drawings :-

1:2500 scale Proposed Site Location Plan numbered 01 and received by the Council on 8th June 2017;

1:500 scale Proposed Site Concept Plan & Site Analysis numbered 02 and received by the Council on 30th August 2017;

and the following drawings submitted with the appellant's Statement of Case:-

1:500 scale Proposed Site Concept Plan & Site Analysis 'Amended Drawing 1'

1:500 scale Proposed Site Concept Plan & Site Analysis 'Amended Drawing 2'

1:500 scale Proposed Site Concept Plan & Site Analysis Amended Drawing 3'

1:500 scale Proposed Site Concept Plan & Site Analysis 'Amended Drawing 4'

1:200 scale 'Proposed Area' annotated 'Detail of Amendment 4'

1:500 scale Proposed Site Concept Plan & Site Analysis Amended Drawing 5'

1:500 scale Proposed Site Concept Plan & Site Analysis, Drawing X'

1:100 and 1:500 scale Proposed Site Concept Plan & Site Analysis numbered 16-73-02'

COMMISSIONER DAMIEN HANNON

List of Appearances

Planning Authority:-

Ms Catherine Moan
Mr Rowan Loughlin (DFP Roads)
Mr Jason Killen (DFP Roads)

Appellant:-

Mr John Kirkpatrick
Mr Stuart Cairns

Third Parties:-

List of Documents

Planning Authority:-

COU 1 Statement of Case

Appellant:-

APP 1 Statement of Case



Appeal Decision

Park House
87/91 Great Victoria Street
BELFAST
BT2 7AG
T: 028 9024 4710
F: 028 9031 2536
E: info@pacni.gov.uk

Appeal Reference:	2017/A0114
Appeal by:	SCS
Appeal against:	The refusal of full planning permission
Proposed Development:	Renewal of extant planning approval Ref. P/2011/0340/F for residential development of 14 units (of social housing) with new access road from St Clare's Ave
Location:	Lindsay's Hill, approximately 60m south east of 53-55 North Street, Newry, BT34 1DD
Planning Authority:	Newry, Mourne and Down District Council
Application Reference:	LA07/2017/0172/F
Procedure:	Informal Hearing on 29 March 2018
Decision by:	Commissioner D McShane, dated 4 June 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:-
 - the impact of the proposed bridge on the character and appearance of Lindsay's Hill and the Newry Conservation Area; and
 - the impact of the proposed access road on the amenity of the residents of St Clare's Avenue.
3. Section 6 (4) of the Planning Act (NI) 2011 requires that the determination of proposals must be in accordance with the local development plan (LDP) unless material considerations indicate otherwise. The Banbridge, Newry and Mourne Area Plan 2015 (BNMAP) operates as a LDP. The appeal site is located within the designated settlement development limit immediately adjacent to the city centre boundary and within the Newry Conservation Area. The Plan makes provision for additional housing development on un-zoned windfall sites; however it makes no specific policy provision for development on the appeal site. Accordingly, I turn to consider other material considerations.
4. The pertinent policy context is provided by Policy DES 2 of A Planning Strategy for Rural NI (PSRNI), Policy BH 12 of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage and Policy QD 1 of PPS 7: Quality Residential Environments. These are identified as retained policy provisions in the Strategic Planning Policy Statement for NI (SPPS).

5. There is considerable planning history on the site. In May 2010, the Department of Environment (DOE) granted outline planning permission for residential development with a new access road from St Clare's Avenue (P/2008/1329/O). In February 2012, the DOE granted full planning permission for a residential development of 14 units of social housing with a new access road from St Clare's Avenue (P/2011/0340/F). The Appellant sought to enact this permission through the commencement of development works, however as pre-commencement conditions associated with the permission were not properly discharged, enforcement issues arose. Condition 1 required the permitted development to be begun within 5 years of the date of the permission; by 8 February 2017. The Appellant submitted the current application on 3 February 2017.
6. Since the previous planning permissions were granted, Newry, Mourne and Down District Council replaced the DOE as the Local Planning Authority (LPA). It is the prerogative of the LPA to reach a different decision from the DOE as well one that is contrary to its Officers' recommendation, providing the decision is based on sound planning reasons.
7. Policy DES 2 of the PSRNI requires development proposals in towns to make a positive contribution to townscape and be sensitive to the character of the area surrounding the site in terms of design, scale and use of materials. The appeal site is enclosed by surrounding development. The western boundary of the vacant appeal site abuts a block of flats that front onto North Street; its eastern boundary adjoins Heather Park while the southern boundary comprises Lindsay's Hill; a public walkway. Dating from the mid 19th Century, it provides a pedestrian link from the city centre up to St Clare's Avenue, St Patrick's Avenue and, through Heather Park, to St Patrick's Church beyond. The steep walkway rises from west to east, is at a lower level than the appeal site and St Clare's Avenue and is enclosed in part by granite stone walls on either side; a metal hand rail runs along the mid line. St Clare's Avenue terminates short of Lindsay's Hill and access to the walkway is by footpath and down a steep flight of steps.
8. There is no vehicular access to the site and the proposed development includes the provision of an access road that would run from St Clare's Avenue into the site; bridging the Lyndsay Hill walkway, which would be retained. The bridge would be faced with coursed Newry granite to tie in with the existing walls and the banks flanking either side of it would be landscaped densely with a mix of indigenous species. Notwithstanding its scale and elevated position, the bridge as designed, would not visually dominate the area in views along the walkway from the west; rather it would read in the context of rising land beyond to the east and an existing dense grain of tiered development. The proposed bridge would not detract visually from the pedestrian walkway or the townscape of the area.
9. I have not been persuaded that the bridge would create a "tunnel" similar to subways located in the city centre where people congregate and anti social behaviour is an issue. Rather, the development is designed to deter crime and promote personal safety. The erection of new family dwellings on the appeal site would introduce natural surveillance to an area that is currently isolated and preclude anti-social behaviour on the site. In addition the dwellings on Sites 1 - 4 and Sites 5 and 6, immediately adjacent to the pedestrian walkway and at a higher level, would directly overlook the walkway, which would help to reduce existing

- anti social activity as evidenced by fly tipping, graffiti and broken glass. Radius Housing Association owns the site and would be responsible for its development. Its representative to the Hearing confirmed that the proposal meets the PSNI "Secured by Design Criteria".
10. In managing development within a Conservation Area, the guiding principle is to afford special regard to the desirability of enhancing and preserving its character or appearance. Policy BH 12 of PPS 6 requires new development within a Conservation Area to meet seven criteria to that end. The focus is on appropriate design, choice of materials and setting.
 11. The appeal site is elevated above the city centre and development of it has the potential to impact on the Conservation Area. However, the proposed dwellings are designed to a high conservation area specification and conform to the guidance in the Newry Conservation Area documents. The bridge, which is necessary to provide access to the site, would be faced with Newry granite to match existing boundary walls in the area. As such, it would be in keeping with the characteristic built form of the area. In general, views from Lindsay's Hill and the public park to the east will be over the top of the bridge, given the steeply sloping nature of the site. Views to the buildings in the Conservation Area and the wider city would be preserved. In wider views from the west and from North Street, the bridge, notwithstanding its scale and elevation, would read in the context of a local landscape that is dominated by steep slopes and retaining structures with housing set at different levels on the slope. As such, the character and appearance of the Newry Conservation Area as a whole would be preserved. The Historic Environment Division does not object to the proposal. Furthermore, although there was no consultation with a Conservation Area Officer in the context of the current application, a number of consultation responses were received in respect of the previous application, which was found to be acceptable. Accordingly, the LPA has failed to sustain its first and second reasons for refusal based upon Policy DES 2 of a PSRNI and Policy BH 12 of PPS 6.
 12. Criterion (h) of Policy QD 1 requires that the design and layout will not create conflict with adjacent land uses and that there is no unacceptable adverse effect on existing properties in terms of a number of issues, including noise. The LPA argues that the additional traffic serving the proposed development would have a detrimental impact on the amenity of the residents of St Clare's Avenue. The Transport Assessment and the Noise Impact Assessment submitted by the Appellant, which have used industry standard methodologies, demonstrate that the increase in traffic to serve an additional 14 dwellings at this location would be limited both in terms of traffic flow and noise levels. Consequently, the impact on residential amenity would be negligible. Accordingly, the LPA has failed to sustain its third reason for refusal based upon Criterion (h) of Policy QD1 of PPS 7.
 13. In addition to their main issues of concern, the Third Parties raised a number of other matters. Taking the evidence in the round, I have not been persuaded that the proposed development would have an unacceptable adverse impact upon green space; Heather Park is immediately adjacent. St Clare's Avenue would remain as a cul-de-sac, albeit serving an additional 14 dwellings. The Transport Assessment demonstrates that the St Clare's Avenue / High Street junction operates well within capacity and there would be no impact on the free flow of traffic or public safety. St Clare's Avenue is an appropriate width. Existing and

proposed parking levels would be adequate. There is no objection from Transport NI in respect of these matters. Archaeological testing was undertaken and the Historic Environment Division confirmed that nothing further would be required in this respect. The passing reference to the impact of the development on bats was not substantiated. The Third Party objections are not sustained.

14. The development has been assessed as providing social housing and the car parking standards have been reduced accordingly; an occupancy restriction is therefore required. To preserve and enhance the Conservation Area, detailed design restrictions are required. To control the impact of the development, it is necessary to remove permitted development for extensions and alterations. To protect the character of the area, landscaping is required to be provided and provision made for its maintenance over a 25 year period.

Conditions

- (1) The dwellings hereby approved shall be occupied only by a person or persons who have been selected from the Northern Ireland Housing Executive waiting list.
- (2) The chimney stacks shall be located on the centre of the ridges, with two clay pots from the Hanson Red Bank range or an equivalent (agreed in advance with the Council), and a traditional corbel detailing around the top. All roofs shall have a natural slate covering. All front doors shall have four plain panels, retained by bolection mouldings and be of timber construction with a plain fanlight and a painted opaque finish avoiding the use of stains or varnishes. All rain water goods shall be of cast aluminium, round profile and painted black. All eaves and verges shall be clipped and tight avoiding the use of box eaves and barge board. All windows shall be timber with a painted white finish avoiding the use of stains or varnishes. All window sills shall have a 100mm leading edge. Dwellings shall be finished in smooth render and painted in a colour scheme to be agreed in advance with the Council. All roof-lights shall be from the Velux Conservation range or an equivalent (agreed in advance with the Council) and be fitted flush with the roofline. All retaining walls and the proposed bridge shall be faced in coursed granite rubble.
- (3) Notwithstanding the provisions of the Planning (General Permitted Development) Order (NI) 2015, or any Order revoking and/or re-enacting that Order, no extension or enlargement (including alteration to roofs) shall be made to the dwelling houses hereby permitted without the grant of a separate planning permission from the Council.
- (4) No development shall take place until there has been submitted to and approved by the Council a scheme for the removal and disposal of invasive plant species, including Japanese Knotweed and Giant Hogweed.
- (5) The erection of fencing for the protection of retained trees shall be undertaken before any equipment, machinery or materials are brought on to the site for the purpose of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered.

- (6) All hard and soft landscape works shall be carried out in accordance with Drawing No.09, date stamped received 31 May 2017, prior to the occupation of any part of the development. Trees or shrubs dying, removed or becoming seriously damaged within five years of being planting shall be replaced in the next planting season with others of a similar size and species unless the Council gives written consent to any variation.
- (7) The open space and amenity areas indicated on Drawing 09, date stamped received 31 May 2017, shall be managed and maintained in accordance with the 25 Year Landscape Management Plan (Drawing 10, date stamped received 31 May 2017). Any changes or alterations to the landscape management arrangements shall be submitted to and agreed in writing by the Council.
- (8) The street layout shall be in strict accordance with the Private Streets Determination made under planning approval P/2011/0340/F, which was approved on 8 February 2012.
- (9) No development shall take place on the site until the method of sewage disposal has been agreed in writing with NI Water or a consent to discharge has been granted. The dwellings shall not be occupied until the approved arrangements are in place.
- (10) Each dwelling shall be provided with such sanitary pipe work, foul drainage and rain water drainage, necessary for the hygienic and adequate disposal of foul water and rain water separately from that building.
- (11) Storm water from the development shall not be discharged to nearby watercourses unless first passed through pollution interception and flow attenuation measures.
- (12) The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

This decision approves the following drawings, date stamped refused 18 August 2017:

- Drwg 01: Site Location Map (Scale 1:1250)
- Drwg 02 Rev B: Site Layout Plan (Scale 1:500)
- Drwg 03: Sites 1-4 Floor Plans and Elevations (Scale 1:100)
- Drwg 04: Sites 5-8 Floor Plans and Elevations (Scale 1:100)
- Drwg 05: Sites 13-14 Floor Plans and Elevations (Scale 1:100)
- Drwg 06: Site Sections (Scale 1:200)
- Drwg 07: Bridge Section & Sectional Elevations & Wall and Railing Details
- Drwg 08: Retaining Wall and Sections: Sections A-A, B-B, & C-C
- Drwg 09: Landscape Proposals
- Drwg 10: 25 year Landscape Management and Maintenance Plan

COMMISSIONER DMCSHANE

List of Appearances

Planning Authority:- Mr G Murtagh (Newry, Mourne and Down District Council)

Appellant:- Mr Orr (Barrister instructed by Gordon Bell & Sons)
Mr T Stokes (TSA Planning)
Mr Broderick (TSA Planning)
Mr Cartan (K McCartan Architects Ltd)
Ms Meegan (Consarc Conservation Design Architects)
Mr D Murray (Atkins)
Mr M Lester (Lester Acoustics: Consultants in Noise & Vibration)
Mr Erskine (Radius Housing Association)
Mr McEvoy (SCS)

Third Parties:- Cllr G Stokes (Newry, Mourne and Down District Council)
Cllr L Kimmins (Newry, Mourne and Down District Council)

List of Documents

Planning Authority:- "LPA 1" Statement of Case and Appendices

Appellant:- "AP1" Statement of Case and Appendices
"AP2" Built Heritage Statement (Consarc Design / Conservation)
"AP3" Transport Statement of Case: (Atkins)

Third Parties:- "TP1" Statement of Case



Appeal Decision

Park House
87/91 Great Victoria Street
BELFAST
BT2 7AG
T: 028 9024 4710
F: 028 9031 2536
E: info@pacni.gov.uk

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Appeal Reference:	2017/A0201
Appeal by:	Mr John Morgan
Appeal against:	The refusal of outline planning permission
Proposed Development:	Two dwellings with detached garages to rear.
Location:	Land 20m north of 24 Ballyvally Road, Mayobridge
Planning Authority:	Newry Mourne and Down District Council
Application Reference:	LA07/2017/0563/O
Procedure:	Informal Hearing on 4 May 2018
Decision by:	Commissioner Pauline Boomer, dated 24 May 2018.

Decision

1. The appeal is dismissed.

Reasons

2. The main issues in this appeal are whether the proposed development is acceptable in principle in the countryside and its impact on visual amenity and rural character.
3. The appeal site is located in the countryside, within the Mourne Area of Outstanding Natural Beauty (AONB) and not within any designation in the Banbridge, Newry and Mourne Area Plan 2015 (BNMAP). The BNMAP, which operates as the statutory Local Development Plan relevant to the appeal site, contains no provisions specific to this proposal for residential development in the countryside. Furthermore, no conflict arises between the provisions of the Strategic Planning Policy Statement for Northern Ireland - Planning for Sustainable Development (SPPS) and any retained policies regarding issues raised by this appeal. Consequently, the relevant policy context is provided by Planning Policy Statement 21 - Sustainable Development in the Countryside (PPS 21).
4. Policy CTY 1 of PPS 21 sets out a range of types of development which in principle are considered to be acceptable in the countryside. The appellant argued that the proposal was acceptable as a gap site in accordance with Policy CTY 8 of PPS 21. Policy CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. Paragraph 5.32 states that ribbon development is detrimental to the character, appearance and amenity of the countryside. While ribbon development is not defined in policy, it is taken to mean a row of buildings which have a common frontage onto a road or are visually linked when viewed from that road. Policy CTY 8 also states that, in respect of ribbon development, an exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of 2 houses within an otherwise substantial and continuously built up frontage. The policy also requires such

development to respect the existing development pattern along the frontage in terms of size, scale, siting and plot size and to meet other environmental requirements.

5. The appeal site comprises the roadside section of a large agricultural field which lies on the eastern side of Ballyvally Road, within which it is proposed to erect two detached dwellings and garages. Immediately south east of the appeal site there is a detached single storey dwelling with a separate holiday accommodation unit identified as Nos 24 and 24B with a further detached two storey dwelling at No. 24A beyond. Immediately to the north-west, there is a one and a half storey dwelling at No. 20, separated from the appeal site by a laneway serving No. 18. A substantial and continuously built up frontage includes a line of three or more buildings along a road and there is no dispute that the appeal site meets the first element that is required in order to qualify as an infill site.
6. The 2nd element of Policy CTY8 requires that the gap site to be small. The third element requires that any development respect the existing development pattern along the frontage in terms of size, scale, siting and plot size. All parties agreed that the gap is between houses or other buildings and all acknowledged that the existing gap between No. 20 to the north-west and No. 24B to the south east extended to 120m. I do not consider that a gap of this size falls within the definition of "small".
7. However the appellant contends that the proposed development respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and provided a table of frontage widths, depths and overall plot sizes of all the adjoining properties. I note that he assessed Nos 24 and 24B as lying within a single curtilage which was not disputed by the LPA and is confirmed on the ground with no subdivision apparent and by the planning history.
8. The frontage width of the entire appeal site along the roadside extends 68m which, if equally divided, would offer each new property a separate frontage width of approximately 34m. I note that these are comparable to the 33m wide frontages of Nos. 24/ 24B and 24A, but significantly smaller than the 58m wide frontage of No. 20. However the width of this field expands as you move eastwards away from the road, with the rear site boundary extending to 90m in width. I note that unlike the appeal site, Nos. 24, 24B and 24A all decrease in width as you move away from the road and it is not therefore appropriate to concentrate only on the frontage widths along the roadside as the appellant has done. The depth of the appeal site is 40m which falls well below that of the adjacent properties which extends from 70m at No. 24/24B to 80m at Nos. 20 and 24A. I calculate that the overall plot sizes vary from approximately 2000sq. m. at No. 24/24B to 2,800 sq. m. at No. 24A and each of the appeal plots would be considerably smaller at approximately 1,700 sq. m. Whilst the frontage widths may be comparable, I find that the two proposed plots within the appeal site would not reflect the size, scale and plot sizes of those adjacent properties at Nos. 20, 24/24b and 24A.
9. Given the lack of definition along the eastern boundary of the site and the rising gradient, it is readily apparent when travelling in a southerly direction particularly, that the ever increasing gap is widening within the site. On the ground, there is an awareness of how extensive the gap between the existing buildings actually is. In these circumstances, I agree with the LPA that it is the gap between the buildings that offers a true representation of the infill width which is considerably greater than

the total frontage width. Consideration must also be given to assessing whether or not a gap of this size could feasibly accommodate more than two dwellings whilst respecting the existing development pattern. As the combined frontage width of Nos. 24/24b and 24A extends to 66m in total, I must conclude that the 120m wide appeal site has the potential to accommodate more than two dwellings in principle. In these circumstances, as I have concluded that the appeal site is neither small nor respectful of the existing development pattern, I find that it fails to satisfy the 2nd and 3rd elements that are required in order to qualify as an infill site. In so doing, this concurs with the conclusions reached in Appeal 2016/A0066. In this respect, the LPA have therefore sustained this aspect of the 2nd reason for refusal.

10. Policy CTY 8 states that planning permission will be refused for a building which creates or adds to a ribbon of development. While ribbon development is not defined in policy, it is taken to mean a row of buildings which have a common frontage onto a road or are visually linked when viewed from that road. As the appeal site lies between Nos. 20 and 24/24B/24A, the appeal proposal would visually link the development to the south east with that immediately northwest. Confusion was caused by the LPA referring to the "creation" of ribbon development in their Statement of Case which conflicted with the wording of the 2nd and 4th reasons for refusal which made reference to "adding to" an existing ribbon. Clarification at the Informal Hearing confirmed that the LPA considered that Nos. 24A, 24 and 24B read as an existing ribbon of development, agreed by the appellant, and that the introduction of an additional two dwellings on the appeal site would add to that ribbon, extending it to include No. 20. I agree with the LPA's assessment and find that the proposed development would result in a significant extension of the existing ribbon of development further north along Ballyvally Road, resulting in a suburban build-up of development.
11. I acknowledge that the character of the area has already changed as a result of planning approvals granted along certain stretches of Ballyvally Road. At present there are existing gaps in development along the eastern side of the Ballyvally Road which help to retain some rural character and the appeal site, given its size, represent a significant break in development. The appellant argues that as you can visually see buildings on both sides of the gap, one is not readily aware of that break in development. However, given the strong visual linkages between No. 20 and No. 24B, I find that this reinforces the significance of the appeal site which reads as a visual break as shown in the submitted aerial photographs and photomontages. The introduction of two detached dwellings and garages, regardless of their size or height, would not only add to the existing ribbon of development but, in introducing 4 additional buildings within a significant visual break, would further erode the remaining rural character. As the proposal does not constitute an exception to Policy CTY 8, the LPA's objection on grounds of adding to an existing ribbon of development is well founded. In so doing, it also offends criterion (d) of Policy CTY14 which states that any new buildings are unacceptable if they create a ribbon of development. As I conclude that the appeal proposal conflicts with Policies CTY8 and CTY14, that aspect of the 2nd reason for refusal and the fourth reason for refusal are sustained.
12. No persuasive overriding reasons were advanced as to why the development is essential and could not be located in a settlement. I therefore consider the LPA's objection to the proposal in principle based on Policy CTY 1 to be well founded and the first reason for refusal is also sustained.

