

NEWRY, MOURNE AND DOWN DISTRICT COUNCIL

RTS/M

Minutes of the Regulatory and Technical Services Committee Meeting held on Wednesday 19 August 2015 at 5.45pm in the Boardroom, District Council Offices, Monaghan Row, Newry

Chairperson: Councillor T Andrews

In Attendance: Councillor S Ennis
Councillor G Fitzpatrick
Councillor G Hanna
Councillor H McKee
Councillor M Murnin
Councillor Ó Gribin

Councillor H Reilly
Councillor G Stokes
Councillor D Taylor

Non Committee Members

Councillor B Walker
Councillor J Tinnelly

Officials in Attendance Mr L Hannaway, Chief Executive
Mr C O'Rourke, Director of Regulatory and Technical Services
Mr A McKay, Area Planning Manager
Mr K Scullion, Assistant Director of Facilities, Management and Maintenance
Mr C Jackson, Assistant Director of Building Control and Regulations
Mr L Dinsmore,
Mrs C Sweeney,
Mr J Farrell
Mrs E McParland, Democratic Services Manager
Mrs C McAteer, Democratic Services Officer

RTS/58/2015: APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillor Casey, Councillor Harte and Mr J Parkes, Assistant Director Waste Management.

Councillor Andrews expressed his deepest sympathy to the family of the late Mr Pat Branniff who had tragically been killed in an accident in Ballynahinch and also to the family of young Bradley Logan who had tragically died whilst visiting Newcastle.

It was agreed that a letter of sympathy be sent on behalf of Newry, Mourne and Down District Council to the Branniff and Logan families.

Councillor Fitzpatrick expressed her deepest sympathy to Hilary Halliday, former PR Officer with Newry and Mourne District Council on the death of her daughter, Anthea and it was agreed that a letter of sympathy be sent on behalf of the Council.

Councillor Andrews expressed his best wishes to the motorcyclists and the car driver who had been injured in a recent traffic accident outside Mayobridge.

Councillor Andrews welcomed Councillor Ennis, Vice Chair of the RTS Committee, to the meeting and congratulated her on the birth of her daughter, Aoife.

Councillor Andrews congratulated Mr Joe Parkes on his appointment as Assistant Director Waste Management.

RTS/59/2015: DECLARATIONS OF INTEREST

It was noted there were no declarations of interest.

RTS/60/2015: ACTION SHEET OF THE REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING – WEDNESDAY 17 JUNE 2015

Read: Action Sheet of the Regulatory and Technical Services Committee Meeting held on Wednesday 17 June 2015. ***(Circulated)***

Agreed: **The Action Sheet was noted.**

PLANNING

RTS/61/2015: PERFORMANCE STATISTICS

Read: Report on Performance Statistics for Planning Decisions. The purpose of the Report was to provide Members with a number of performance indicators around the processing of Planning Applications. ***(Circulated)***.

Agreed: **It was agreed to note the above report.**

A detailed discussion followed during which a number of Councillors expressed their dissatisfaction with the current service being provided by Planning, with particular reference to the lack of feedback which Members were experiencing when they submitted queries about planning applications on behalf of applicants and/or agents. A number of Councillors did acknowledge that they believed the situation was beginning to improve.

Councillors also expressed concern that there were some applications in the planning system which had been with Planners for a considerable length of time and because no decisions

were being issued on them, applicants were losing out on funding opportunities. This was having a negative impact on promoting economic regeneration across the area.

Mr Hannaway, Mr O'Rourke and Mr McKay responded to the concerns of the Members, outlining the difficulties which the Planners had in terms of the service not being fit for purpose when it was transferred from the DoE i.e. insufficient staff transferred, new locations and IT difficulties. They outlined the new measures which were being put in place including the recruitment of staff; a new dedicated phone number and specific e mail address for Members' use and gave an assurance that the Head of Planning would reinforce to staff the need to ensure that queries from Elected Members were promptly responded to.

Mr O'Rourke referred to the performance statistics within the report circulated and said that they showed that the 13 planners working on applications have been more productive per head than the figures showing for 2014.

Noted: It was noted that Mr Hannaway advised that Planning was one of the key performing areas within the Council and it was important that Councillors get timely responses to their queries.

