

NEWRY, MOURNE AND DOWN DISTRICT COUNCIL

RTS/M

Minutes of the Regulatory and Technical Services Committee Meeting held on Wednesday 20 February 2019 at 6.00pm in the Boardroom, District Council Offices, Monaghan Row, Newry

Chair Councillor Casey

Vice Chairperson: Councillor J Rice

Members: Councillor T Andrews Councillor W Clarke
Councillor G Craig Councillor G Fitzpatrick
Councillor H Harvey Councillor A McMurray
Councillor M Ruane

Non-Committee Members: Councillor Walker

Officials in Attendance: Mr R Moore, Director of Neighbourhood Services
Ms M Ward, Director of Enterprise, Regeneration and Tourism
Mr J McBride, Assistant Director, Waste Management (Acting)
Mr K Scullion, Assistant Director Facilities Management and Maintenance
Mr A McKay, Chief Planning Officer
Ms C McAteer, Democratic Services Officer

RTS/019/2019: APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillor L Kimmins. Councillor Macauley, Councillor Curran, Councillor Stokes, Councillor Trainor and Councillor Taylor.

Apologies were also received from Councillor Hanna, who was not a Committee Member, but had a Notice of Motion tabled for discussion at the meeting.

RTS/020/2019: DECLARATIONS OF "CONFLICTS OF INTEREST"

There were no declarations of Conflicts of Interest.

RTS/021/2019: ACTION SHEET OF THE REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON WEDNESDAY 23 JANUARY 2019

Read: Action Sheet of the Regulatory and Technical Services Committee Meeting held on Wednesday 23 January 2019. *(Circulated)*.

Agreed: **On the proposal of Councillor Andrews, seconded by Councillor Craig, it was agreed the Action Sheet of Wednesday 23 January 2019 be noted and actions removed as marked.**

FOR CONSIDERATION AND/OR DECISION

RTS/022/2019: NOTICE OF MOTION

The following Notice of Motion came forward for consideration in the name of Councillor Hanna (referred from the Council Meeting of 4 February 2019).

"That this Council is proactive in addressing the dog fouling problem in Newry, Mourne and Down Council area, by enforcing the Bye-Laws of this Council, rigorously, with fines. This Council should increase staffing in this enforcement area until this problem is under control."

RTS/023/2019: NOTICE OF MOTION

The following Notice of Motion came forward for consideration in the name of Councillor Enright (referred from the Council Meeting of 4 February 2019).

"That this Council censures Newry, Mourne and Down Management over the failure to control littering, dog-fouling, fly-tipping and related issues. We note with concern the stark contrast between the statistics for this Council and the statistics for Ards and North Down Council. We do not accept the contention that the legislation is "not fit for purpose" and direct Council management to learn from Ards and North Down."

A discussion followed on both Motions during which Members raised the following issues:-

- Frustration expressed that the dog fouling problem was persisting and the Council needed to get tougher in terms of enforcement action and increased fines.
- Members placed on record their appreciation for the work carried out by the Council's Enforcement Officers and several Members said they disagreed with the sentiment in the second Motion which referred to failures of Management over this issue. The Council had just completed its rates process and if there were additional resources required this should have been identified as part of this process.
- Dog owners who were caught allowing their pets to foul should be named and shamed, in the same way as people caught littering etc. were.
- Concerns that the Council's poster for dog fouling was not getting a strong enough message across and reference made to an initiative by Craigavon Council for strong signage in dog fouling hot spot areas. Important to learn from good practise in other Council areas and for other Council areas to learn from good practise in Newry, Mourne and Down.
- There should be an onus on dog owners to carry dog fouling bags to clean up mess and Enforcement Officers should be able to approach dog owners and ask if they had these bags when walking their dogs.
- The general public should be encouraged to report serial offenders and elected members should also be more pro-active in this role.
- More enforcement in hot spot areas such as Castlewellan Lake and a requirement that dogs should be kept on a lead at all times to lessen then opportunity for them to foul at a distance from their owners.
- Importance of bringing this message to schools, vets etc.
- Members welcomed the organisation of workshop for all Councillors to consider improvements to the Council's enforcement activities.

RTS/024/2019: FLY-TIPPING AND DOG FOULING ENFORCEMENT

Read: Report dated 20 February 2019 from Mr J McBride, Assistant Director, Waste Management (Acting) regarding improvements to the Council's fly-tipping and dog fouling enforcement activities. *(Circulated)*

Agreed: **On the proposal of Councillor Andrews, seconded by Councillor Fitzpatrick, it was agreed to recommend that an Elected Member workshop (for all forty-one Councillors) be organised on Friday 22 March 2019 to consider improvements to the Council's enforcement activities.**

PLANNING

RTS/025/2019: CURRENT APPEALS – JANUARY 2019

Read: Report of current appeals in January 2019. *(Circulated)*.

AGREED: **On the proposal of Councillor Ruane, seconded by Councillor Harvey, it was agreed to note the above report.**

RTS/026/2019: RECORD OF MEETINGS BETWEEN PLANNING OFFICERS AND PUBLIC REPRESENTATIVES 2018-2019 – FEBRUARY 2019

Read: Report on Record of Meetings between Planning Officers and Public Representatives December 2018-2019 – February 2019. *(Circulated)*.

AGREED: **On the proposal of Councillor Ruane, seconded by Councillor Harvey, it was agreed to note the above report.**

RTS/027/2019: PLANNING COMMITTEE PERFORMANCE REPORT - JANUARY 2019

Read: Report on Planning Committee Performance for January 2019. *(Circulated)*.