13. The 3rd reason for refusal addresses the issue of integration and the LPA remains concerned about the overall visual impact of the proposal on an open and exposed site. The LPA considers that the appeal proposal conflicts with Policy CTY13 as it lacks long established boundaries to aid integration. Whilst the appeal site does benefit from a backdrop of rising ground, the eastern boundary is undefined with only a wooden ranch fence defining the northern site boundary and a post and wire fence along most of the southern boundary. Transport NI (TNI) indicate that in order to achieve the required sightlines of 2.4m by the entire frontage, all of the roadside hedge would have to be removed. The appellant disputes this and argues that given the extensive depth of hedge, most of the hedge could be faced back with only a small central section removed. The appellant failed to provide any details of the existing verge width or any detailed block plan to support this. Given the existing verge is less than 1 metre in depth and in the absence of any evidence to the contrary, I accept the TNI's assessment that the entire roadside hedgerow has to be removed, leaving the appeal site open and exposed, devoid of any vegetation. The appellant indicates that he proposes to introduce new planting with native species hedgerows around all external and internal boundaries which would take time to mature in order to soften the visual impact of the development. This reliance on new planting runs contrary to criterion (c) of Policy CTY13.
14. Taking account of the open nature of the site at present and the reliance on new planting, I am not satisfied that the proposed development will blend into the landscape. I attach little weight to the appellant's assertion that the introduction of new planting around the appeal site would result in planning gain by enhancing the level of integration available to the exposed dwelling at No. 20. As I am not persuaded that a satisfactory level of integration can be achieved as required under Policy CTY13. I conclude that the third reason for refusal has been sustained.
15. As I have found all four reasons for refusal to be sustained, the appeal must fail.

This decision is based on the 1:2500 site location plan received by the LPA on 13 April 2017.

COMMISSIONER PAULINE BOOMER

2017/A0201**List of Documents**

- LPA1: Statement of Case from Newry, Mourne and Down District Council with appendices
- LPA2: Planning Histories submitted as post hearing evidence
- APP1: Statement of Case from Appellant with appendices

Appearances

- LPA: Mr Gareth Murtagh representing Newry, Mourne and Down District Council
- Appellant: Mr John Young representing Collins and Collins (agent)
Mr John Morgan (appellant)
- Observers: Queen's students of Masters in Environmental Planning
Lecturer Dr Neil Galway



Appeal Decision

Park House
87/91 Great Victoria Street
BELFAST
BT2 7AG
T: 028 9024 4710
F: 028 9031 2536
E: info@pacni.gov.uk

Appeal Reference:	2017/A0181
Appeal by:	Mr B Hollywood
Appeal against:	The refusal of full planning permission
Proposed Development:	Change of use of a spa centre to a dwelling house with some minor alterations
Location:	20 Lough Road, Mullaghbawn, Co Armagh
Planning Authority:	Newry, Mourne and Down District Council
Application Reference:	LA07/2017/0856/F
Procedure:	Informal Hearing on 8 June 2018
Decision by:	Commissioner D McShane, dated 21 June 2018.

Decision

1. The appeal is dismissed.

Reasons

2. The main issue in this appeal is whether the proposed development is acceptable in principle in the countryside.
3. Section 6 (4) of the Planning Act (NI) 2011 requires that the determination of proposals must be in accordance with the local development plan (LDP) unless material considerations indicate otherwise. The Banbridge, Newry and Mourne Area Plan 2015 (BNMAP) operates as a LDP. The appeal site is located in the countryside and BNMAP contains no material policies for the type of development being proposed. Accordingly, I turn to other material considerations; the relevant regional policies.
4. The policy context is provided by the Strategic Planning Policy Statement for NI (SPPS) and Planning Policy Statement 21: Sustainable Development in the Countryside (PPS 21), which is identified as a retained policy document. The transitional arrangements set out in Paragraph 1.10 of the SPPS indicate that until such times as a Plan Strategy for the whole Council area has been adopted, planning authorities will apply existing policy within the retained policy documents together with the SPPS.
5. 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. The Appellant and the Council identified only one of the types of development listed in Policy CTY 1 as relevant to this appeal, namely the conversion of a non-residential building to a dwelling in accordance with Policy CTY 4. Policy CTY 4 states that planning permission will

- be granted to proposals for sympathetic conversion, with adaptation if necessary, of a *suitable building* (my emphasis) for a variety of alternative uses, including use as a single dwelling where this would secure its upkeep and retention.
6. Paragraph 6.69 of the SPPS states that the re-use of previously used buildings in the countryside must be promoted. However, as is clear from what follows, that does not mean all such buildings should be converted to dwellings. Paragraph 6.73 goes on to state that provision should be made for the sympathetic conversion and reuse, with adaptation if necessary, of a *locally important building* (my emphasis). The SPPS clarifies the type of building that may be converted; while PPS 21 refers to a suitable building, the SPPS refers to a locally important building. Paragraph 1.12 of the SPPS states that where the SPPS introduces a change of policy direction and/or provides a policy clarification that would be in conflict with the retained policy, the SPPS should be accorded greater weight in the assessment of individual planning applications. The weighting direction in the SPPS indicates that "locally important building" must take precedence over "suitable building". Therefore, contrary to the view of the Appellant, there is no ambiguity in policy in this respect.
 7. The SPPS does not define "locally important building" but lists examples such as former school houses, churches and older traditional barns and outbuildings. The cited examples typically relate to buildings that generally have some design, architectural or historic merit. The inclusion of the term "such as" suggests that the list is not exhaustive and that there may be other factors that would result in a particular building being of importance to a locality.
 8. The appeal site, located adjacent to an existing dwelling, contains three buildings. The single storey appeal building was built in 1998 and is of a standard modern construction. The Appellant indicated that the building does not have any distinctive architectural features or historic merit. He was unable to advance any reason why the building could be considered as locally important. In support of his case, he pointed out that the building is watertight and requires minimal structural work to be converted to a dwelling while additional landscaping and a reduction in the size of the car parking area would provide a more attractive site in the countryside. It was argued that the building has failed as a viable business on two occasions and that if permission is not granted the building may fall into a state of disrepair, which would have a negative impact on the area. However, these factors, individually and cumulatively, are insufficient to persuade me to set aside the policy requirement that the building to be converted must be locally important.
 9. The building is not unusual and there was no persuasive evidence to substantiate the claim that there probably are not a great number of buildings like it in the countryside. I have not been persuaded that the minimal level of work required to convert the building would limit the unacceptable precedent that would be created, if the appeal proposal were to be approved.
 10. The Appellant made a passing reference to Policy CTY 3, particularly to the paragraph, which states that favourable consideration will be given to the replacement of a redundant non residential building with a single dwelling, where the redevelopment proposal would bring significant environmental benefits and provided the building is not listed or otherwise makes an important contribution to

the heritage, appearance or character of the locality. However, I find no support for the appeal proposal in Policy CTY 3. Policy CTY 1 states that other types of development will only be permitted where there are overriding reasons why that development is essential. It has not been demonstrated that there are overriding reasons why this particular development is essential. Accordingly, the Council has sustained its reason for refusal based upon the SPPS and Policy CTY 4 of PPS 21.

This decision is based on the following drawings:-

- Drwg 01: Site Location Map (Scale 1:1250)
- Drwg 02A: Site Plan (Scale 1:500)
- Drwg 04: Existing and Proposed Plan and Elevations (Scale 1:100)

COMMISSIONER D MCSHANE

List of Appearances

Planning Authority:- Mr G Murtagh (Newry, Mourne and Down District Council)

Appellant:- Mr P McEvoy BL (instructed by R McShane Solicitors)
Mr R McShane (R McShane Solicitors)
Mr B Hollywood

List of Documents

Planning Authority:- "LPA 1" Statement of Case and Appendices

Appellant:- "AP 1" Statement of Case

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

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DATE OF MEETING	PLANNING OFFICER'S NAME/S	PUBLIC REPRESENTATIVE'S NAME
23/04/2018	A McAlarney	Cllr W Walker Cllr Andrews
27/04/2018	A McAlarney	Cllr Burgess
30/04/2018	A McAlarney	Cllr Walker
30/04/2018	A McAlarney	Cllr Fitzpatrick
10/05/2018	A McAlarney	Colin McGrath MLA
31/05/2018	A McAlarney	Cllr Rice
04/06/2018	A McAlarney	Cllr McMurray
29/06/2018	G Kerr	Cllr B Quinn
10/07/2018	G Kerr / P Smyth	Cllr B Quinn

Current Appeals

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AUTHORITY Newry, Mourne and Down

ITEM NO 1
Planning Ref: LA07/2017/0687/ **PAC Ref:** 2017/A0168
APPELLANT Steven And Diane Campbell **DEA** The Mournes
LOCATION 30m North Of 94 Greencastle Road
 Kilkeel
PROPOSAL RT34.4DF
 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

Current Appeals

66

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 area 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

Current Appeals

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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: LA07/2017/0823/ **PAC Ref:** 2017/A0246
APPELLANT Adrian McParland **DEA** Slieve Gullion
LOCATION Adjacent And 30m South-west Of No.20 Newry Road
 Belleek
 Armagh
PROPOSAL Site for dwelling and garage (Policy CTY8)
APPEAL TYPE DC- Refusal of Planning Permission
Appeal Procedure Written Reps **Date Appeal Lodged** 09/03/2018
Date of Hearing
Date Statement of Case Due for Hearing
Date Statement of Case Due - Written Representation
Date of Site Visit

Current Appeals

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ITEM NO	7		
Planning Ref:	LA07/2017/1175/	PAC Ref:	2017/A0252
APPELLANT	Stuart Moffett	DEA	Crotlieve
LOCATION	15m West And To The Rear Of 81 Cloughanramer Road Newry		
PROPOSAL	RT34 10G Erection of a dwelling on a farm		
APPEAL TYPE	DC- Refusal of Planning Permission		
Appeal Procedure	Informal Hearing	Date Appeal Lodged	09/03/2018
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:	LA07/2017/0743/	PAC Ref:	2018/A0006
APPELLANT	Mark Cooper	DEA	Crotlieve
LOCATION	55m NW Of No. 48 (Situated Between Nos 50 & 54) Tamnaharry Hill Road		
PROPOSAL	Mavohridge Change of house type and amended access in substitution of P/ 2014/0223/F		
APPEAL TYPE	DC- Refusal of Planning Permission		
Appeal Procedure	Written Reps with Site Visit	Date Appeal Lodged	16/04/2018
Date of Hearing			
Date Statement of Case Due for Hearing			
Date Statement of Case Due - Written Representation			
Date of Site Visit			

Current Appeals

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ITEM NO	9	PAC Ref:	2018/A0020
Planning Ref:	LA07/2017/0795/	DEA	Rowallane
APPELLANT LOCATION	Mr Laurence Patterson Drumnaconnell House 56 Ballynahinch Road Drumnaconnell West		
PROPOSAL	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	10	PAC Ref:	2018/A0026
Planning Ref:	LA07/2015/0461/	DEA	Crollieve
APPELLANT LOCATION	John Mackin 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			

Current Appeals

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ITEM NO 11
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 Reprs **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 12
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

Current Appeals

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ITEM NO 13
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 14
Planning Ref: LA07/2017/0969/ **PAC Ref:** 2018/A0046
APPELLANT Mr Peter Clerkin **DEA** Crollieve
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 **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

Current Appeals

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ITEM NO	15		
Planning Ref:	LA07/2017/0492/	PAC Ref:	2018/A0050
APPELLANT LOCATION	East Coast Coaches 70 Melres East Of 72 Rathfriland Road Newry	DEA	Crotlieve
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		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	16		
Planning Ref:	R/2014/0079/F	PAC Ref:	2018/A0054
APPELLANT LOCATION	Mr Brendan Maginn Approx 285m South West Of No 63 Dundrine Road Castlewellan	DEA	The Mournes
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			

Current Appeals

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ITEM NO 17
Planning Ref: LA07/2018/0166/ **PAC Ref:** 2018/AO021
APPELLANT Sean Nugent **DEA** Slieve Gullion
LOCATION 60m East Of 88 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

Current Appeals

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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			

Newry, Mourne & Down District Council – July 2018

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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

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

3. Live applications per Case Officer

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

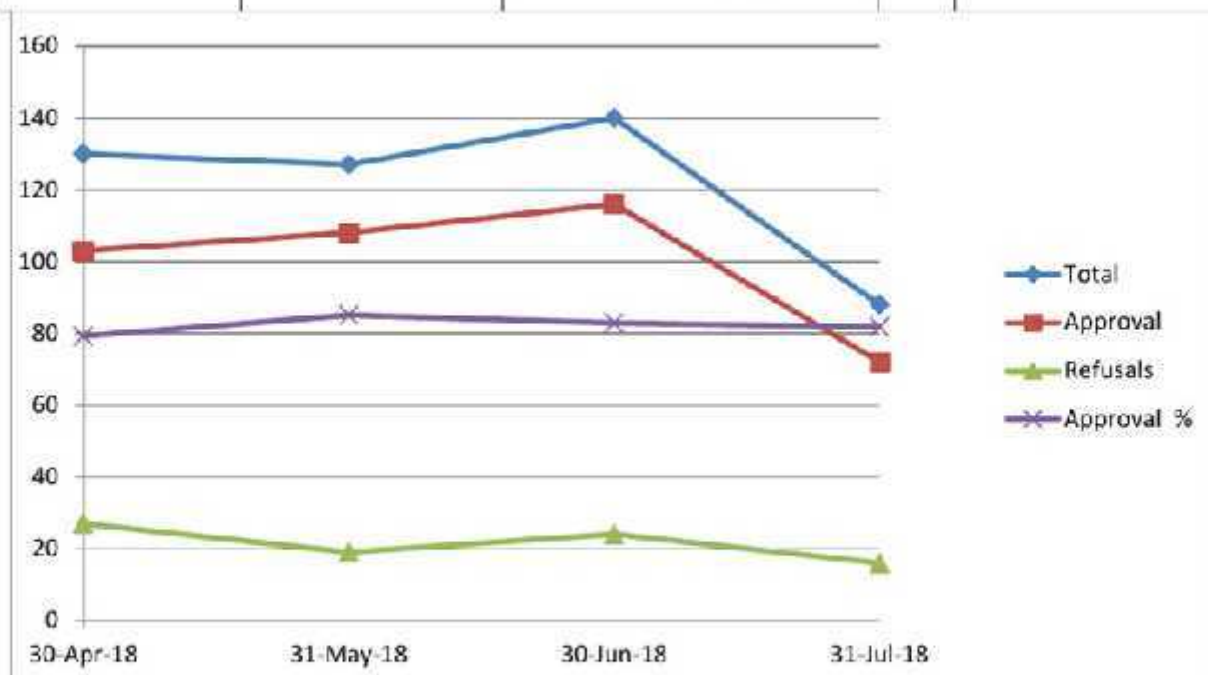
Newry, Mourne & Down District Council – July 2018

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

5. Decisions Issued YTD

Month 2017/18	Number of Decisions Issued	Breakdown of Decisions	
April	130	Approvals (103)	79%
		Refusals (27)	21%
May	257	Approvals (211)	82%
		Refusals (46)	18%
June	397	Approvals (327)	82%
		Refusals (70)	18%
July	485	Approvals (399)	82%
		Refusals (86)	18%



Newry, Mourne & Down District Council – July 2018

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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

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
Totals	69	41	28

* 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	14	1	1	0	0
Down	5	2	0	2	0
TOTAL	19	3	1	2	0

Newry, Mourne & Down District Council – July 2018

Statutory targets monthly update - up to June 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%	117	118	16.9	43.2%	49	14	48.3	64.3%
June	1	1	20.2	100.0%	127	130	15	50.80%	45	25	49.2	60.0%
July	0	-	0.0	0.0%	0	-	0.0	0.0%	0	-	0.0	0.0%
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%	344	357	15.4	48.7%	143	45	48.5	62.2%

Source: NI Planning Portal

Notes:

1. CLUDS, TFOs, MMCS 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 – July 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.

Agenda Item:	Facilities Management and Maintenance
Report to:	Regulatory & Technical Services Committee
Subject:	Sanitary Disposal Bins at Public Conveniences
Date:	22 nd August 2018
Reporting Officer:	Roland Moore, Acting Director Neighbourhood Services
Contact Officer:	Kevin Scullion, Assistant Director Facilities Management & Maintenance Gail Kane, Head of Facilities Management
<u>Decisions Required</u>	
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	Requests have been received for the Council to consider the provision of Sanitary Disposal Bins at the Newry, Mourne and Down Council 31 No. Public Conveniences.
2.0	<u>Key Issues</u>
2.1	There are currently 31 No. Council operated Public Conveniences located in the Council area. Within the our Public Conveniences there has been no provision made for the disposal of feminine hygiene waste. Requests have been received for Council to consider this provision within its Public Conveniences.
2.2	Quotations were sought from 3 No. service providers requesting costs to provide 31 No. Sanitary Disposal Bins (1 No. bin in each Public Convenience), with all bins to be serviced once per fortnight. Of the 3 No. quotations provided the lowest cost for the service requested is £838.24 per annum. Within the 31 No. Public Conveniences, there are a total of 52 No. Unisex/Ladies toilets. Should there be a requirement to provide this service in all 52 No. cubicles, it would be at a cost of £1406.08 per annum.
2.3	Liaison was made with all other Council's to establish how they make the public aware of which Public Conveniences have Sanitary Disposal Bins. Only 1 No. Council replied (Derry & Strabane) advising that they do not make the public aware which toilets have Sanitary Bins provided.
2.4	Should decision be made to proceed with provision of 1 No. unit per toilet block, a simple sign on the toilet door would be sufficient to advise members of the public.
2.5	As some of the Council's Public Conveniences are prone to vandalism, consideration should be given to the possibility that these bins may be damaged. Service providers have advised that should bins be vandalised there would be a charge of approximately £50 per bin to replace it.
3.0	<u>Recommendations</u>
3.1	It is recommended to 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.
4.0	<u>Resource Implications</u>

4.1	Cost Implications – £838.24 per annum. Revenue Budget – Cost will be attributed to the General Public Convenience / Service Contract Revenue Budget.
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 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	None

Report to:	Regulatory & Technical Services Committee
Date of Meeting:	22 nd August 2018
Subject:	Proposed Extension to Warrenpoint Municipal Cemetery
Reporting Officer (Including Job Title):	Roland Moore, Director of Neighbourhood Services (Acting)
Contact Officer (Including Job Title):	Kevin Scullion, Assistant Director Facilities Management & Maintenance