It was also noted that Members asked that any legacy applications which were in the system for a considerable length of time, and which could help benefit economic regeneration, should be dealt with as soon as possible and that if there were any issues with them, that the applicant/agent be informed.

RTS/62/2015: REPORT ON COUNCIL'S SCHEME OF DELEGATION

Read: Report of Council's Scheme of Delegation. It was noted that under delegated decisions No. 6 – "Other decisions such as those with political, media or industrial relations implications that Directors consider Members should be aware of" that Mr O'Rourke was reporting the replacement of the picnic tables at the Amenity Site in Dundrum. These tables, which were part of the Tourism NI funded "Mourne Coastal Route" project, were removed for 'over winter maintenance' and were replaced again in July, at no cost to the Council.

Mr O'Rourke advised that their replacement had generated some local objections.

Agreed: It was agreed to note the above report.

Agreed: It was agreed at the request of Councillor Fitzpatrick that the Maintenance Section inspect the picnic area at Lyndsey's Hill, Hilltown, with a view to replacing a picnic table that had been removed.

RTS/63/2015: REPORT RE: DECHOMET GRAVEYARD, BALLYWARD, CAPITAL SCHEME FOR PATHWAY ACCESS

Read: Report dated 15 June 2015 from Mr Conor Haughey re: a Capital Scheme for pathway access for the Dechomet Graveyard, Ballyward. ***(Circulated)***. The report recommended that the Council carry out non budgeted works (estimated at £25k) in order to meet the Council's Disability Duties under Section 49 of the Disability Discrimination Act 1995 and provide a pathway for public access to the Council owned graveyard at Dechomet, transferred from Banbridge Council to Newry, Mourne and Down District Council.

Agreed: **It was agreed on the proposal of Councillor Murnin, seconded by Councillor Fitzpatrick that Council Officers explore the possibility of sourcing funding for this work from a specific stream within the Big Lottery Heritage fund and report back to the Committee.**

WASTE MANAGEMENT

RTS/64/2015: ANTI-LITTER CAMPAIGN AT THE REQUEST OF COUNCILLOR STOKES

Councillor Stokes said he had asked that this item be included on the agenda to try and deal with the issue of littering across the District which was not only causing a blight but was also costing ratepayers a fortune to have litter removed. He said he would like to see a Taskforce established consisting of Elected Members and relevant officers to develop a strategy for dealing with littering, dog fouling etc.

Councillors Reilly, McKee, Hanna, Quinn and Fitzpatrick left the meeting at this point – 6.50 pm.

Members welcomed the initiative suggested by Councillor Stokes and it was agreed:-

Agreed: **It was agreed on the proposal of Councillor Stokes, seconded by Councillor Taylor that an Anti-Litter Working Group be set up, consisting of Councillors and relevant officers, to develop a strategy for dealing with littering, dog fouling etc. across the District. The nomination of Councillors onto the Working Group to be referred to the next Party Representatives Meeting for discussion and agreement. It was noted that Mr O'Rourke gave an update on the "Live Here, Love Here" Programme, established by Beautiful Northern Ireland, which the Council had agreed to**

subscribe to, and said that a series of programmes which focused on restoring civic pride would emerge from this Programme and this was something which the proposed Working Group could consider.

It was agreed on the proposal of Councillor McKee, seconded by Councillor Hanna, that officers investigate if stickers and a number could be put on all Council owned litter bins giving phone numbers for members of the public to contact if the bins were full.

It was agreed on the proposal of Councillor Ennis, seconded by Councillor Andrews, that officials liaise with the Love Your Lough Community Group, who voluntarily carry out clean-up work on Carlingford Lough, with a view to forming a potential partnership with them which would assist the Group in sourcing funding.

It was agreed at the request of Councillor Murnin that officials consider publishing the number of enforcement actions taken in respect of litter and dog fouling offences.

RTS/65/2015: TENDER REPORTS FOR THE PROCESSING OF WEEE AND WASTE BATTERIES

Read: Tender Report dated 19 August 2015 from Mr C O'Rourke informing Members of the WEEE & Battery Tender Awards to the firm, European Recycling Platform (ERP). *(Circulated)*.

Agreed: It was agreed to note the WEEE & Batter Tender Awards to ERP.