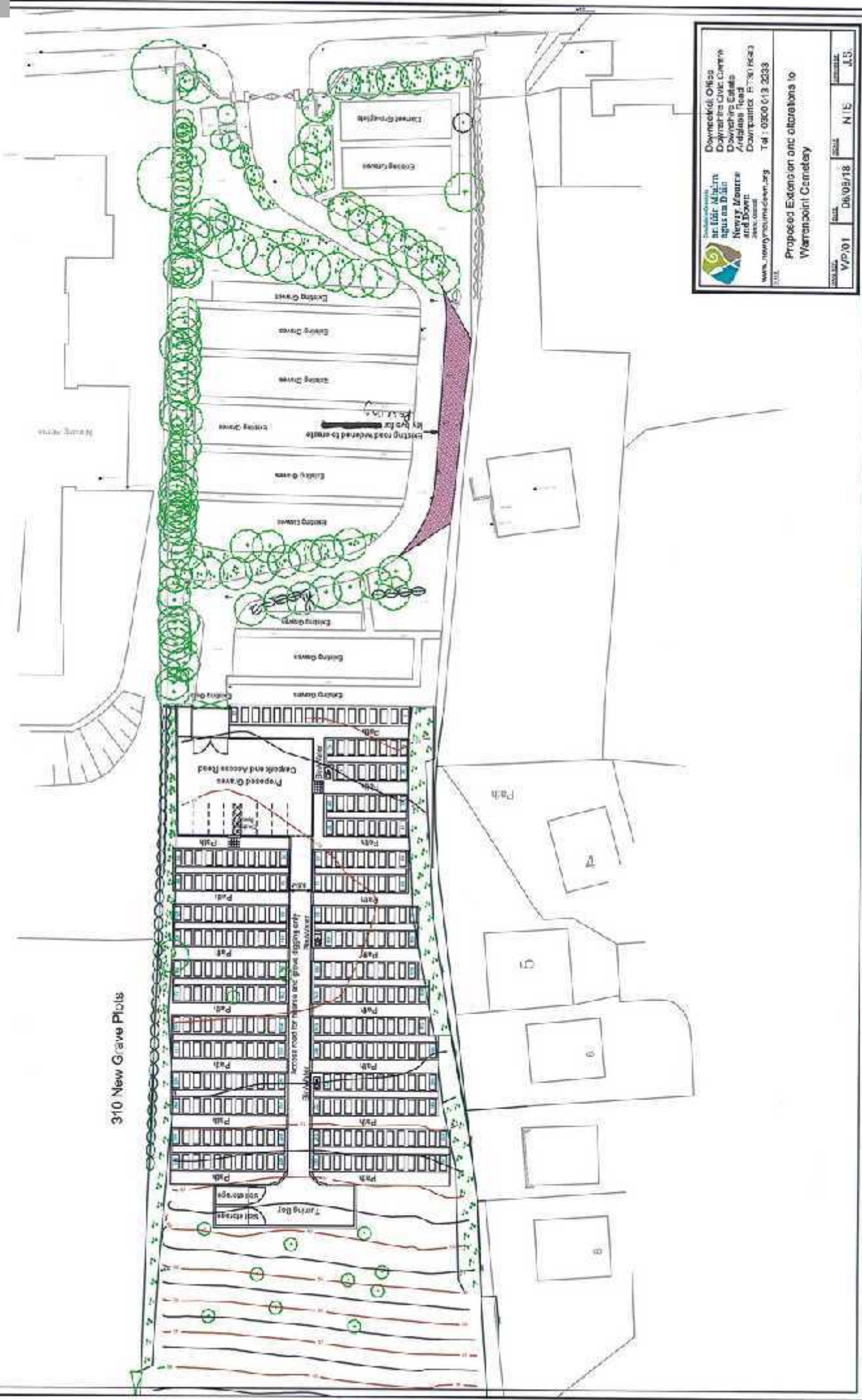
Decisions required:

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>The Council has approved a capital spend of £125,000.00 to extend Warrenpoint Municipal Cemetery. This is part of an overall capital budget of £250,000.00 which is to include extension to Kilbroney Municipal Cemetery.</p> <p>The Warrenpoint Municipal Cemetery is reaching capacity after 21 years of use. The original planning application for this site was approved in July 1993 under planning application P 93 0113 and the first burial took place in October 1997.</p> <p>The original planning approval included development of the entire site although initial development was confined to the front of the site. Plans have now been redrawn for the development of the rear of the site. Attached at Appendix 1 is a site plan which shows the site both with the area already developed and used for burials which is labelled "Existing Graves" and the proposed development of the rear of the site. Attached at Appendix 2 is a site plan for that originally approved under the current planning permission.</p> <p>The main changes proposed relate to not developing the entire site although consideration of this can be given at some stage in the future if need arises. The plan also shows a small area of parking (6 spaces) for use by visitors to the Cemetery who currently have to park outside the Cemetery. If the Council agree to proceed with this then arrangements will be required for considering how the site will be opened to allow vehicular access. At present vehicular access is restricted to authorised vehicles only (key holders).</p> <p>This current phase of proposed development will provide 310 additional plots.</p> <p>Clarification with Planning Service will be sought to ensure that these current proposed changes are in line with current planning approval.</p> <p>To progress this development Council Officers may require additional technical support and it would be proposed to use the current available capital budget to procure this support in accordance with Council procurement policy.</p>

2.0	Key issues:
2.1	<ul style="list-style-type: none"> • Current phase of Warrenpoint Municipal Cemetery is reaching capacity and Council has approved a capital spend of £125,000.00 to allow for its extension. • There is a current planning approval which includes extension of the cemetery into the area now proposed for the extension. • There are some minor design changes proposed to that originally approved which focus on improving accessibility to the site for vehicles.
3.0	Recommendations:
3.1	<ul style="list-style-type: none"> • Note content of report and approve proposed layout for extension to Warrenpoint Municipal Cemetery. • Approve that work commence to bring this project to tender stage subject to ensuring proposals are in line with current planning approval. • 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.
4.0	Resource implications
4.1	Capital budget of £125,000.00 available for this project which will include Design Team Fees if required.
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 and it is not anticipated that the proposal will have any adverse impact upon equality of opportunity and good relations.
7.0	Appendices
	<p>Appendix 1: Site Plan of proposed extension and alterations to Warrenpoint Cemetery</p> <p>Appendix 2: Site Plan of cemetery approved under original planning approval application P 93 0113.</p>

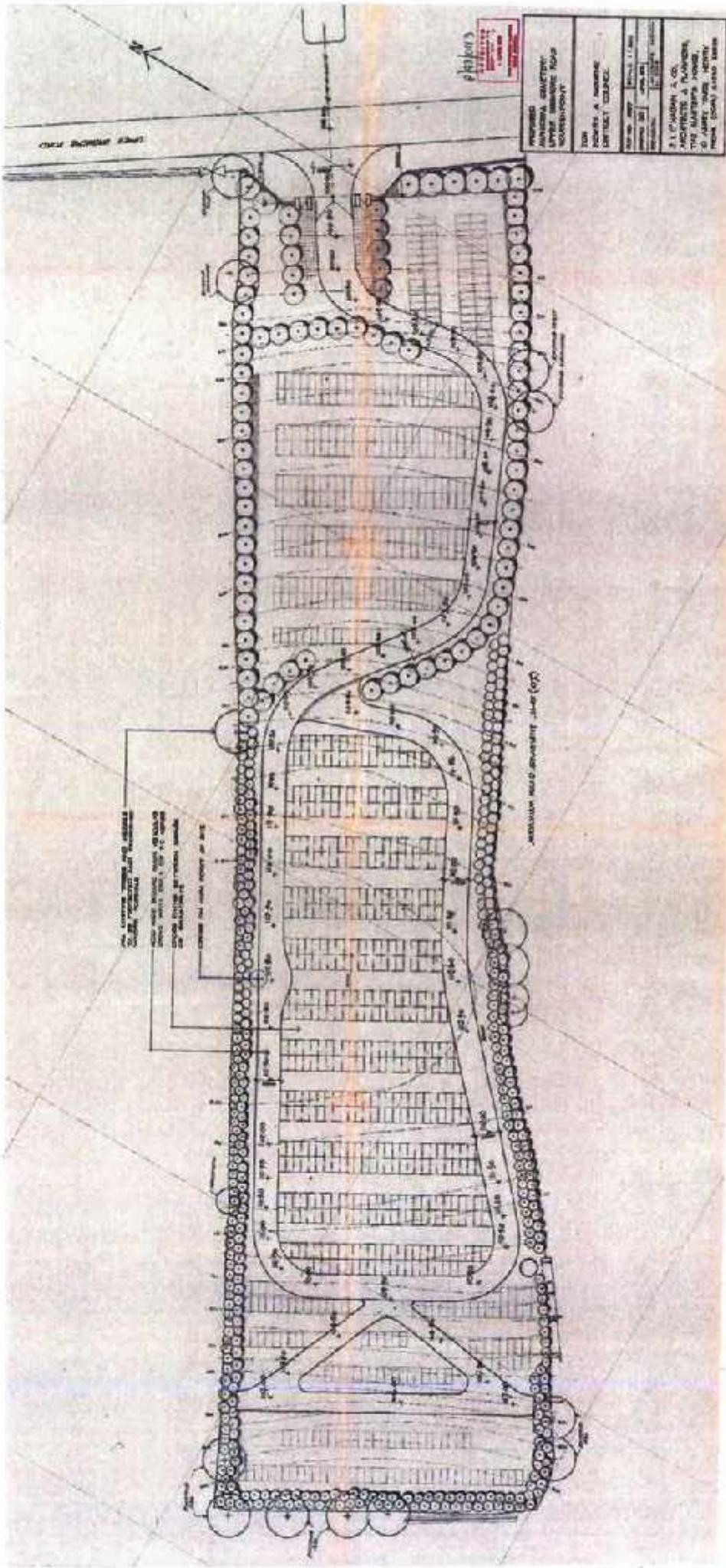


Downpatrick Offices
 Downpatrick Civic Centre
 Downpatrick Estate
 Ardara Road
 Downpatrick, P.O. Box 3
 Co. Down, BT27 4JG
 Tel: 0300 013 2233

www.newrytrustschemes.org

Proposed Extension and alterations to Warrenpoint Cemetery

DATE	SCALE	DATE	SCALE
VP/01	1:100	08/09/18	N/E
DATE	SCALE	DATE	SCALE
			J.S.



Report to:	Regulatory & Technical Services Committee
Date of Meeting:	22 nd August 2018
Subject:	Update on proposal to provide to local communities an environmentally sustainable option of planting Christmas Trees
Reporting Officer (Including Job Title):	Roland Moore, Director of Neighbourhood Services (Acting)
Contact Officer (Including Job Title):	Kevin Scullion, Assistant Director Facilities Management & Maintenance

Decisions required:

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 At this Committee's meeting in April 2018 a paper was presented concerning work coming out of the Council's Christmas Illuminations/Celebrations Group. The Committee agreed the following actions.

AGREED: On the proposal of Councillor Tinnelly, seconded by Councillor Ruane, it was agreed to recommend seeking agreement with local communities identified within the Report to the planting of a Christmas tree at an agreed location in the community where it could be shown that the site was suitable.

AGREED: It was also agreed that Officers investigate suitable site(s) within all the District Electoral Areas where sustainable trees could be planted for this season, including locations put forward by Members at the meeting – Kilcoo, Clough, Killyleagh.

Subsequent to this agreement a number of sites have been identified, some of which are easier than others to progress. Attached at Appendix 1 is a table summarising a list of sites in each DEA area. The list provides 15 sites and they are listed in order of which sites are considered most ready to be part of this project, with number 1 site considered most ready and number 15 least ready. Also attached at Appendix 2 are site plans containing photos of actual and potential locations. It will be noted that there are 2 sites in Newry DEA, 2 sites in Crotlieve DEA, 1 site in Slievegullion DEA, 2 sites in Mournes DEA, 5 sites in Slieve Croob DEA, 2 sites in Rowallane DEA and 1 site in Downpatrick DEA.

It will be noted that in relation to the second agreed action above that within the village of Clough there is already two planted Christmas trees on non-Council owned land which are maintained and lit by the Clough Community Association. Within the village of Killyleagh there is already a planted Christmas tree beside the walls of Killyleagh Castle on Council maintained ground which is lit by the local community. (Numbers 1 to 2 in Table 1)

	<p>With 8 of the sites identified there is no available power source which is essential if a planted tree is to be supplied with lights. There would be an additional cost to provide power to such sites and this cost could only be determined by making an application to NIE to provide power to the location. There would be a further additional cost to providing a suitable mini pillar. (Numbers 8 to 15 in Table 1)</p> <p>There are also 5 sites where a cut Christmas tree is erected each year and at these locations there is already a power source available (Numbers 3 to 7 in Table 1).</p> <p>Colleagues within the AHC Directorate have drawn up a Terms of Reference document which it is proposed to use for seeking expressions of interests from local communities within the areas identified in Table 1. This is attached as Appendix 3.</p> <p>If the Council proposes to proceed with this project for Christmas 2018 then it will need to purchase suitable Christmas trees for planting. This has been considered at the Council's Christmas Illuminations/Celebrations Group with a recommendation from Officers to purchase the species <i>Abies Nordmanniana</i> at a height of 4.5 metres. Attached at Appendix 4 is a photograph of this species.</p> <p>It is estimated that the purchase cost of such a tree would be in the region of £1700.00 plus costs to store the tree pending its planting plus the cost of planting the tree. There is no specific budget for this work although a budget of £35,000.00 does exist for the purchase of cut Christmas trees.</p> <p>Whilst the initial proposal was to establish a planted Christmas tree in each of the seven DEA's by Christmas 2018 it is considered, given the above complications with some of the sites identified, that this will not be possible. With existing trees in Clough and Killyleagh and potential sites with power available in Culloville, Rostrevor, Burren. Kilcoo and Gargory there is potential to roll out a pilot program for Christmas 2018 in these sites subject to community and landowner agreement. This would cover five of the DEA's with Newry and Downpatrick the only DEA's omitted. It is proposed that this should form the basis of the pilot program for 2018.</p>
2.0	Key issues:
2.1	<ul style="list-style-type: none"> • Council has established a Councillors' Christmas Illuminations/Celebrations Group to agree a three to five year programme for how Council will help local communities across the district celebrate Christmas. • A proposal arising out of this Group is the offer to provide a "starter kit" to local communities comprising a planted Christmas tree in an agreed location with an initial height of 4 to 4.5 metres. • The Group seeks to have a number of pilot sites in operation by Christmas 2018 and this report seeks approval to look to establish this in 7 identified sites. • Work undertaken by Officers has identified seven sites, covering all DEA's except Newry and Downpatrick which could be rolled out before Christmas

	2018 subject to purchase of suitable Christmas trees (5 number), agreement with relevant local communities and landowners
3.0	Recommendations:
3.1	<ul style="list-style-type: none"> • Council adopt the proposed Terms of Reference as provided in Appendix 3 - Terms of Reference for Expression of Interest Exercise – Sustainable Christmas Tree Pilot Scheme 2018 • Council agree to purchase of five number Christmas trees of the species Abies Nordmanniana at a height of 4.5 metre (from ground level to tip) for planting at five agreed locations. • Council seeks 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.
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> <p>Starter Pack costs for seven groups - £15,000.00 – see Terms of Reference document.</p> <p>Recurring costs – Annual pruning costs of Christmas tree when required.</p> <p>Insurance costs</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 and it is not anticipated that the proposal will have any adverse impact upon equality of opportunity and good relations.
7.0	Appendices
	<p>Appendix 1: Table 1 Christmas tree planting proposals 2018</p> <p>Appendix 2: Site Plan and Photographs of existing or proposed sites</p> <p>Appendix 3: Terms of Reference for Expression of Interest Exercise – Sustainable Christmas Tree Pilot Scheme 2018</p> <p>Appendix 4: Photograph showing Abies Nordmanniana tree</p>

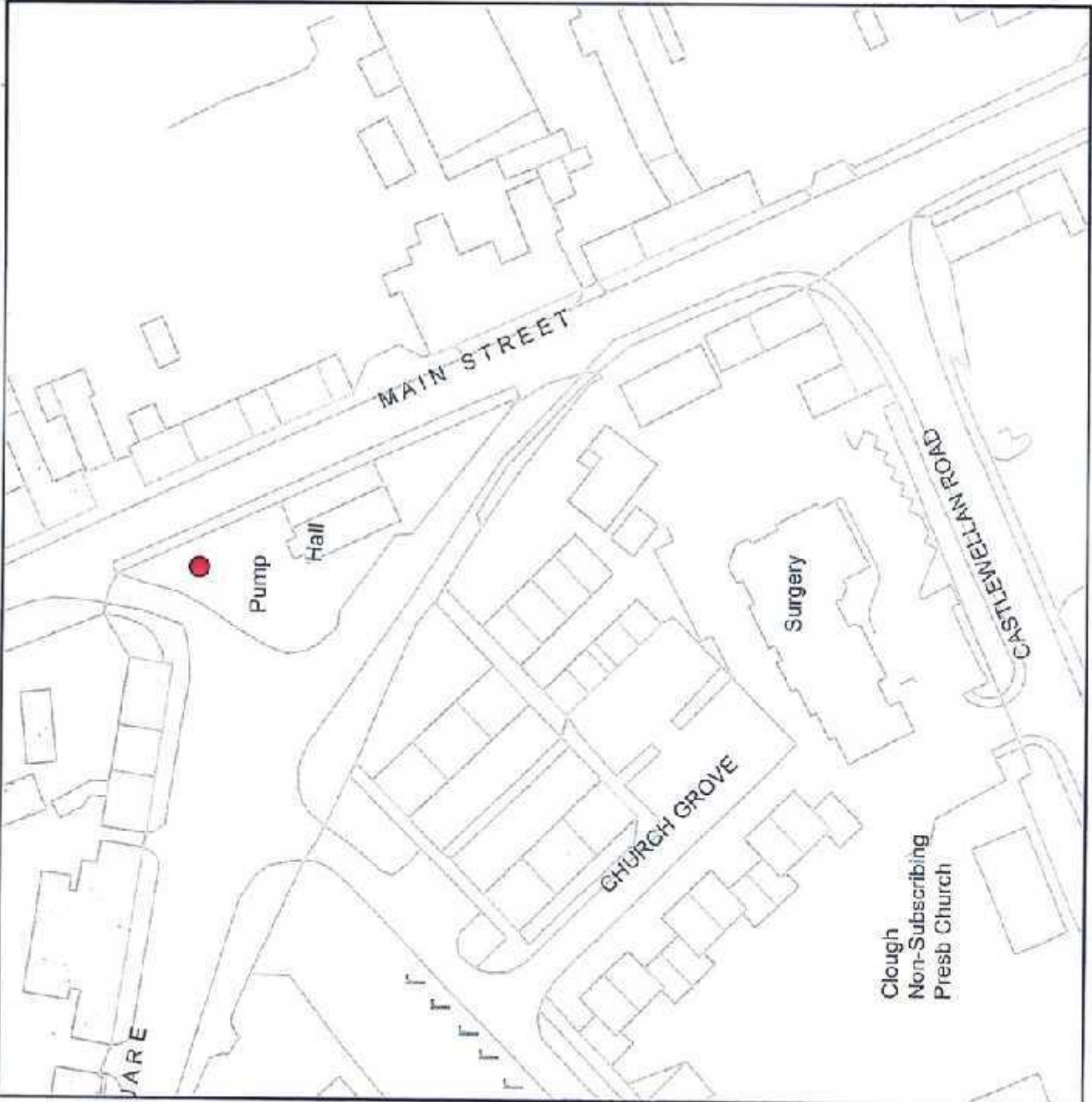
Appendix 1**Christmas tree planting proposals 2018**

Number	Location	Planting option Y/N	Power available Y/N/?	DEA	Location
1	Clough	Two trees already planted and used as Christmas tree with lights.	Y	Slieve Croob	Private land beside Old School building managed by Clough Community Association
2	Killyleagh	One tree already planted and used as Christmas tree with lights.	Y	Rowallane	Beside Killyleagh Castle on land maintained by Council
3	Rostrevor	Y	Y	Crotlieve	Council owned at the Square.
4	Burren	Y	Y	Crotlieve	Beside Burren Community Centre
5	Culloville	Y	Y	Slievegullion	Council maintained land in village, across from Spar Shop
6	Gargory	Y	Y	Slieve Croob	In grounds of St Patrick's Church
7	Killcoo	Y	Y	Mournes	On green area beside Mullandra Park. Land owned by NIHE
8	Castlewellan	Y	N	Slieve Croob	Council owned green area at Lower square.
9	Crossgar	Y	N	Rowalanne	Council owned green area beside Public Toilets and Play Park
10	Strangford	Y	N	Downpatrick	Council owned green area in centre of village.
11	Attical	Y	N	Mournes	Council owned green area across from Holy Cross RC Church
12	Clough	Y	N	Slieve Croob	Council owned Lay by area just outside village.
13	Meigh	Y	N	Newry	Council owned grass verge beside Council Community

					Building
14	Moneyslane	Y	N	Slieve Croob	Private land beside Dechomet Cemetery and Historic Flax Chimney
15	Newry	Y	N	Newry	Private land on grounds of Newry Hospice

Christmas Tree Project 2018

Existing site for Christmas tree in Clough as indicated on the opposite map by a red dot. See attached photograph.



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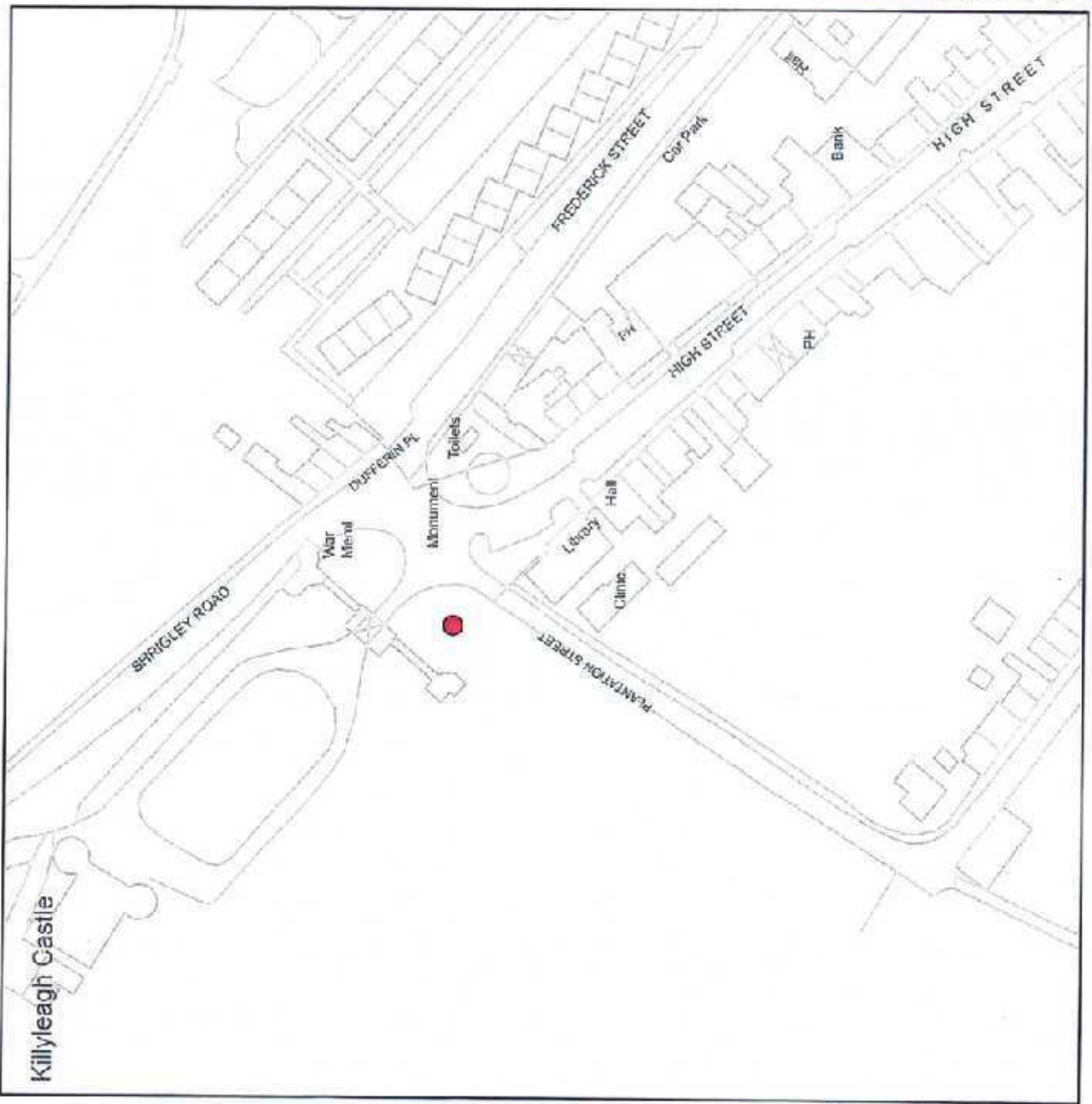


Christmas Tree Project 2018

Proposed site for Christmas tree in
Killyleagh as indicated on
the opposite map by a red dot.
See attached photograph.



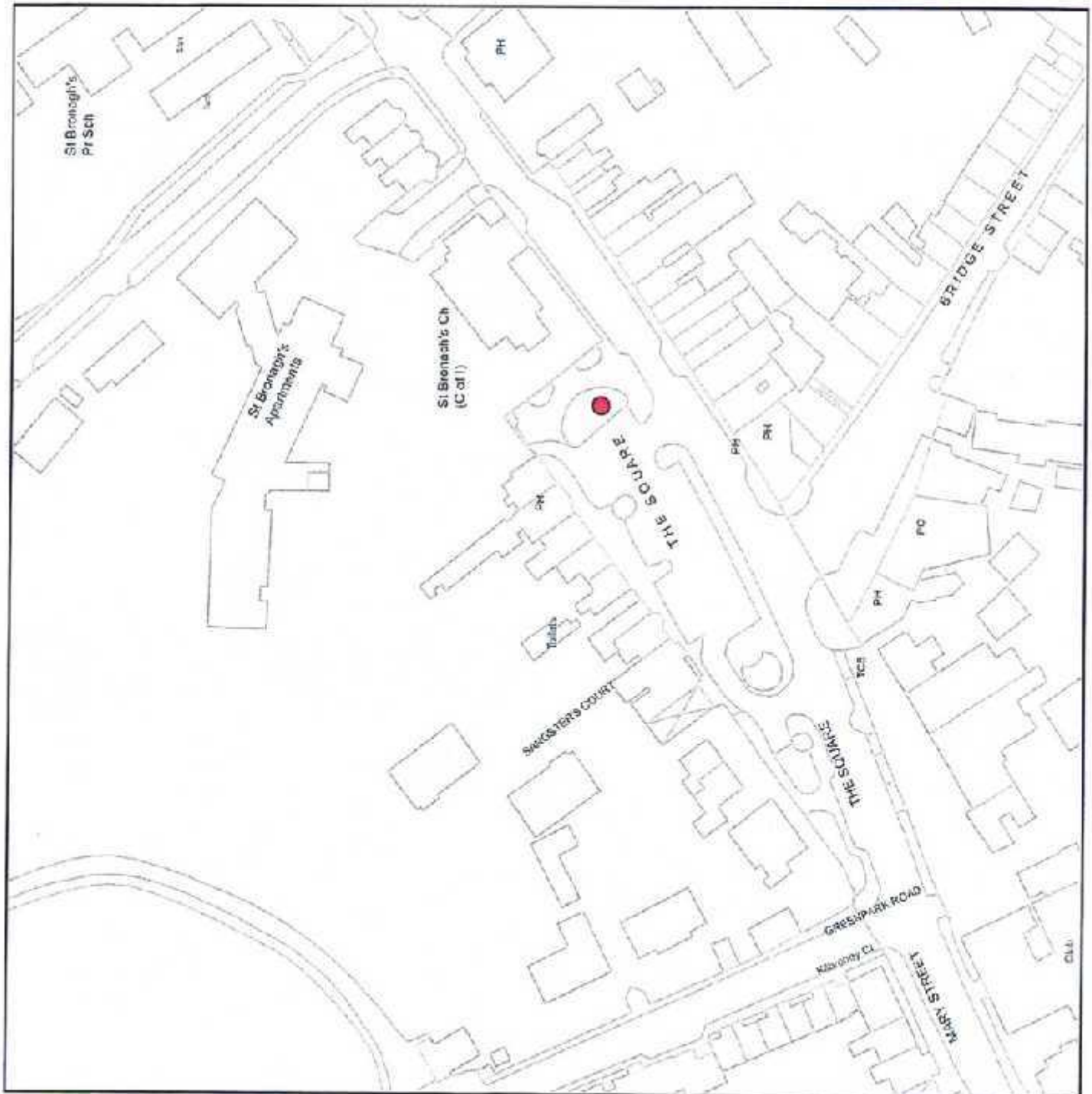
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Killyleagh Castle

Christmas Tree Project 2018

Proposed site for Christmas tree in Rostrevor as indicated on the opposite map by a red dot. See attached photograph.

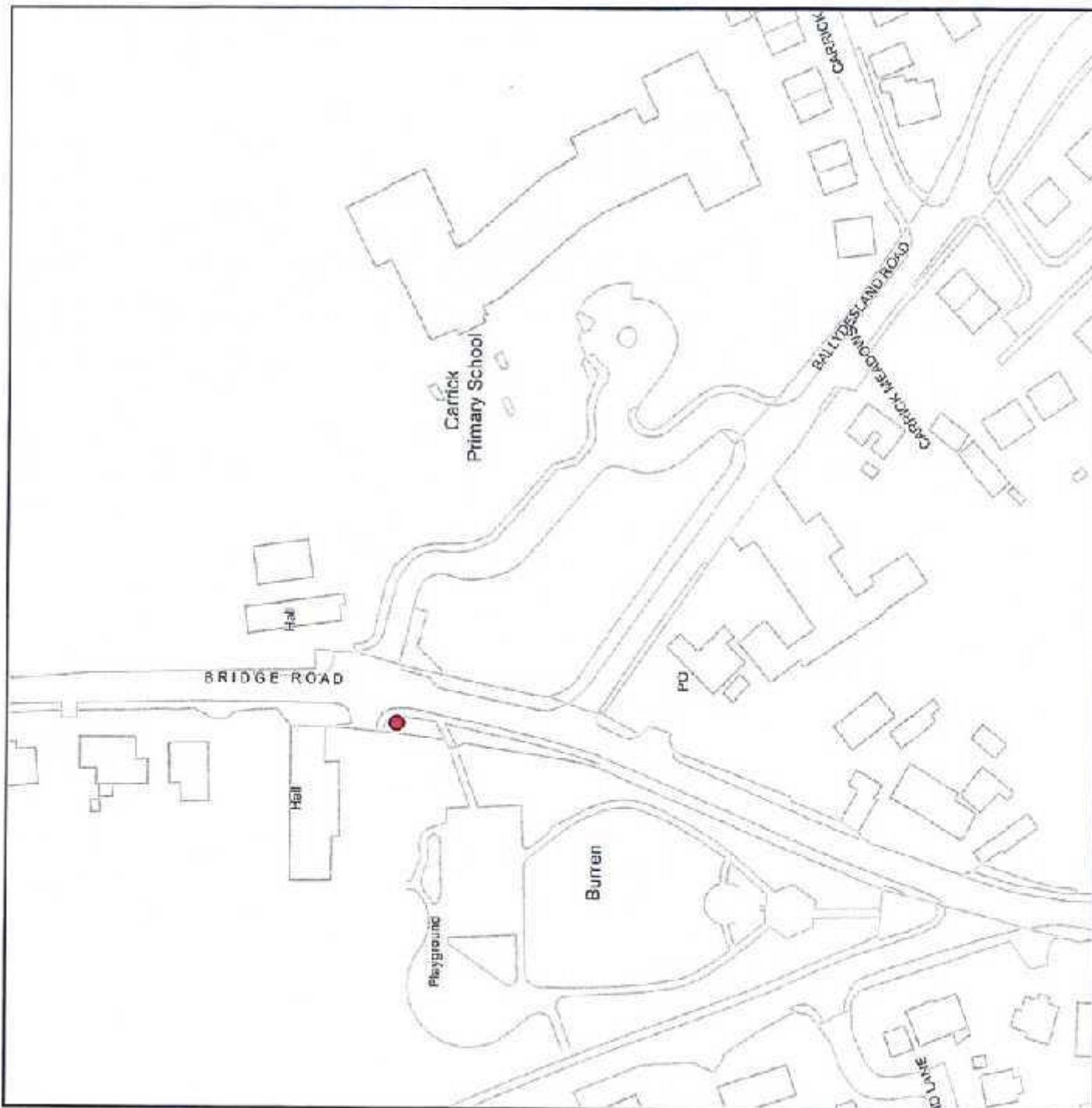


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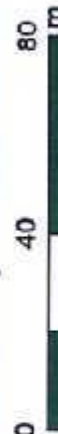


Christmas Tree Project 2018

Proposed site for Christmas tree in Burrenas indicated on the opposite map by a red dot.
See attached photograph.

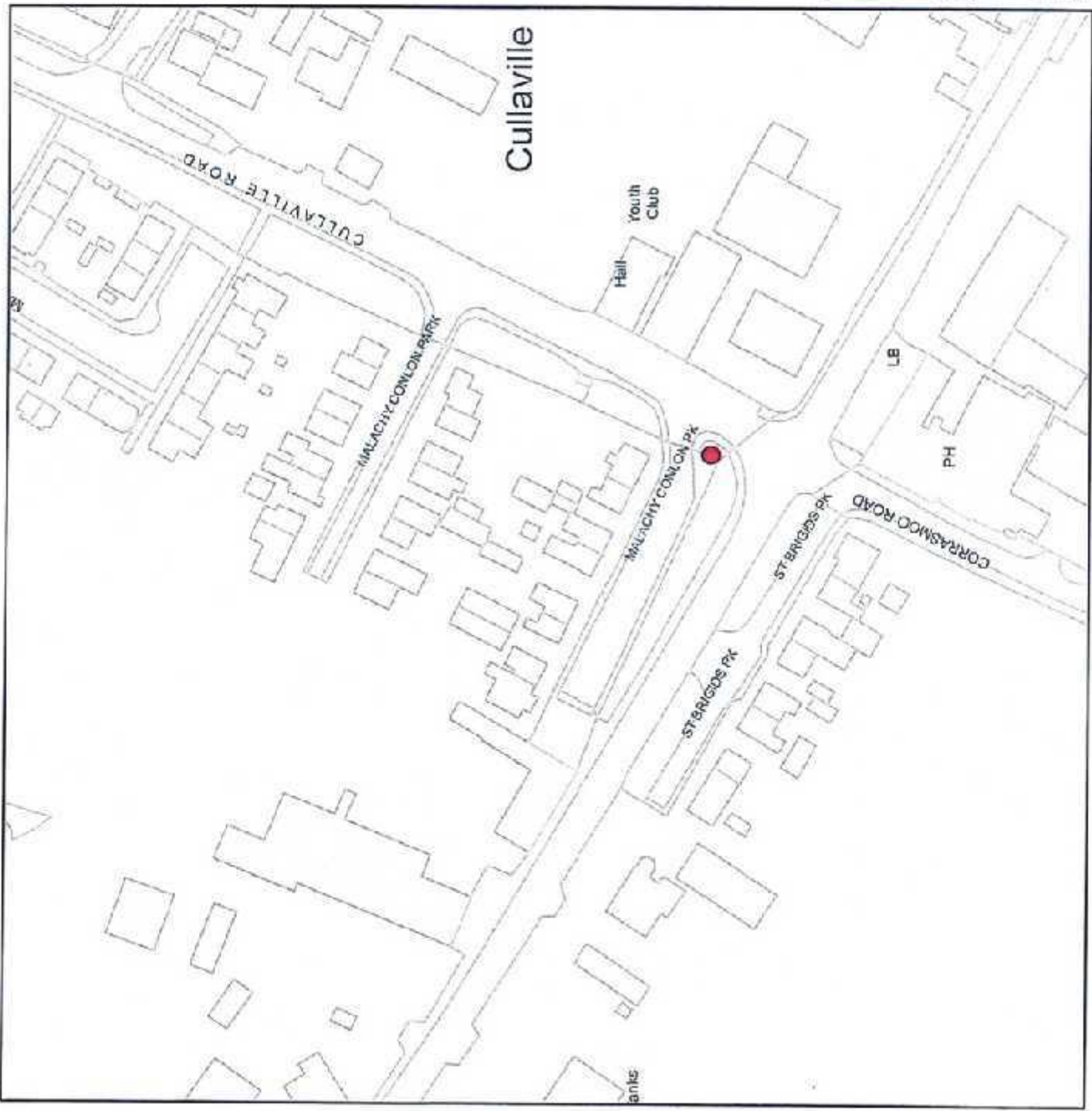


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Christmas Tree Project 2018

Proposed site for Christmas tree in Cullaville as indicated on the opposite map by a red dot. See attached photograph.

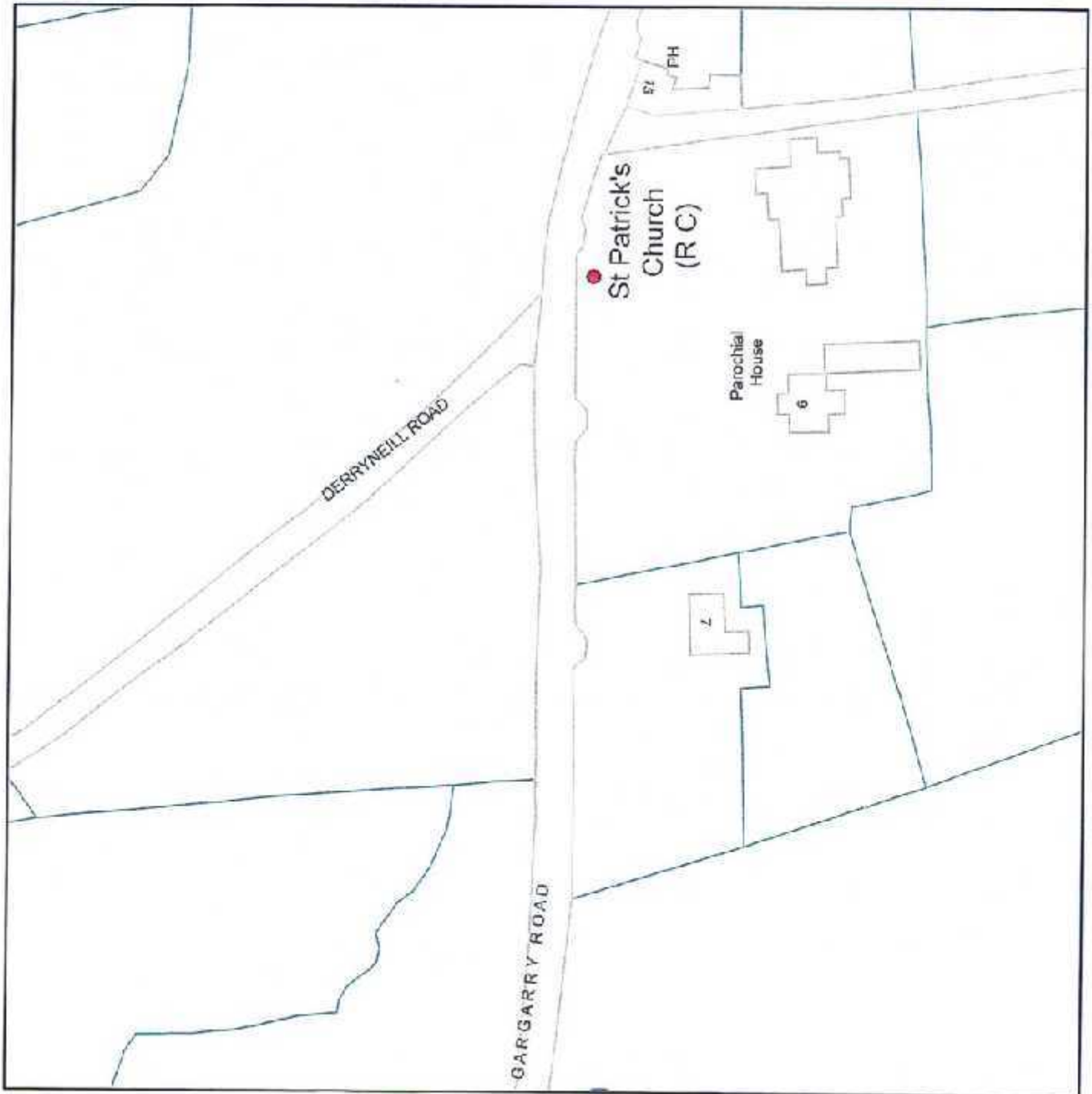


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Christmas Tree Project 2018

Proposed site for Christmas tree in Gargarry as indicated on the opposite map by a red dot. See attached photograph.

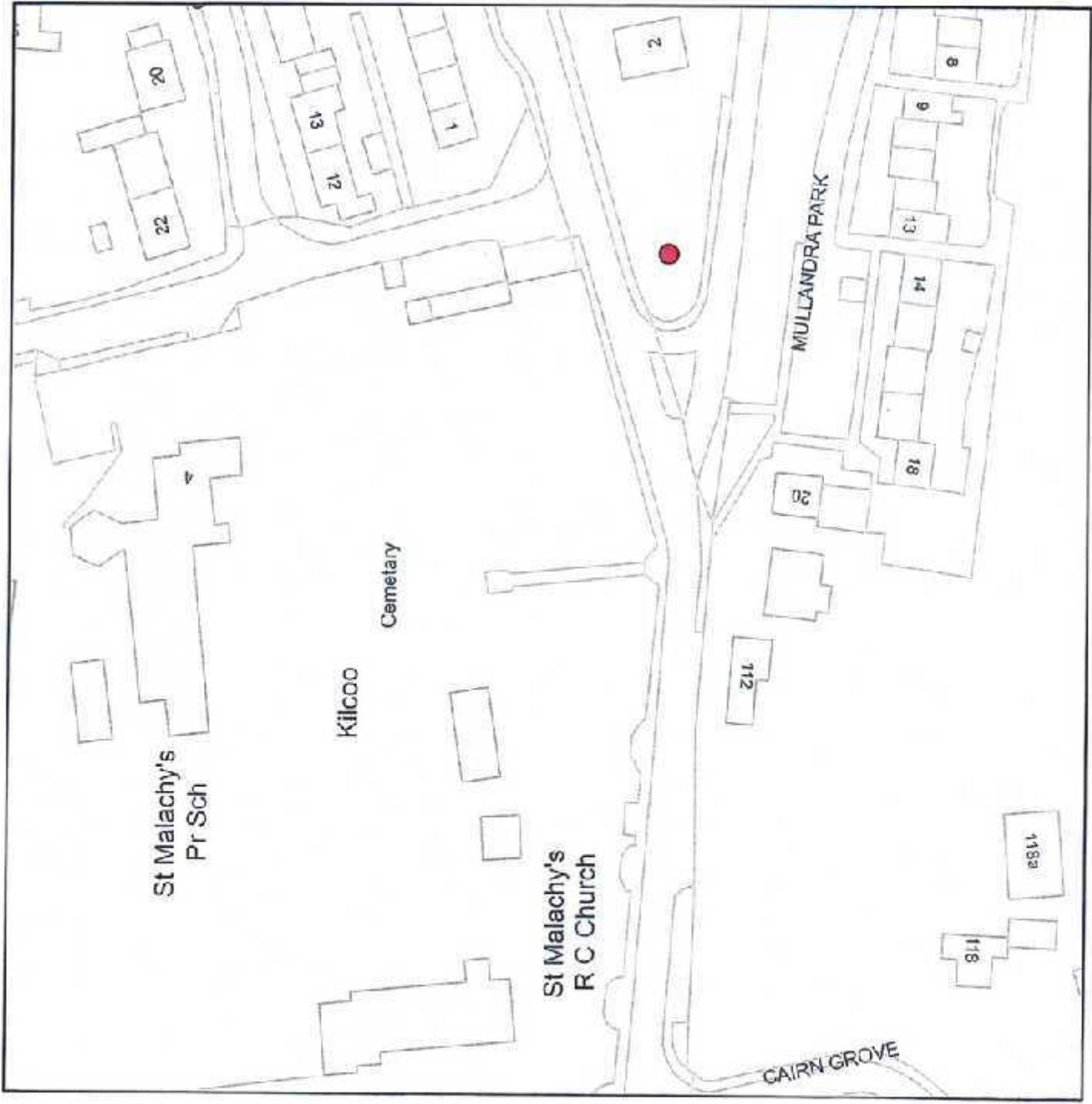


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Christmas Tree Project 2018

Proposed site for Christmas tree in Kilcoo as indicated on the opposite map by a red dot. See attached photograph.