RTS/66/2015: REPORT RE: TEXTILE TENDER RATIONALISATION

Read: Report dated 12 August 2015 from Tara Cunningham/Colette O'Rourke on the Textile Tender Rationalisation. *(Circulated)*. The report sought approval to approve the merger of the arrangements for the collection and payment in relation to Textiles deposited at HRC and Bring Bank sites, under the arc21 textile contract.

Agreed: It was agreed on the proposal of Councillor Taylor, seconded by Councillor Stokes, to approve the merger of the existing separate textile collection and payment arrangements, under the arc21 Textile contract.

RTS/67/2015: NILAS SHARING PROTOCOL

Read: Report dated August 2015 from Mr C O'Rourke on NILAS Sharing Protocol advising the Committee on the current position for 2014/2015

and recommending the application of the agreed arc21 NILAS transfer protocol.

Agreed: It was agreed on the proposal of Councillor Murnin, seconded by Councillor Stokes, to endorse the application and initiation of the protocol as proposed by the Joint Committee and Constituent Councils.

BUILDING CONTROL

RTS/68/2015: DARD FUNDED ANIMAL WELFARE SERVICE

Read: Report dated 16 June 2015 on DARD Funded Animal Welfare Service 2015/2016 re: Service Level Agreement for the provision of Animal Welfare Services 2015/2016 between Armagh City, Banbridge and Craigavon Borough Council and Newry, Mourne and Down District Council held on 16 June 2015. **(Circulated)**. The report recommended approval of the Service Level agreement.

Agreed: It was agreed on the proposal of Councillor Stokes, seconded by Councillor Taylor, to approve the Service Level Agreement between DARD funded Animal Welfare Service and Armagh City, Banbridge and Craigavon Borough Council and Newry, Mourne and Down District Council.

RTS/69/2015: REPORT RE: CROSSMAGLEN MARKET/PARKING ISSUES ON MARKET DAYS

Read: Report dated 24 June 2015 from Catherine Sweeney, Assistant Director of Administration (HR) re: Crossmaglen Market/Parking issues on Market Days. **(Circulated)**. The report recommended approval of the following:-

- a) By Market day on 19 September 2015, all traders to have moved to the inside square of the market (as per Appendix A circulated at the Meeting).
- b) The "Counselling/Drop in Service" van can park in the bus stop as the van arrives after the morning bus from Crossmaglen to Newry leaves and before the afternoon bus arrives. Stopping time for the bus at approximately 12 noon is very short and there is no impact as a result of the bus parking space being taken up by the van.
- c) Traders who continue to trade outside the Market Square, after 19 September 2015 will be reported to the PSNI and to the Council and will be dealt with as appropriate by each organisation. (While the Council's Licencing Section will not be able to be on site at Crossmaglen, it is recommended that the Market Officer report

persistent breaches of trading so that the Council can consider the appropriate action to be taken where there is persistent breaches of street trading legislation).

- d) Traders will be allocated numbered pitches during July to September 2015.

Agreed: It was agreed on the proposal of Councillor Taylor, seconded by Councillor Stokes, to approve the above report and recommendations and that Officers ensure the proposed changes are fully publicised.

FACILITIES MANAGEMENT AND MAINTENANCE

RTS/70/2015: BUS SHELTERS

Read: Report dated 19 August 2015 from Mr K Scullion providing an update on requests for the provision of bus shelters. **(Circulated)**. The report recommended the approval of the Amendment of the Council's Bus Shelter Policy as circulated; to note the information provided on the types of bus shelters available to purchase and to approve the recommendations arising from a Slieve Croob DEA Briefing Meeting held on 30 July 2015 as follows:-

- a) Council Officials and Transport NI investigate the potential to site a bus shelter at Prospect Road, Moneyslane and report back to the Committee.
- b) Cantilever type bus shelter to be provided at Mill Hill, Castlewellan across from Annesborough Park, for passengers going in the Downpatrick direction, subject to the provision of a budget and compliance with the requirements of the Council's Bus Shelter Policy.
- c) Council Officials and Transport NI investigate the potential to site a bus shelter at Clanvaraghan Road, Castlewellan and report back to the Committee.
- d) Slieve Croob Councillor to confirm the preferred location for a bus shelter at Drumaroad for Council Officials to investigate further.

Agreed: It was agreed on the proposal of Councillor Murnin, seconded by Councillor O'Gribin, to approve the revised Bus Shelter Policy and Removal Procedures as circulated.