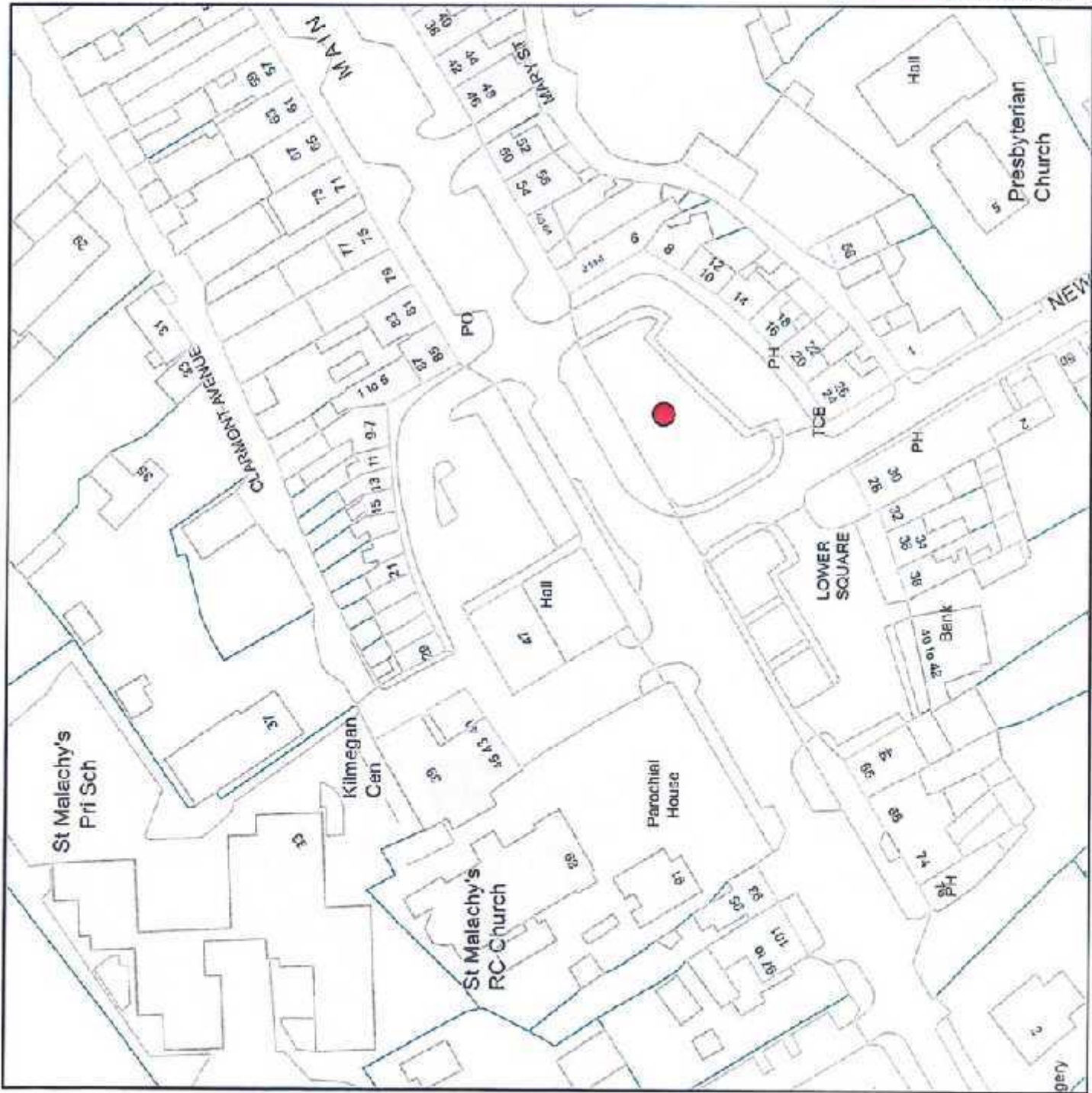
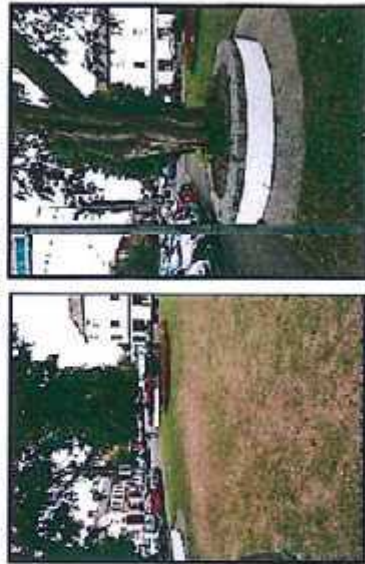
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Christmas Tree Project 2018

Lower Square, Castlewelan - Proposed site for Christmas Tree as marked on plan as red dot.

Attached below are photographs of site: Photograph 1 shows the proposed location and a Photograph 2 shows a tree to be removed and replaced with low lying plants. Tree to be removed is dead and being removed because of this.

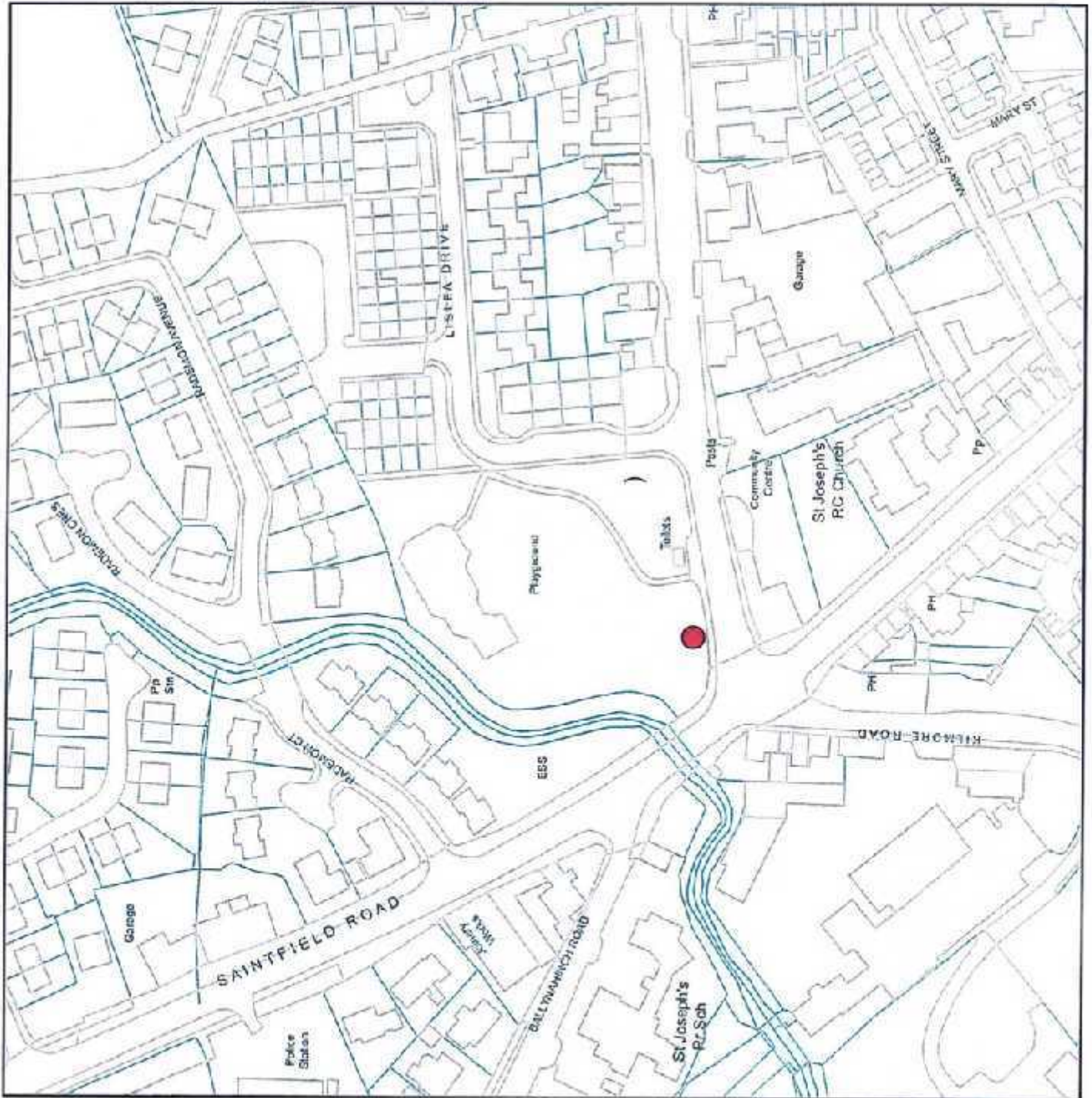


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Christmas Tree Project 2018

Proposed site for Christmas Tree in Crossgar adjacent to Crossgar Public Toilets, marked on the plan as a red dot. See attached photographs below.

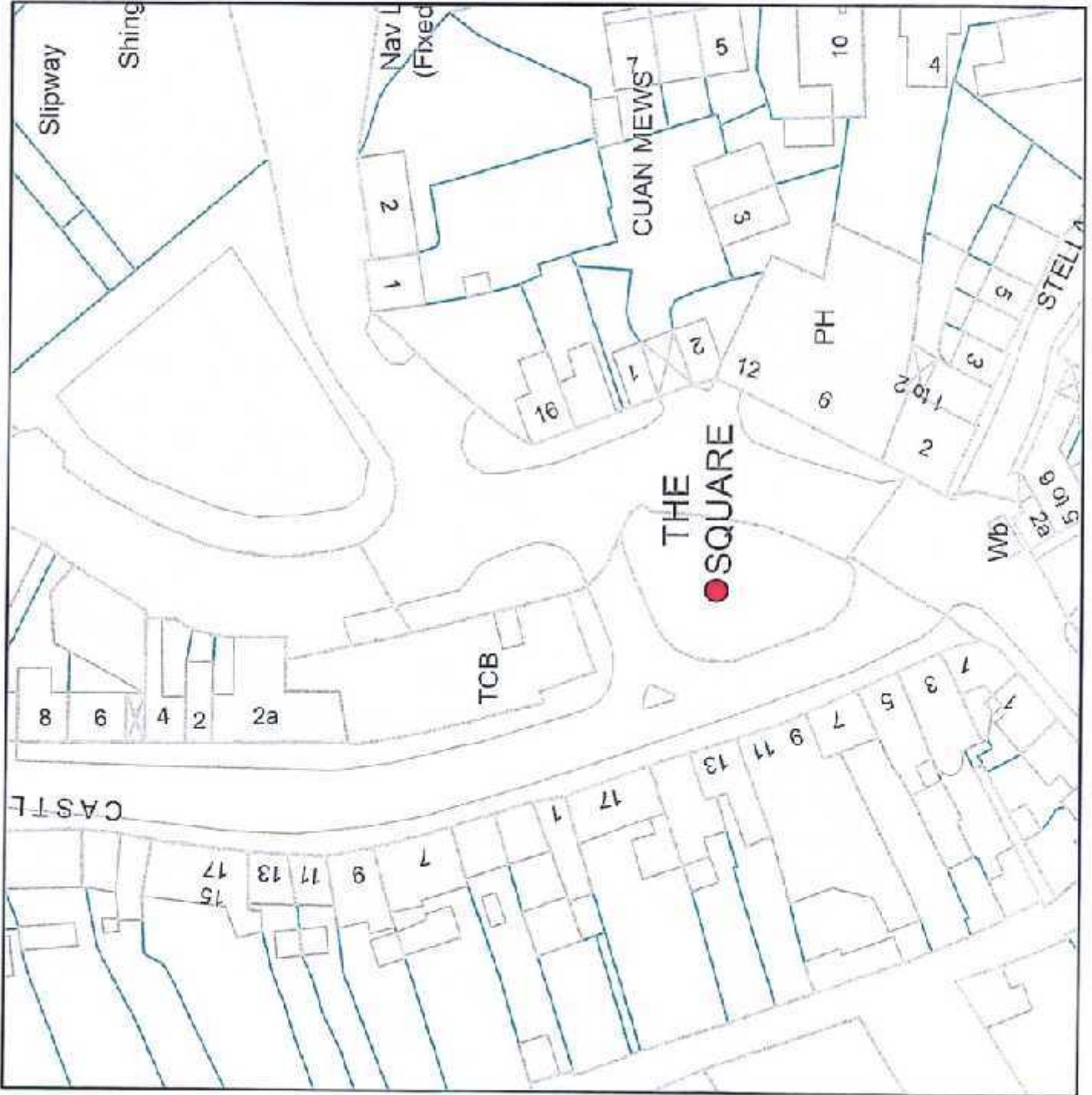


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Christmas Tree Project 2018

Proposed site for Christmas tree in Strangford.
Position of Christmas Tree marked with red dot on map. See attached photographs.

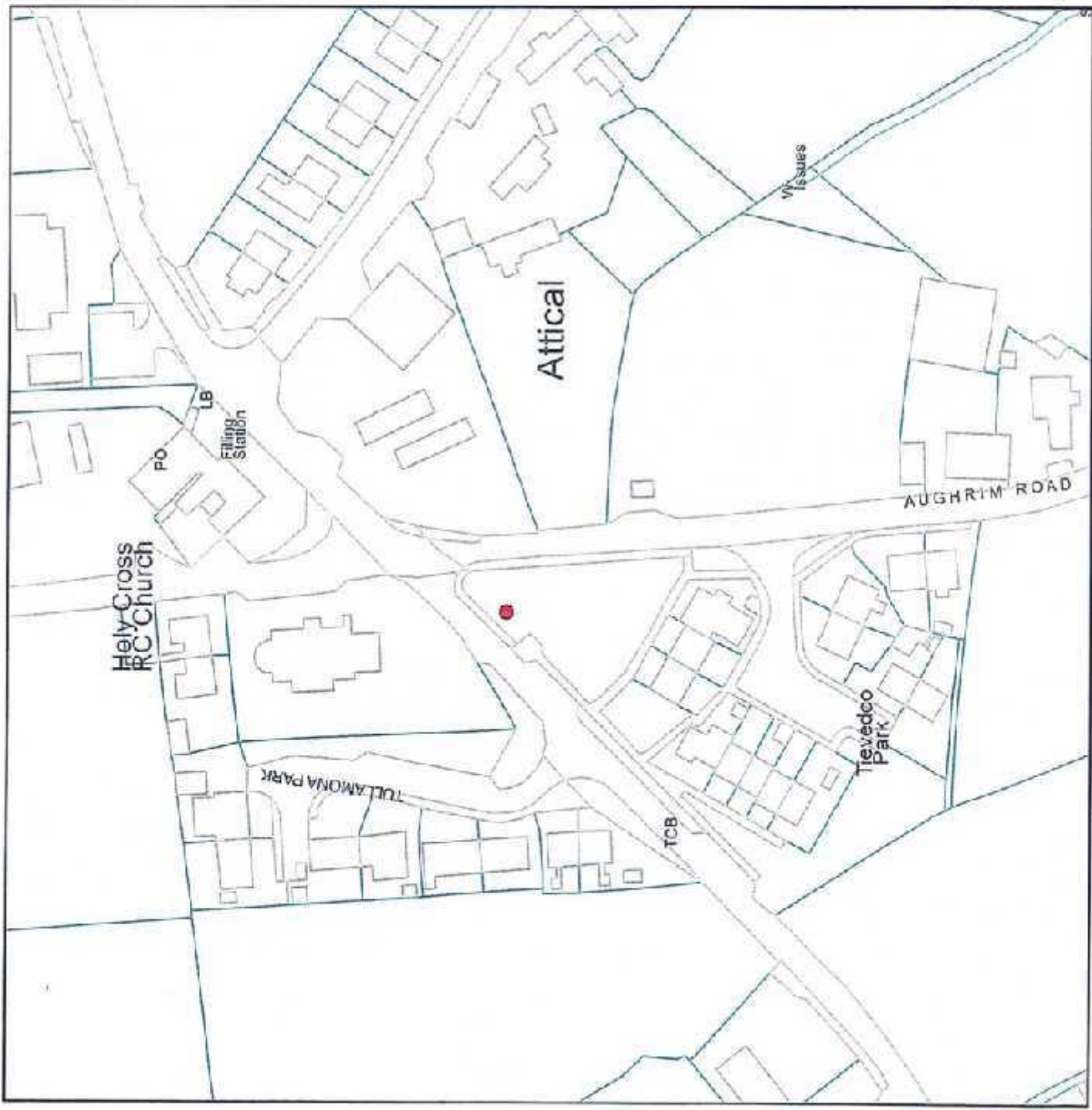


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Christmas Tree Project 2018

Proposed site for Christmas tree in Attical as indicated on the opposite map by a red dot. See attached photograph.

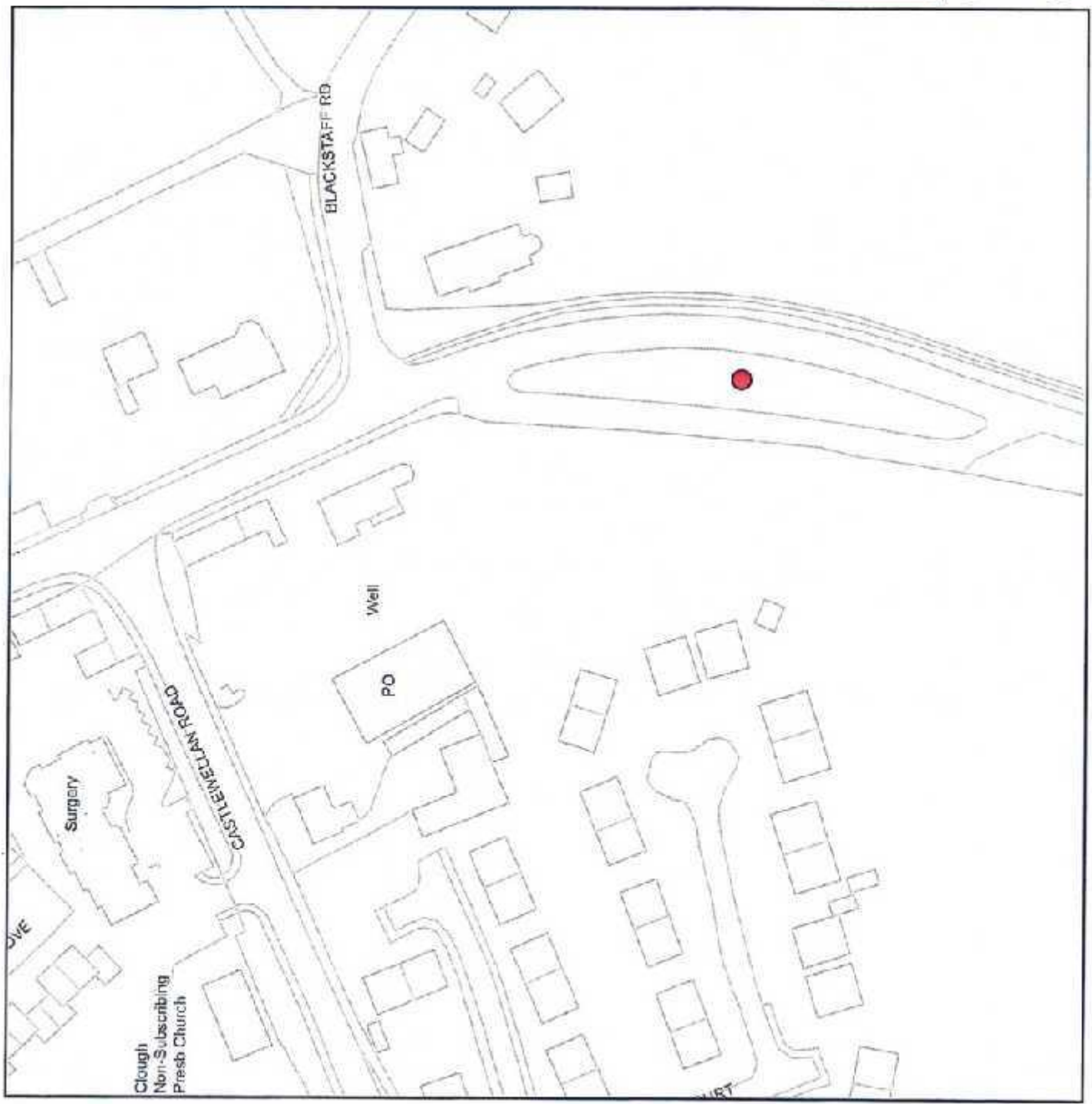


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Christmas Tree Project 2018

Proposed site for Christmas tree in Clough as indicated on the opposite map by a red dot. See attached photograph.

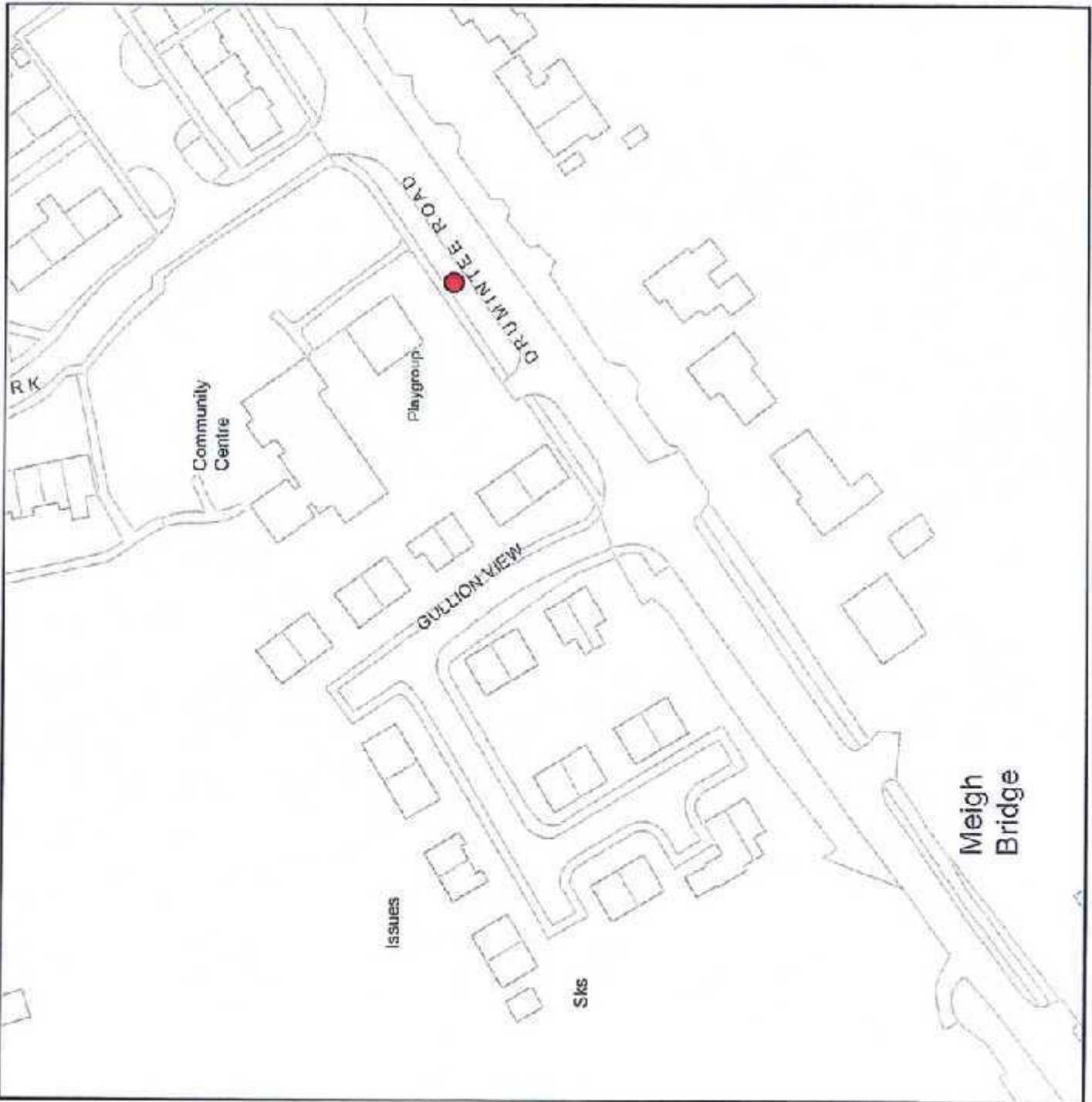


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Christmas Tree Project 2018

Proposed site for Christmas tree in Meigh as indicated on the opposite map by a red dot. See attached photographs.

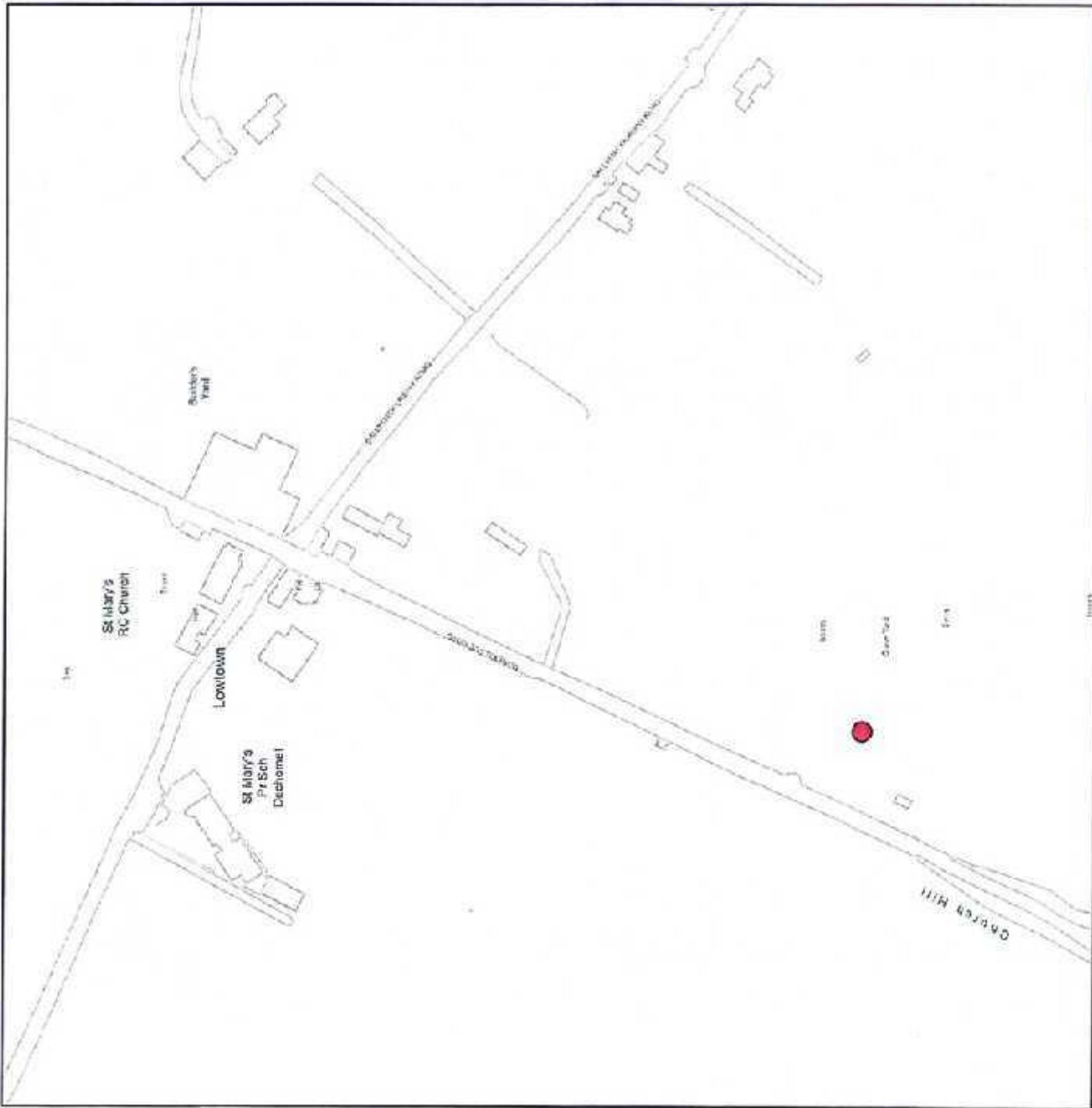


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Christmas Tree Project 2018

Proposed site for Christmas tree in Moneyslane as indicated on the opposite map by a red dot. See attached photograph.

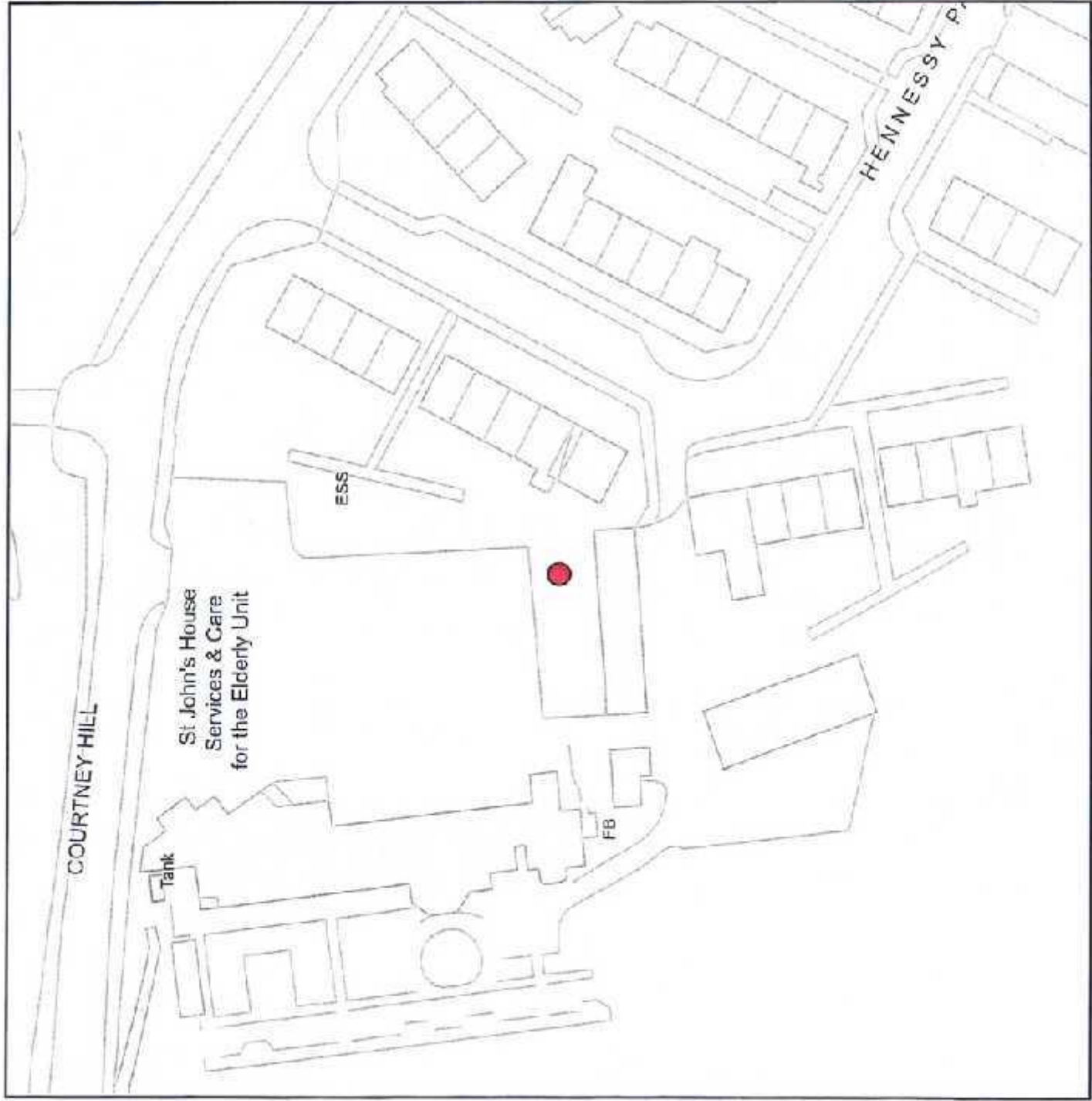


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Christmas Tree Project 2018

Proposed site for Christmas tree at Newry Hospice, as indicated on the opposite map by a red dot.
See attached photograph.



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Appendix 3

Terms of Reference for Expression of Interest Exercise – Sustainable Christmas Tree Pilot Scheme 2018

Background

Council makes a significant financial expenditure in helping local communities celebrate Christmas. It does this directly through provision of Christmas trees in 26 locations, the provision Christmas illuminations, and organising a number of "Switch On" Events with associated entertainment.

Additionally, Council also indirectly supports local communities by providing grant aid support through Council Financial Assistance Programmes/Rates with local community organisations using this grant aid to provide their own celebrations.

Whilst Council recognises the importance in supporting community Christmas events, Council also understands that due to the expansion of the District, it must now look at more sustainable approaches to providing support.

To ensure equality, sustainability, as well as the quality of support provided, the Council must review a range of available options that will allow for continued support to community groups for Christmas illumination events.

Aims

The aim of the engagement process should be to maximize community input and ensure equality in the development of a more sustainable approach to Council supported Christmas illuminations.

- 1). Help Council develop a sustainable community based approach to Christmas illumination events (Sustainable Tree Pilot)
- 2). Explore and maximize existing community resources in regards to Christmas Illuminations
- 3). Ensure equality of approach across communities within the District
- 4). Encourage community ownership of Christmas illumination events

How will we initiate this pilot?

The Council is seeking Expressions of Interest from local Community Organisations based in a number of villages/towns to partner with the Council in the provision of sustainable Christmas trees. This is a pilot programme which will be evaluated to

determine whether a sustainable Christmas tree model should be rolled out across the District.

Locations in DEA's will be selected following an initial suitability exercise, specifically looking at:

- Sites where local communities have already established a planted Christmas tree which is used as a focus for local Christmas celebration.
- Council owned sites where a Christmas tree has been erected before and power sources is already available
- Outside towns/villages currently receiving support through ERT

How do we hope to engage the community?

Each relevant DEA coordinator will contact known community organisations within specified pilot locations and invite representatives to attend an informal meeting. Following discussion, interested community organisations (multiple groups eligible) can enter into an agreement with the Council outlining future Christmas tree provision.

Community Organisations will be consulted to ensure a sustainable tree is the best option locally.

At outset, a short survey will be completed to determine:

- What current support does this community currently receive from Council/other funders?
- What local events are rolled out (if any)?
- What format do these events take and how many people attend (approx.)?

This data will inform an evaluation of the pilot following implementation in December 2018.

In summary (and following local consensus):

Council Responsibility

The Council will provide the following:

- Provision and planting of one No Christmas tree (*Abies Nordmanniana*) of approximately 4.5 m high (except where suitable tree already exists)
- Annual pruning/maintenance of tree (where necessary)
- Insurance cover
- Starter pack including: (£2,500 approx)

One-off tree illuminations package	£1,250
Community planning event/meeting (s)	£ 150
One-off Christmas switch on event	£1,100

Community Partner(s) Responsibility

The Community partner will be responsible for the following:

- Annual Dressing/lighting of tree
- Resourcing and organisation and delivery of Annual Switch on Event for the local community
- Evaluation of local Christmas events.

Appendix 4



Report to:	Regulatory & Technical Services Committee
Date of Meeting:	22 nd August 2018
Subject:	Update Report on Translink's program for installation of bus shelters in Council area
Reporting Officer (Including Job Title):	Roland Moore, Director of Neighbourhood Services (Acting)
Contact Officer (Including Job Title):	Kevin Scullion, Assistant Director Facilities Management & Maintenance

Decisions required:

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

The Council is empowered under the Local Government Miscellaneous Provisions (NI) Order 1985, with the consent of the Department of Regional Development, to erect and maintain on any road within the district, shelters for the protection from weather of persons waiting to enter public service vehicles.

At its Monthly Meeting held on 7th September 2015 the Council agreed a policy and set of procedures to be used to address requests for the erection and removal of bus shelters in the Council area.

Translink also provide bus shelters and they too have a policy for considering requests. This Committee has previously agreed that requests received by Council should be raised with Translink to determine if the request would meet their criteria and if they would agree to provide and maintain the requested shelter.

Officers now consult with Translink concerning requests received. At this Committee meeting in January 2018 it was reported that Translink had confirmed that five such requests had met their initial assessment criteria and would progress to the next stage of their process. The sites were:

1. Killough Road, opposite caravan park (38).
2. Hilltown (opposite Spelga Park) (33).
3. Glassdrumman Road, Annalong, (Halfway House stop, Newcastle direction) (36).
4. Bryansford Road, Newcastle, (St Johns St Marys stop) (49).
5. Glassdrumman Road, Annalong, (Mullartown Heights stop - Killeel direction) (47).

Officers have recently contacted Translink for an update on progress with these applications and have been advised that Translink do not do not currently have funding for the replacement nor installation of bus shelters. Translink state that they are in the process of drafting an economic appraisal for submission to DfI for

	<p>the installation, relocation and refurbishment of a number of bus shelters over a 3-year project.</p> <p>At this stage Translink are not in the position to confirm timeframes for the submission of this economic appraisal and indeed whether funding will eventually be made available from DfI, given the current economic climate.</p> <p>They confirm that all requests for new bus shelters are currently being recorded and Translink's Technical Team are helping to prioritise these requests in terms of operational demands and associated performance criteria. Translink currently have in excess of 200 new shelter requests. They advise that when/if funding becomes available the highest priority sites will be considered for implementation. The number in brackets after each of the five applications above are an indication of their individual rating as a priority, the lower the number the higher the priority.</p> <p>Translink also confirmed that the bus shelter requests put forward by this Council have been recorded and are being assessed.</p>
2.0	Key issues:
2.1	<ul style="list-style-type: none"> • Translink has been consulted on requests for bus shelters received by Council and have confirmed a number that they propose to consider for installation subject to funding being made available. • They are unable at this time to provide a timeframe for when such funding will become available or when any such bus shelters will be installed.
3.0	Recommendations:
3.1	For noting.
4.0	Resource implications
4.1	None 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 of opportunity and good relations.
6.0	Rural Proofing implications
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	Appendices
	None

Report to:	Neighbourhood Services Committee
Date of Meeting:	22 August 2018
Subject:	Strategy to address Dog Fouling
Reporting Officer (Including Job Title):	Mr Joe Parkes Asst 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>Council considered a Report in June as advised that The Street Cleanliness Index for our District had highlighted unacceptable levels of dog-fouling .Paper as was presented to the Committee identified a need to implement a Strategy to address this problem , both for Streets and also for open places , with a 'brand' against which the strategy could be developed .</p> <p>It is considered that a Strategy may take a number of months to develop, with involvement required across Directorates.</p> <p>It is considered that action should now be taken on a phased approach as part of the Dog Fouling Strategy and to begin to engage with dog owners and to highlight to them ,as to the need to clean up after their pets.</p> <p>In this context , a working group comprising Officers from Enforcement and Marketing have met and in conjunction with a design agency have designed a 'brand' to be utilised going forward within the Dog Fouling Strategy.</p> <p>Pictorial for 'brand' is as detailed Appendix 1.</p>
2.0	Key issues
2.1	<p>A recent survey has indicated unacceptable levels of dog-fouling on our streets . The incidence of dog-fouling can be speedily addressed with the implementation of a campaign to bring this problem to the fore and to make dog-owners aware as to their responsibilities .</p> <p>Approach to address this matter is proposed to be undertaken in two –phases ;</p> <p>Phase 1 : Immediate</p> <p>Approve 'brand' and to launch the brand with a publicity campaign with a sticker to be placed on every litter –bin in our District .</p> <p>In addition, any current dog-fouling signage to be replaced with the new 'brand' pictorial. This approach to allow for a sharp approach ,designed to address the findings of the Street Cleanliness Survey and comments from members .</p> <p>Phase 2 : Within 3 months</p> <p>Completion of Strategy , with other areas to be addressed ;</p> <p>*dogs on leads area,possible extension to all grassed areas</p>

	<p>*consideration of ban for dogs from playing fields and review for bye-laws *joined –up approach with Grounds,Openm Spaces and other Directorates *legal considerations and Enforcement *future advertising and outreach *monitor effectiveness and receipt of initial campaign</p>
3.0	Recommendations
3.1	<p>It is recommended :</p> <ol style="list-style-type: none"> 1. Committee to consider and 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). 2. Committee to approve a two-phased approach to the completion of the Strategy ,with : Phase 1 to provide pictorial 'brand' to all litter-bins throughout the District and also to be used in any Dog-Fouling signage erected by Enforcement Officers. Phase 2 to engage with other Directorates to agree a confirmed Dog-Fouling Strategy for recommendation to the Council , target completion ,end – December 2018..
4.0	Resource implications
4.1	<p>Cost of signage to be displayed at Phase 1 :</p> <ul style="list-style-type: none"> -Brand Design (complete) £650 -2000 no.stickers A4 and A5 £751 <p>Stickers to be placed by existing staff.</p> <p>Costs of Phase 2 (to be confirmed)</p>
5.0	Equality and good relations implications
5.1	None considered to impact .
6.0	Rural Proofing implications
6.1	None considered to impact
7.0	Appendices
	Appendix 1 :Brand image pictorial for Dog Strategy Campaign
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> <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</i></p>

	<i>report.</i>
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Pick Up The Poo

Before They Do!