It was agreed to note the information provided on the types of bus shelters available to purchase.

It was agreed on the proposal of Councillor Murnin, seconded by Councillor O'Gribin to approve the recommendations in the report of the Slieve Croob DEA Briefing Meeting held on 30 July 2015.

It was agreed at the request of Councillor Walker that Officials investigate the current position regarding a request approved in the former Down District Council to provide a bus shelter at Frederick Street, Killyleagh and if all was in order that officials proceed to provide the bus shelter. If there were any difficulties, officials to report back to Councillor Walker.

RTS/71/2015: BUS SHELTER AT ROXBOROUGH ROAD, DORSEY

Read: Report dated 19 August 2015 from Mr K Scullion re: request to relocate a Council bus shelter at Roxborough Road, Dorsey. **(Circulated)**. The report recommended approval to relocate the bus shelter subject to agreement of SELB/Translink and local residents for the new bus shelter location and the landowner undertaking works at their own costs and works to be carried out in accordance with Council requirements.

Agreed: **It was agreed on the proposal of Councillor Taylor, seconded by Councillor Stokes, to approve the above report and recommendations.**

RTS/72/2015: REPORT RE: REPAIR/REPLACEMENT WORK TO EXTERNAL WINDOWS AND DOORS AT FORMER RETORT HOUSE, KILMOREY STREET, NEWRY

Read: Report dated 19 August 2015 from Mr K Scullion re: the repair/replacement work to external/windows and doors at former Retort House, Kilmorey Street, Newry. **(Circulated)**. The report recommended retrospective approval to award the tender for the repair/replacement work to external windows and doors at the Former Retort House, Kilmorey Street, Newry (it was noted that a capital budget of £18,000 had been agreed for this work but this will now be overspent by £6,759.90).

Agreed: **It was agreed on the proposal of Councillor Stokes, seconded by Councillor O’Gribin to approve the retrospective approval to award the tender for the repair/replacement work to external windows and doors at the Former Retort House, Kilmorey Street, Newry**

MISCELLANEOUS

RTS/73/2015: REPORT RE: CROTLIEVE DEA BRIEFING MEETING RE: JAPANESE KNOTWEED AND GIANT HOGWEED

Read: Report dated 22 July 2015 from Mr J Farrell re: Japanese Knotweed and giant hogweed that was affecting an area of land located beside a row of houses in Rossmara Park, Warrenpoint and a dangerous wall to the rear of the houses which needed to be replaced and in order to do this, the hogweed needed to be eradicated. **(Circulated)**. The report recommended the following actions:-

- a) The Council to appoint external contractors to carry out works to rebuild the wall in line with Building Control and engineer reports.
- b) To seek clarification from the Council's Solicitor with regards to the expenditure of accrued money from the legacy Newry and Mourne District Council for the maintenance of the wall.
- c) To convene a meeting with the Housing Executive at the highest level to ascertain maintenance of this area after Japanese knotweed and giant hogweed has been eradicated and works to the wall completed.

Agreed: **It was agreed on the proposal of Councillor Ennis, seconded by Councillor Stokes to approve the above report and recommendations.**

FOR NOTING

RTS/74/2015: **ARC21 JOINT COMMITTEE MEETING – MEMBERS' MONTHLY BULLETIN – 2 JULY 2015**

Read: Arc 21 Joint Committee Meeting – Members' Monthly Bulletin 2 July 2015. **(Circulated)**.

Agreed: **It was agreed to note the above correspondence.**

RTS/75/2015: **ARC21 JOINT COMMITTEE MEETING – 2 JUNE 2015**

Read: Arc21 Joint Committee Meeting – Minutes of Meeting held on 2 June 2015. **(Circulated)**.

Agreed: **It was agreed to note the above correspondence.**

RTS/76/2015: **ARC21 AUDIT COMMITTEE MEETING – 29 JANUARY 2015**

Read: Arc21 Audit Committee Meeting – Minutes of Meeting held on 29 January 2015. **(Circulated)**.

Agreed: **It was agreed to note the above correspondence.**

RTS/77/2015: AUGHNAGUN QUARRY AREA OF SPECIAL SCIENTIFIC INTEREST

Read: Letter dated 25 March 2015 from Northern Ireland Environment Agency re: Aughnagun Quarry Area of Special Scientific Interest Notification under Article 28 of the Environment (Northern Ireland) Order 2002. *(Circulated)*.