**Not lifting your dog poo is CRIMINAL.
ON THE SPOT FINE £80**

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

Report to:	Regulatory and Technical Services Committee
Date of Meeting:	22 August 2018
Subject:	Brown bin project report
Reporting Officer (Including Job Title):	Mr Joe Parkes Assistant Director - Waste Management
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 To advise the committee as to initiatives undertaken with respect to the implementation of the Food Waste Directive and subsequent implementation of a Brown Bin collection service for all households in district.

1.2 Distribution of bins

Waste Service commenced a distribution of 140L Brown Bins to 27,500 households who previously did not have a Brown Bin service, which commenced April 2017. Distribution continued through to October 2017, with bins, caddies and liners provided free of charge, to be discontinued December 2017, but subsequently extended to March 2018.

Officers also identified that a considerable number of other households, estimated at 3,000 households to which bins had previously been proposed to be distributed, had either lost or not taken a Brown Bin. The majority of these households were distributed with bins by March 2018 (free).

A decision was taken in March 2018, to extend the cut-off for Brown Bins to June 2018 and subsequently to August 2018.

The issue of free Brown Bins since the end of March 2018 has been as follows:-

DATE	NOS OF BINS ISSUED
April/May/June	1051
July/August	201

Analysis of addresses indicates that current deliveries are mainly for new homes.

1.3 Participation by Householders and Incentives to recycle.

Within the project, a need was also identified to promote the Brown Bin scheme and to encourage participation by Householders.

A Communications grant was successfully sought from DAERA, with approximate £60,000 grant aid spent on various communication initiatives e.g. Stickers to bins and Recycle Right leaflet delivered to all households.

1.4 Issue of Food Waste Caddy Liners

Similarly Food Waste Caddy Liners were made available, free of charge, at 29 collection points to householders.

In total £95,000 was spent on liners with approximately 50,000 left from the purchase lot of 125,000.

Drawdown has been steady. There should be sufficient liners at the current drawdown to last for the remainder of the financial year.

1.5 Costings

Costs associated with the project have been significant.

ITEM	COST (£)	COMMENT
1. Additional 3000 bins	50,000	Distributed to homes from previous distribution
2. Provision of liners	95,000	
3. Communications	60,000	Grant-Aid

2.0 Key issues

2.1 (a) The additional bins and food waste liners have been purchased from savings in Black Bin disposal costs. Any further savings that had been anticipated have been removed as part of the rates estimates 18/19.

(b) Additional staffing and vehicle costs have also been provided for, pending Route Organisation and decision to be made regarding future collection models for the waste collection system.

(c) Meeting has been held with representatives from AHC, with food caddies to be distributed at primary schools by the Education Officers as part of a Schools Outreach Program relating to recycling, during September/October/November 2018. A quantity of food caddies has been held in this respect.

Evaluation:

An evaluation of the food waste project and extension of the Brown Bin Collection Service identifies the following key facts:-

2.2 Brown Bin waste compared in the two most recent years, indicate that Brown Bin wastes have increased by approximately 5,000 tonnes.

2.3 In the same period, Black Bin waste has decreased by approximately 6,000 tonnes with Blue Bin tonnage having increased by 425 tonnes.

2.4 Analysis indicates a re-distribution of wastes from Black Bins into Blue and Brown Bins, with the balance possibly received at Household Recycling Centres.

2.5 Initial indications are that the project, to redistribute Brown Bin wastes from Black Bin to Brown Bins has been a resounding success, with the Council's recycle rate increasing from 40.6% to 46.2% and currently 57% in the first quarter 2018.

2.6 It is apparent ref: the Communication Strategy and free issue of food waste bags, that these items have had a significant impact on the successful implementation of the Food Waste project.

3.0	Recommendations
3.1	A final call for free issue of brown bins to be undertaken, with the intention to discontinue the free issue of bins effective 30 September 2018. Thereafter bins to be recharged at £19, kitchen caddy inclusive.
3.2	Address purchase of food liners as part of the Rates Estimates 2019/2020.
4.0	Resource implications
	Purchase of further food liners, which will be addressed as part of the Rates Estimates 19/20.
5.0	Equality and good relations implications
	There are no issues identified
6.0	Rural Proofing implications
	There are no issues identified
7.0	Appendices
	None
8.0	Background Documents

Report to:	Regulatory and Technical Services Committee
Date of Meeting:	22 August 2018
Subject:	Recycling Performance Statistics
Reporting Officer (Including Job Title):	Mr Joe Parkes Assistant Director - Waste Management
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	X
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Report is for noting and details the Council's Recycling Performance against the Target of 50% Recycle Rate, to be achieved by 2020.

1.0	Purpose and Background
1.1	<p>The Department of Agriculture, Environment and Rural Affairs (DAERA) has the responsibility to promote a more sustainable approach to dealing with waste in Northern Ireland, by drafting legislation and implementing waste management policy.</p> <p>The Department produces quarterly reports and presents information on the quantities of Local Authority Waste, to provide statistics on the quantities and rates of recycling, waste sent for re-use, waste sent for composting, energy recovery and waste sent to Landfill.</p> <p>Analysis of the report assists with the decision making with respect to Waste Strategy, both for the Councils and for the DAERA.</p> <p>Two appendices are provided:-</p> <p>Appendix 1: Quarterly Report for the period 4; January to March 2018. This report published by DAERA, provides final validation data for quarter 4.</p> <p>Quarterly figures can be distorted by seasonal fluctuations and as such, an annual report, combining all 4 x quarters will be published by DAERA, in November 2018.</p> <p>The provisional recycling rate for Newry, Moume and Down District Council, for the year 2017/18 is 46.2% which if validated, will demonstrate an increase from 40.6% in 2016/17.</p> <p>The increase in the recycle rate is attributable to reduced tonnages of black bin wastes, with wastes intended to be better sorted into both the Brown and Blue Bins.</p>

Details set down in the table, Table 1 below, demonstrates how tonnages were re-distributed in 2017/18, compared to 2016/17.

Waste Streams	Collected Tonnage 2016/17 (tonnes)	Collected Tonnage 2017/18 (tonnes)	Percentage Change (+/-)
Black	40959	35028	-14.5
Brown*	8108	12973	+60.0
Blue	10432	10858	+4%

*Brown bin not fully distributed until October 2017, with further improved performance anticipated for Q1 and Q2, 2018.

Appendix 2: Recycling performance in 2017/18 compared to 2016/17, provides further evidence that the Council's Recycling Rate for 2018/19, will improve against the 46.2% anticipated for 2017/18.

Draft figures for Q1, 2018/19, demonstrate a recycle rate at 57% for the first quarter of the current year (an increase of 9% for the same quarter of 2017/18).

Extension of the trend lines in the graphs provided, predicts that the Council will achieve a recycle rate at 50% for 2018/19.

Performance in 2018/19 has benefitted not just from the extension of the Brown Bin project for food wastes, but also from the communication strategy identified within the Departmental Waste Strategy.

Additional projects are identified, not yet implemented, within such projects critical to improved recycle performance and achievement of our recycle rate at 50% by 2020 and 65% by 2030.

3.0 Recommendations

3.1 It is recommended that the committee notes the content of this report.

4.0 Resource implications

Work covered within budget

5.0 Equality and good relations implications

N/A

6.0 Rural Proofing implications

	N/A
7.0	Appendices
7.1	Waste Management Statistics Jan – March 2018 Appendix No. 1
7.2	Recycling Performance 17/18 Appendix No. 2
8.0	Background Documents DAERA Northern Ireland local authority collected municipal waste management statistics NIEA Waste Dataflow Returns (To be certified)

NORTHERN IRELAND LOCAL AUTHORITY COLLECTED MUNICIPAL WASTE MANAGEMENT STATISTICS

January – March 2018

This statistical report is updated quarterly and contains information on key measurements of local authority collected (LAC) municipal waste for councils and waste management groups in Northern Ireland. It is available at: <https://www.daera-ni.gov.uk/articles/northern-ireland-local-authority-collected-municipal-waste-management-statistics>.

The key points are:

- Northern Ireland's councils collected 222,481 tonnes of LAC municipal waste between January and March 2018, 2.1% lower than the 227,153 tonnes collected during the same three months of 2017. Household waste accounts for 89.3% of total LAC municipal waste. Newry, Mourne & Down had the smallest quantity of household waste per person at 100kg, whilst the largest quantity per person was recorded in Antrim & Newtownabbey at 123kg.
- The household waste preparing for reuse, dry recycling and composting rate was 43.6% between January and March 2018, an increase on the 39.7% recorded during the same three months of 2017. At council level, rates varied from 36.1% in Causeway Coast & Glens to 48.8% in Antrim & Newtownabbey.
- The LAC municipal waste energy recovery rate was 20.1%, lower than the 20.7% reported for January to March 2017. The highest rate was recorded in Newry, Mourne & Down at 52.1% and the lowest was 6.1% in Ards & North Down.
- The latest quarterly landfill rate for household waste was 33.8%, a further reduction on the 39.1% recorded during the same three months of 2017. There were 46,273 tonnes of biodegradable local authority collected municipal waste (BLACMW) sent to landfill between January and March 2018. This was 15.3% lower than the 54,617 tonnes sent between the same three months of 2017. It also accounted for a smaller proportion of the annual allowance, 18.6% between January and March 2018 compared to 20.8% in the equivalent quarter of 2017.

Further information:

The statistical report containing more detail can be accessed via the DAERA website: <https://www.daera-ni.gov.uk/articles/northern-ireland-local-authority-collected-municipal-waste-management-statistics>.

Please Note:

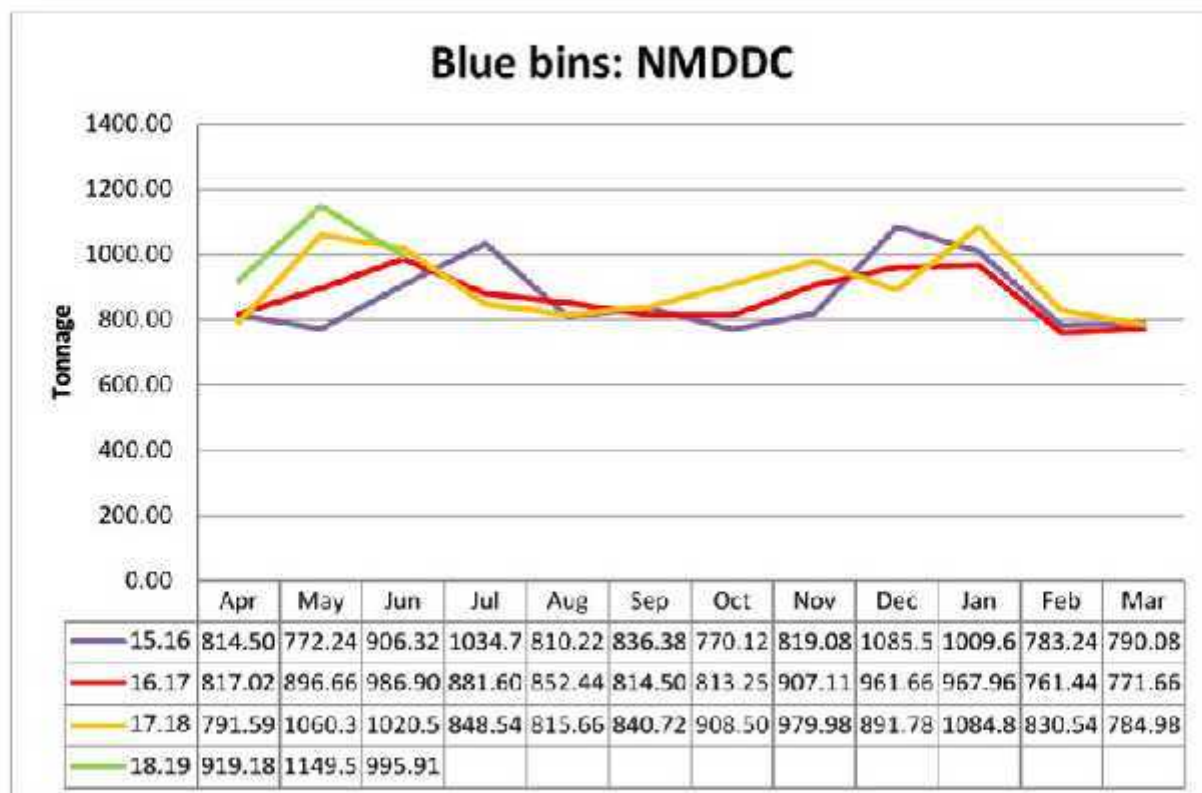
1. This is the latest in a regular series of quarterly Northern Ireland local authority collected municipal waste management statistics report and is the fourth report for the 2017/18 financial year covering the period January to March 2018. Current and previous reports dating back to 2009/10 can be accessed from the DAERA website. The series will continue to be updated on a quarterly basis.
2. All figures are provisional until the final end-year validation has been completed. An annual report with fully validated figures for 2017/18 is scheduled for 29 November 2018.
3. The data in this report are based on returns made to WasteDataFlow, which is a web based system, used by all UK local authorities to report LAC municipal waste.

4. There are five main sections in the report which covers local authority collected municipal waste and, where appropriate, household waste: arisings; reuse, dry recycling, composting; energy recovery; landfill; and biodegradable landfill.

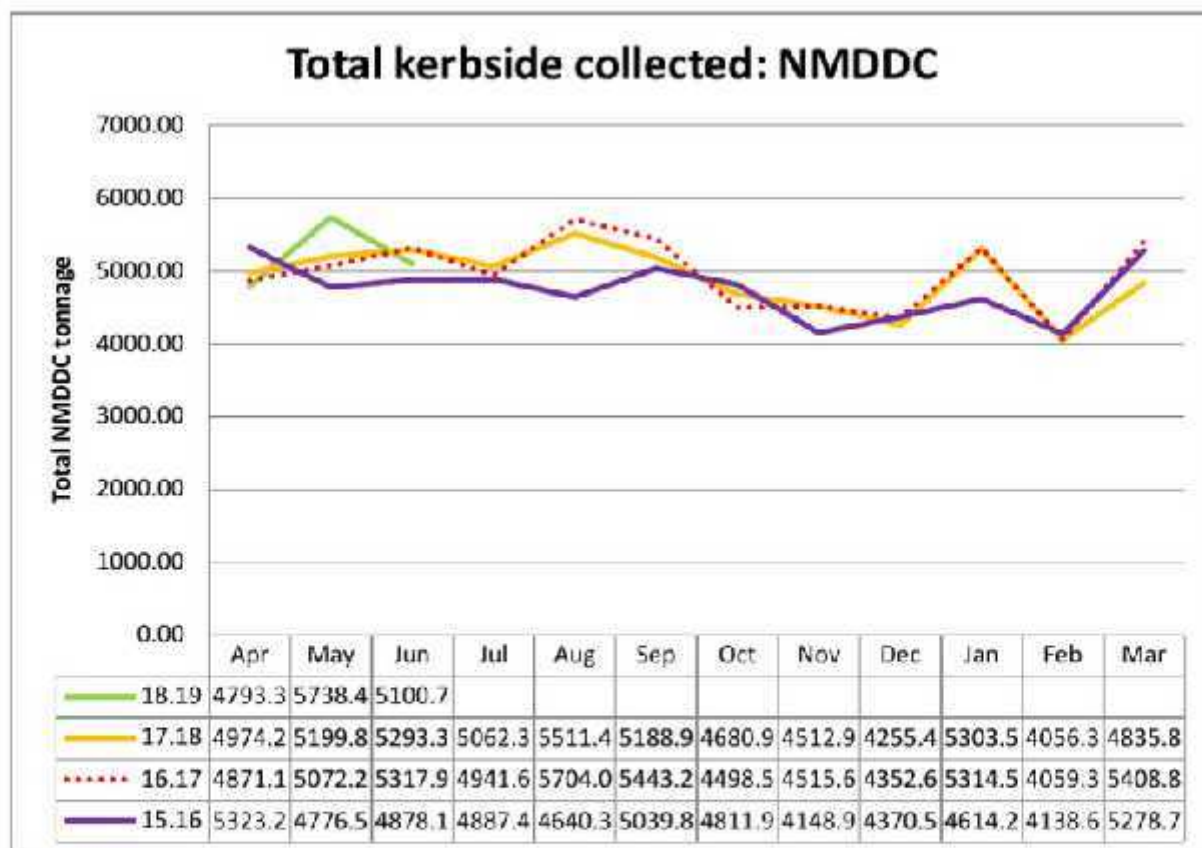
5. The 26 district councils covered by previous reports were reorganised into 11 new councils from 1 April 2015. This is the twelfth release of waste data collected on an 11 council basis. During this period in Northern Ireland eight of the 11 district councils were split into two Waste Management Groups with three unaffiliated to any group.

- arc21: Antrim & Newtownabbey; Ards & North Down, Belfast, Lisburn & Castlereagh; Mid & East Antrim; Newry, Mourne & Down.
- North West Regional Waste Management Group: Causeway Coast & Glens; Derry City & Strabane.

6. These statistics are released according to the Statement of Compliance with the Pre-release access to Official Statistics Order (NI) 2009, <https://www.daera-ni.gov.uk/articles/dard-statistics-charter-and-pre-release-access-statements>. National Statistics meet the highest standards of trustworthiness, quality and public value. They undergo regular quality assurance reviews to ensure that they meet customer needs. They are produced free from any political interference.



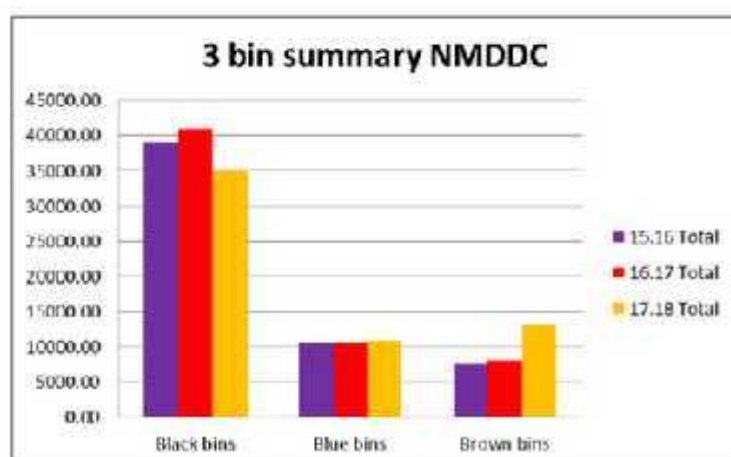
Total kerbside collected



During 17/18 kerbside waste collected (total black, blue and brown) did not rise. This was a genuine concern when distributing additional brown bins in 17/18. Total kerbside waste collected actually fell from 59,499.80t to 58,859.98t a small drop of 639.82t.

Early indications from Qtr 1 show a small increase of 165.06t or 1.07%. Waste arisings may increase slightly over 18/19 but it does seem that waste previously in the black bin is now being placed for recycling in either the blue or brown bin without attracting any additional waste.

If the additional cost of brown and blue bin processing is taken from the saving in black bin processing there is an overall processing saving of approximately 130,000



Recycling rate

Kpi (a2) – Percentage of household waste arisings sent for preparing for reuse & recycling (inc. composting)

	2016/17	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	Total For 2017/18	
Preparation for Reuse	18.81	5.85	5.13	0.68	5.43	17.09	tonnes
Dry recycling	17,844.97	4,614.52	4,454.25	4,400.38	4,465.89	17,034.82	tonnes
Composting	12,758.08	4,892.87	5,070.54	3,754.98	3,478.07	17,198.26	tonnes
Total dry recycling, reuse and composting	30,631.86	9,513.04	9,520.92	8,156.02	7,949.19	35,148.18	tonnes
Total household waste arisings	76,301.95	19,780.51	20,557.87	17,582.85	17,910.11	76,211.34	tonnes
Preparation for Reuse rate	0.02%	0.03%	0.02%	0.00%	0.03%	0.02%	per cent
Dry recycling rate	23.39%	23.33%	21.25%	25.05%	24.93%	23.53%	per cent
Composting rate	16.73%	24.73%	24.19%	21.28%	19.42%	22.56%	per cent
Reuse, Recycling & Composting rate	40.15%	48.09%	45.47%	46.44%	44.38%	46.12%	per cent

Above are the confirmed recycling rates for 17/18. The Council have increased their recycling rate by 6% a massive improvement on last year.