Agreed: It was agreed to note the above correspondence.

RTS/78/2015: COMMITTEE FOR THE ENVIRONMENT – INQUIRY INTO WIND ENERGY – EXECUTIVE SUMMARY AND RECOMMENDATIONS

Read: Letter dated 26 June 2015 from Ciara McKay, Environment Committee Office re: Inquiry into Wind Energy – Executive Summary and recommendations. *(Circulated)*.

Agreed: It was agreed to note the above correspondence.

RTS/79/2015: THE WOODLAND TRUST – LETTER DATED 2 JULY 2015 RE: VERY IMPORTANT TREES

Read: Letter dated 2 July 2015 from The Woodland Trust re: Very Important Trees. *(Circulated)*.

Agreed: It was agreed to note the above correspondence.

RTS/80/2015: REPORT RE: CONTACT FROM PUBLIC REPRESENTATIVES – 21 APRIL 2015 TO 30 JUNE 2015

Read: Report re: Contact from Public Representatives – 21 April 2015 to 30 June 2015. *(Circulated)*.

Agreed: It was agreed to note the above correspondence.

RTS/81/2015: REPORT RE: BUILDING REGULATIONS

Read: Report from Mr Colum Jackson, Assistant Director of Regulatory & Technical Services re: Building Regulations. *(Circulated)*.

Agreed: It was agreed to note the above correspondence.

RTS/82/2015: RTPI NORTHERN IRELAND PLANNING AWARDS 2015

Read: Letter from RTPI Northern Ireland Planning Awards re: Entry Form for Planning Awards 2015. *(Circulated)*.

Agreed: It was agreed to note the above correspondence.

RTS/83/2015: **NILAS DRAFT RECONCILIATION 2015/2015 FOR NEWRY AND MOURNE DISTRICT COUNCIL AND DOWN DISTRICT COUNCIL**

Read: Correspondence from NIEA dated 23 July 2015 re: NILAS Draft Reconciliation 2014/2015 for Newry and Mourne District Council and Down District Council. ***(Circulated)***.

Agreed: It was agreed to note the above correspondence.

RTS/84/2015: **QUERIES RAISED FOLLOWING RIVERS AGENCY PRESENTATION TO THE RTS COMMITTEE ON 17 JUNE 2015**

Read: Correspondence from Mr Jim Martin, Rivers Agency regarding queries raised following the Rivers Agency Presentation to the RTS Committee on 17 June 2015. ***(Circulated)***.

Agreed: It was agreed to note the above correspondence.

CONFERENCES/EVENTS

RTS/85/2015: **CONFERENCE ON “PLANNING REFORM IN NORTHERN IRELAND: PROGRESS, PRIORITIES AND NEXT STEPS**

Read: E-mail dated 24 June 2015 from Mr Sean Cudmore, Deputy Editor, Policy Forum for Northern Ireland giving details on Conference re: “Planning Reform in Northern Ireland: Progress, Priorities and Next Steps to be held on 1 December 2015 in Central Belfast (cost £210 plus VAT).

Agreed: It was agreed to appoint Councillor Murnin to attend the above Conference and also that an email be sent to all Councillors giving details of the Conference and asking if they would like to attend.

It was further agreed that details of this Conference be put on the agenda for the next Planning Committee Meeting.

RTS/86/2015: **CYCLE TO WORK SCHEME**

Agreed: It was agreed on the proposal of Councillor O’Gribin, seconded by Councillor Stokes, that officials provide a report to the appropriate Committee Meeting of the Council on the Cycle to Work Scheme and the Council’s involvement in this scheme.

RTS/87/2015: THANKS

Councillor Andrews expressed his thanks to the staff of Newry, Mourne and Down District Council who had worked hard to clean up and partially re-open the play area in Crossgar, which had been subjected to an arson attack on the morning of the 12th of July.

There being no further business the Meeting ended at 7.45 pm.

For consideration at the Council Meeting to be held on Monday 7 September 2015.

**Signed: Councillor Terry Andrews
 (Chairperson)**

**Signed: Mr Canice O'Rourke
 (Director of Regulatory and Technical Services)**