Performance indicators for April- June 2018 show a recycling rate of 57% an increase of 9% on the same qtr last year.

If all other factors remain the same and kerbside collections improve as predicted Council are set to report a recycling rate of 50.56% for 18/19.

Report to:	Regulatory and Technical Services Committee
Date of Meeting:	22 August 2018
Subject:	Temporary Closure of Bann Road Household Recycling Centre, relating to The Mourne Triathlon Event, Saturday 25 th August 2018.
Reporting Officer (Including Job Title):	Mr Joe Parkes Assistant Director – Waste Management
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	x
1.0	Purpose and Background	
1.1	The organisers of the Mourne Triathlon have requested the Council close Bann Road Household Recycling Centre, Castlewellan, during the Mourne Triathlon Event.	
2.0	Key issues	
2.1	Request follows Risk Assessment by Organisers ; 1.to minimise risk to competitors 2.to minimise risk to centre users 3.closure duration from 09.00hrs to 12:00hrs on Saturday 25 th August 2018. Organisers have been similarly facilitated in previous years.	
3.0	Recommendations	
3.1	Close Bann Road Household Recycling Centre on Saturday 25 th August 2018 9.00am – 12.00 noon, during the Mourne Triathlon Event to reduce Health & Safety risk to the public. This can be approved under the Council's Scheme of Delegation.	
4.0	Resource implications	
4.1	There are no resource implications, staff will remain on site, engaged in site cleaning duties.	
5.0	Equality and good relations implications	
5.1	N/A	
6.0	Rural Proofing implications	
6.1	N/A	
7.0	Appendices	
	N/A	
8.0	Background Documents	
	N/A	

Report to:	Regulatory and Technical Services Committee
Date of Meeting:	22 nd August 2018
Subject:	Capital - Acquisition of vehicles 2017-2022 (RTS/060/2018)
Reporting Officer (Including Job Title):	Mr Joe Parkes Assistant Director – Waste Management
Contact Officer (Including Job Title):	Mr Tom Daly Head of Fleet

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"/>
1.0	Purpose and Background		
1.1	Council has previously approved a five-year vehicle replacement plan. This report will provide update on progress towards completing acquisition of replacement Council Vehicles in line with planned expenditure in this current financial period (2018/19).		
2.0	Key issues		
2.1	<ul style="list-style-type: none"> • Ensure targeted replacements are in in-line with previous approvals presented to RTS Committee in 18th April 2018 (<i>refer to minutes of RTS Committee 18th April 2018, RTS/060/2018</i>). • Ensure prior approvals for expenditure are complete, in line with Council's Procedures. <ul style="list-style-type: none"> ○ Business Cases are completed for all replacement vehicles and approved at appropriate level of Management/Council. ○ Business Cases have been completed for all "additional, new fleet" vehicles and approved at appropriate level of Management • Programme of Tendering to ensure procurement delivers Value for Money. Officers to tender using most appropriate procurement method(s) to meet quality, VFM and delivery objectives. • Council has already placed orders for replacement vehicles to the value of £1,150,000.00 against the approved budget of £2,902,467.00 (2018/19). 		
3.0	Recommendations		
3.1	<ul style="list-style-type: none"> • That minor additions/Deletions made since to the replacement list presented to RTS in April 2018 are approved. (Appendix 1) • 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 Cases being approved and the final spend not exceeding spend forecast advised in April, i.e. £2,902,467.00. 		
4.0	Resource implications		
4.1	Capital provision to be made to cover planned expenditure in current financial period of £2,902,467.00.		
5.0	Equality and good relations implications		
5.1	No issues to report.		

6.0	Rural Proofing implications
6.1	Delivery will ensure that Council's services providers have reliable vehicles to deliver agreed services to communities.
7.0	Appendices
	Revised Fleet replacement list (2018/19)
8.0	Background Documents <i>RTS/060/2018</i>

APPENDIX-1
2018-19 VEHICLE REPLACEMENT LISTING (CAPITAL)

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REG NO.	YEAR	MAKE & MODEL	SERVICE	GVW (kg)
AJZ 9472	2001	Peugeot Small Van	Leisure	1750
BV58 OUK	2008	Mercedes RVC	Refuse Collection	26000
CCZ 2313	1999	Ransome Comm.3510	General Burial Grounds	
CJZ 8803	2002	Van 3.5T	Bldg Serv - Spare	3500
DJZ 2782	2002	Ford Transit Van	Building Maintenance	3500
DJZ 2783	2002	Ford Transit Van	Building Maintenance	3500
EJZ 5543	2002	Iveco 3.5T Van	Bldg Serv - Painters	3500
EJZ 8044	2003	Iveco Daily Van	Building Maintenance	3500
FJZ 3134	2003	Citroen Berlingo LX	Refuse Supervisor	1750
FJZ 7713	2003	DAF Tipper	Bulky Collections	7500
FJZ 7762	2073	Iveco Daily Crew Cab	General Recreation	4600
GJZ 7350	2004	Iveco Daily Crew Cab	Building Maintenance	5000
GJZ 8700	2073	Iveco Daily Crew Cab	General Recreation	4600
HJZ 3332	2004	Ford Connect Van	Licensing - Dog Warden	1950
HJZ 6372	2004	Iveco 5T Beavetail - Grounds	Grounds	4600
HJZ 9270	2004	Renault Small Van - Leisure	Facilities	1750
IJZ 3462	2004	Iveco Van 29L9	Building Maintenance	3500
IJZ 3465	2005	Iveco 3.5T Crewcab	Bldg Serv - Spare	3500
IJZ 5046	2005	Iveco Ford Daily 35C15 Crew Cab	General Recreation	4500
IJZ 5494	2005	Iveco Daily Model 50C13	General Recreation	4600
IJZ 7867	2005	Scrab Merlin	Street Cleansing	7500
IJZ 8561	2005	Peugeot Small Van	Env Services - Toilets	1750
IJZ 5168	2005	Iveco 5T Crewcab	Bldg Serv - Bldg Section	5000
IJZ 5172	2005	Scarab Sweeper	Street Cleansing	7500
KJZ 8681	2006	Iveco Daily Cage Body Litter	Street Cleansing	6000
KJZ 9614	2006	Renault Small Van	Env Services - Toilets	1750
LJZ 1812	2006	Iveco 5T Beavetail - Grounds	Grounds	5000
LJZ 3367	2006	Ford Fiesta Van	Bldg Serv - Water Safety	1750
LJZ 4529	2006	Renault Van	Bldg Serv - Plumbers	1950
MJZ 2877	2008	Renault Small Van	Cleansing Supervisor	2000
MJZ 3134	2007	Crew Cage Litter	Street Cleansing	5000
MJZ 3135	2007	Iveco Daily Med Van	Street Cleansing	5000
MJZ 4158	2007	Renault Kangoo SL17 DC160	FRT/Environmental	2000
MJZ 8378	2007	Scarab Sweeper	Street Cleansing	12000
NJZ 3763	2008	Scarab Magnum Sweeper	Street Cleansing	15000
OJZ 1328	2008	Iveco Daily Model 50c 15	Newry Canal	4500
OJZ 3864	2008	Iveco Daily Crew Cab	Grounds	5000
OJZ 3866	2008	Iveco 5T Crewcab	Bldg Serv - Bldg Section	5000
OJZ 4795	2009	Ford Connect Van	Licensing - Dog Warden	2000
OJZ 7183	2008	Renault Mascot ISO DXI	Street Cleansing	6000
OLZ 2115	2004	Renault Kangoo Van	Leisure	1950
OLZ 2227	2004	Renault Kangoo Van	CAS Supervision	1750
PJZ 2755	2009	Mercedes - RCV	Refuse Collection	26000
PJZ 1602	2009	Iveco 5T Tipper Crew - Grounds	Grounds	5000
PJZ 4061	2009	Iveco 5T C-Cab Beavetail	Grounds	5000
PJZ 4062	2009	Crew Cage Litter	Street Cleansing	5000
PJZ 4063	2009	Crew Cage Litter	Street Cleansing	5000
RBZ 8799	1997	Ford Cargo Tipper	Build/Maint/Cemeteries	7500
RBZ 9198	1997	Ford 763 TDX Tractor - New Holland	Playing Fields	3600
RBZ 9199	1997	Ford Tractor - New Holland	Playing Fields	3600
REZ 9979	2008	Hako Mini Sweeper	Street Cleansing	3500
REZ 9980	2008	Hako Mini Sweeper	Street Cleansing	3500
RJZ 7101	2010	Mercedes Econic RCV	Refuse Collection	26000
SBZ 1236	2012	Ford Cargo Tipper	Grounds	7500
SJZ3403	2011	Mercedes Econic RCV	Refuse Collection	26000
WAZ 7680	1998	Renault Tractor	General Recreation	3600
XEZ 5743	2009	Dennis Elite/Phoenix Body/Terberg	Refuse Collection	26000
XEZ 5744	2009	Dennis Elite, Phoenix Body/Terberg Lifts	Refuse Collection	26000
VL EC25	2004	Volvo Compact Excavator	Building Maintenance (Cemet)	3000
		Small Plant - Machinery	Grounds	
		Small Plant - Machinery	Grounds	
		Misc Equipment - Garages	Fleet	

ITEM 3
ARC21 JOINT COMMITTEE
Meeting No 031
Hosted by Belfast City Council
MINUTES
Thursday 31 May 18

Members Present:

Councillor M Rea
 Alderman R Gibson (*Deputy Chair*)
 Alderman A Carson
 Councillor M Collins
 Councillor O Gawith
 Alderman J Tinsley
 Councillor D O'Loan (*Chair*)
 Councillor R Wilson
 Councillor B Adger
 Councillor G Craig
 Councillor D Curran
 Councillor W Clarke

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

Members' Apologies:

Councillor B Duffin
 Councillor M Magill
 Councillor A Cathcart
 Councillor G Milne
 Councillor J Bunting
 Councillor L Poots

Antrim and Newtownabbey Borough Council
 Antrim and Newtownabbey Borough Council
 Ards and North Down Borough Council
 Belfast City Council
 Belfast City Council
 Lisburn & Castlereagh City Council

Officers Present:

J Quinn
 G Craig (*Secretary*)
 H Campbell
 K Boal
 J Green
 R Burnett
 C Robinson
 M Lavery
 S Toland
 T Walker
 S Holgate
 R Moore

arc21
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 arc21
 Antrim and Newtownabbey Borough Council
 Belfast City Council
 Belfast City Council
 Mid and East Antrim
 Newry, Mourne and Down District Council

AGENDA

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
H Moore	Lisburn & Castlereagh City Council
P Thompson	Mid and East Antrim Borough Council

The Chair welcomed Rosemary Lundy of Arthur Cox Solicitors to the meeting in relation to Agenda Item 3 and a presentation on General Data Protection Regulation.

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 – General Data Protection Regulation

Mr Craig provided a report to update the Joint Committee on the preparations underway for compliance with the new General Data Protection Regulation.

He welcomed Rosemary Lundy from Arthur Cox Solicitors, who provided a presentation on arc21's progress.

Following discussion Ms Lundy advised that she was happy to confirm that arc21 was compliant as of 25th May 2018, the date that the new legislation came into effect.

The Chair thanked Ms Lundy for her presentation and following discussion the Joint Committee agreed to note the report. At this point Ms Lundy left the meeting.

Action: Noted

Item 4 - Minutes

The minutes of Joint Committee meeting 030 held on 26 April 2018 were agreed.

Action: Agreed

Item 5 - 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.

AGENDA

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:

<u>Item 6 - In Committee Minutes of Joint Committee Meeting No. 030 held on 26 April 2018</u>	Action: Agreed
<u>Item 7 - Matters arising from the Minutes</u>	Action: Noted
<u>Item 8 - Residual Waste Treatment Project</u>	Action: Agreed
<u>Item 9 - Proposed Variation to MRF Contract with Bryson Recycling</u>	Action: Agreed
<u>Item 10 - WEEE and Batteries Service Contracts</u>	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 11 - Contracts and Performance Update

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

A summary of the key discussions is replicated as follows:

- *Type 1 organic waste tonnages increased by 28% when compared with March 2018 tonnages whilst there was a 31% increase in Type 2 material in the corresponding period.*
- *All Councils received bagged compost for compost giveaways and promotions during Compost Awareness Week, 6th – 12th May 2018.*
- *New walkway at forecourt of ReGen.*
- *Potentially dangerous objects received at Bryson House from Council deliveries.*
- *Landfill Services - the current Landfill services arrangements are due to expire on 31st March 2019 and it will be necessary to procure new contracts to commence from 1st April 2019. Accordingly, it is recommended the following main elements of a new specification be approved by the Joint Committee:*

- (a) A service contract for the disposal of municipal waste in landfill to a single nominated delivery site per Lot with requirements incorporated in up to two Lot Contracts;
- (b) A gate fee contract with payment based on Price per Tonne of Feedstock Material disposed of as a charge to the Authority per Lot;
- (c) No exclusivity and no minimum tonnage guaranteed by the Authority, however, required guaranteed available capacity for each Lot should be provided at the single delivery site;
- (d) Contract for an initial period of two years with the service commencing on 1st April 2019, with optional extensions for any one or more Lots for any period or periods up to 12 months;
- (e) Default Schedule of Penalties applied for non-performance; and
- (f) Evaluation shall be on the basis of the most economically advantageous tender received with the application of a quality/price based on a 30% / 70% ratio split.

It was recommended the Joint Committee approve the main elements of new Landfill service contracts as outlined above.

- ***Bring Site Services*** - the current Bring Site services arrangements are due to expire on 31st March 2019 and it will be necessary to procure new contracts to commence from 1st April 2019. Accordingly, it is recommended the following main elements of a new specification be approved by the Joint Committee:

- (a) Four separate lots specific to the collection and processing of each type of waste stream - Mixed Glass, Textiles, Mixed Paper and Mixed Cans;
- (b) Contract duration to be two years with an option to extend for up to two years;
- (c) No guaranteed tonnage;
- (d) Fixed cost / income per tonne;
- (e) Incorporation of an appropriate mechanism to provide for a revenue share based on materials sold;
- (f) Measure(s) to be designed to promote closed loop recycling;
- (g) Preventative maintenance service element;
- (h) Cleaning Service to be included;
- (i) Provision of information to provide End of Destination facilities; and
- (j) Evaluation shall be the most economically advantageous tender received with the application of a price/quality split of 60%/40%.

It was recommended the Joint Committee approve the main elements of a new Bring Site service contract as outlined above.

Following discussion, the Joint Committee agreed to approve the Landfill Services and Bring Suite Services main elements of the contracts and note the rest of the report.

Action: Agreed

Item 12 – Call for Evidence on Using the Tax System or Charges to Address Single-use Plastic Waste

Mr Burnett presented a report to advise the Joint Committee on the call for evidence originating from IIM Treasury relating to the possible introduction of a tax on single-use plastic waste.

He reported that a key element of the government's plan to eliminate avoidable plastic waste is to examine how economic incentives can be used to encourage more sustainable behaviour.

Following consultation with a number of parties, an appropriate submission was submitted to HM Treasury by arc21 by the closing date of 18 May 2018.

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

Action: Noted

Item 13 - Audit Committee Update

Mr Craig presented a report to provide the Joint Committee with an update on the issues to be dealt with at the next Audit Committee meeting being held directly after the Joint Committee meeting on 31 May 2018.

A copy of the Executive Summary was presented for information which provides a brief synopsis of the agenda items to be discussed and actions required.

The Chair noted his thanks to all the Members and Officers of the Audit Committee for all their good work.

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

Action: Noted

Item 14 - AOB

Annual Customer Survey - Mr Burnett advised Members that the annual customer survey had been emailed out to Members and Officers in the format of an online questionnaire and strongly encouraged all to complete and return accordingly.

Action: ALL

Notice of Retirement - The Chair read out a letter he had received from the Chief Executive in relation to his notice of retirement.

He continued by paying tribute to Mr Quinn noting the privilege of having Mr Quinn as the Chief Executive of arc21, how he was an outstanding public figure and expert in his field of waste management and the exemplary manner in which he has conducted the job. He advised that he was sorry to have received the letter but understands his personal circumstances and wished him a long and healthy retirement.

He advised Members that he would be arranging to meet with Mr Quinn and the Directors of arc21 to discuss the way forward and would then update the Joint Committee at the next meeting.

Members present also took the opportunity to express their sadness at the news and reiterated their highest regards to Mr Quinn and offered him their best wishes for the future.

Councillor M Rea advised the Committee that this would be his last meeting as the representative from Antrim and Newtownabbey Borough Council. He advised that he had worked with Mr Quinn in arc21 for over 14 years and thanked him for all his experience and knowledge in the waste business during this time. He especially thanked him for his support and friendship during this time as a former Chair of arc21 and long-term Member. He wished him all the best for the future.

Action: Noted

Next Meeting

The Chair advised that the next scheduled meeting of the Joint Committee was due to be held on Thursday 28 June 2018 at 10.30am and hosted by Lisburn & Castlereagh City Council.

Action: Noted

Date: _____

Chairman: _____



JOINT COMMITTEE
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MEMBERS' MONTHLY BULLETIN

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

Item 3 - Minutes of Joint Committee Meeting 031 held on 31 May 2018**For approval**

The Joint Committee's approval is sought for the minutes of the meeting held on 31 May 2018.

Item 4 - Matters Arising**'IN COMMITTEE' ITEMS - COMMERCIALY CONFIDENTIAL****Item 5 - Minutes of Joint Committee Meeting 031 held on 31 May 2018 held 'in committee'****For approval**

The Joint Committee's approval is sought for the minutes of the meeting held on 31 May 2018 'in committee'.

Item 6 - Matters Arising**Item 7 - Residual Waste Treatment Project****For noting**

Judicial Review of decision to grant planning permission and subsequent appeal - the date set for the expedited appeal hearing by the Court of Appeal currently remains 25 June 2018. Reflecting their significance, there has been interest in the legal proceedings from other parties who have identified that the outcome will profoundly affect their functions, roles or business. This has resulted in a sequence of legal submissions to the Court of Appeal by these other parties. All parties' skeleton arguments / written submissions were submitted in the period 11-20 June 2018. At the pre-hearing ("mention") at the Court of Appeal on 18 June 2018 the Court directed that the new parties' scope to contribute further via oral arguments at the hearing on 25 June 2018 will be limited and it was highlighted by the Court that their respective senior counsel may possibly end up only observing.



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Grid Connection - An extension of time has been granted by the Utility Regulator to the end of August 2018 to complete the technical studies.

The Joint Committee Group is asked to note the report.

Item 8 - Procurement and Contract Legal Services Contract

For approval

The report addresses the procurement exercise in relation to the appointment of a service provider for the provision of the Procurement and Contract Legal Services Contract.

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

OUT OF COMMITTEE & RETURN TO MAIN AGENDA

Item 9 - Contracts and Performance Update

For noting

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.

Contractual discussions ongoing with contractor in respect of the servicing of Mixed Paper Bring sites.

Vigilance requested due to recent spate of small fires at waste facilities.

The Joint Committee is asked to note the report.

Item 10 - 2017/18 Waste Statistics

For noting

The Joint Committee is asked to note the statistical information relative to key waste statistics covering the year 2017/18.



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Item 11 - arc21 Customer Survey 2017/18**For noting**

The annual arc21 Customer Survey was undertaken in June 2018 and the results are provided for information.

The Joint Committee is asked to note the report.

Item 12 - Recruitment of Chief Executive Position**For approval**

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.

Arrangements now need to be made for a new Chief Executive to be appointed.

Members will be aware that the Local Government Staff Commission is the body which provides human resources and organisational development advice to Local Government in Northern Ireland including carrying out the recruitment exercise for Chief Executives and other Senior Officers.

Given the status of the arc21 position, it is proposed to seek the professional services of the Staff Commission to undertake the recruitment exercise for the new Chief Executive.

It is anticipated that a new Chief Executive will not be appointed in time to be able to take up the post on 1 September 2018 and therefore, for a temporary period, interim acting up arrangements in line with normal Council custom and practice will need to be put in place to ensure that the functions and responsibilities of that office continue uninterrupted.

The Joint Committee is asked to approve the use of the professional services of the Local Government Staff Commission for the purposes of the recruitment of a new Chief Executive and authorises the Chair to invite the Staff Commission to submit a formal proposal setting out the details of the process and the costs involved, for consideration and approval by the Joint Committee.

The Joint Committee is also asked to give authority to the Chair to make the necessary temporary arrangements for the functions and responsibilities of the Chief Executive to be continued pending the appointment of a new Chief Executive.

Item 13 - Corporate Plan 2018-2020**For approval**

The Joint Committee is presented with the Draft 2018/20 Corporate Plan for consideration and approval.

Next Meeting: Thursday 26 July 2018 to be hosted by Mid and East Antrim Borough Council

HISTORICACTION SHEET – REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING22 August 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 Castlewellan		K Scullion	It was further agreed that the suggestion of providing dancing fountains in Castlewellan 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

22 August 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