AGREED: **On the proposal of Councillor Ruane, seconded by Councillor Harvey, it was agreed to note the above report.**

NEIGHBOURHOOD SERVICES TRANSFORMATION

RTS/028/2019: NEIGHBOURHOOD SERVICES PROJECT

Read: Report dated 20 February 2019 from Mr Roland Moore, Director, Neighbourhood Services regarding seeking approval of Members to the Neighbourhood Services Working Group Action Sheet. *(Circulated)*

AGREED: **On the proposal of Councillor Harvey, seconded by Councillor Ruane, it was agreed to recommend approval of the Action Sheet from the inaugural meeting of the Neighbourhood Services Working Group held on 30 January 2019.**

RTS/029/2019: OLD CRAG GRAVEYARD AND CHURCH RUINS, ROSTREVOR

Read: Report dated 20 February 2019 from Aidan Mallon, Assistant Director Facilities Management and Maintenance giving an update on a crack in the gable end wall of the Church ruins in the Council owned Old Crag Graveyard, Rostrevor. *(Circulated)*

AGREED: **On the proposal of Councillor Harvey, seconded by Councillor Ruane, it was agreed to recommend that the contents of the report dated 20 February 2019 be noted and to agree to the appointment of an Architect who specialised in restoration of historic buildings to develop a programme of works for the repair of the structure and to manage this process on behalf of the Council.**

At the request of Councillor Ruane it was also agreed Officials ensure the general public be advised of the reasons for restricted public access to the site via messages through local Churches and other information streams.

RTS/030/2019: UPDATE ON PUBLIC CONVENIENCE PROJECT AND DEVELOPMENT OF STRATEGY

Read: Report dated 20 February 2019 from Gail Kane, Head of Facilities giving an update on public conveniences project and the development of a strategy. *(Circulated)*

AGREED: **On the proposal of Councillor Andrews, seconded by Councillor Clarke, it was agreed to note the contents of the above report and that an Interdepartmental Study Group would be formed and supported by the British Toilet Association in compiling a development strategy for the Council's Public Convenience Provision Service (Council has a capital programme of £1.2 million for upgrading its Public Convenience Service which currently comprises 31 facilities). This strategy would be presented to the Neighbourhood Services Committee in June 2019 for their consideration.**

Councillor Clarke said it was essential that the public conveniences in Newcastle be cleaned and maintained to a very high standard throughout the Easter period.

RTS/031/2019: APPOINTMENT OF DESIGN TEAM FOR CEMETERY EXTENSION PROJECTS

Read: Report dated 20 February 2019 from Gail Kane, regarding the appointment of a design team for Cemetery Extension Projects. *(Circulated)*

AGREED: **On the proposal of Councillor Ruane, seconded by Councillor Craig, it was agreed to note the content of the above report and to recommend the appointment of a suitably qualified Design Team to provide the technical support required to assist the**

Council in taking forward Phase 3 of Monkshill Cemetery and Phase 2 of Kilbroney Municipal Cemetery.

WASTE MANAGEMENT

RTS/032/2019: COMMERCIAL WASTE – SCALE OF CHARGES 2019-2020

Read: Report dated 20 February 2019 from Liam Dinsmore, Head of Waste Processing and Enforcement re: Commercial Waste – Scale of Charges for 2019-2020. *(Circulated)*

AGREED: **On the proposal of Councillor Clarke, seconded by Councillor Craig, it was agreed to recommend approval of the proposed scale of charges for commercial waste services for 2019-2020 as detailed in Appendix 1 circulated at the Meeting.**

RTS/033/2019: NI LOCAL AUTHORITY WASTE MANAGEMENT STATISTICS (JULY TO SEPTEMBER 2018)

Read: Report dated 20 February 2019 from Mr J McBride, Assistant Director, Waste Management (Acting) regarding NI Local Authority Collected Municipal Waste Management Statistics (Quarter 2: July to September 2018). *(Circulated)*. The report presented a positive period and Members were advised the Council would endeavour to continue to reduce its waste arisings and increase recycling rates.

AGREED: **On the proposal of Councillor Craig, seconded by Councillor Andrews, it was agreed to note the above report. Members welcomed the increase in the Council's recycling rate.**

RTS/034/2019: ACTION SHEET FROM STRATEGIC WASTE WORKING GROUP NOVEMBER 2018

Read: Action Sheet from Strategic Waste Management Group 20 November 2018. *(Circulated)*.

AGREED: **On the proposal of Councillor Craig, seconded by Councillor Andrews, it was agreed to note the above Action Sheet.**

FOR NOTING

RTS/035/2019: ARC 21 MEMBERS MONTHLY BULLETIN – 31 JANUARY 2019

Read: ARC 21 Members Monthly Bulletin January 2019. *(Circulated)*.

AGREED: **It was unanimously agreed to note the contents of the above monthly bulletin.**

RTS/036/2019: ARC21 JOINT COMMITTEE MINUTES – 4 DECEMBER 2018

Read: ARC 21 Joint Committee Minutes 4 December 2018 (*Circulated*).

AGREED: **It was unanimously agreed to note the contents of the above Joint Committee Minutes.**

RTS/037/2019: HISTORIC ACTION SHEET

Read: Historic Action Sheet. (*Circulated*).

AGREED: **On the proposal of Councillor Andrews, seconded by Councillor Craig, it was agreed the Historic Actions Sheet be noted and actions removed as marked.**

Mr McBride referred to the item re: old furniture at Council recycling sites and said this would be picked up as part of the Household Recycling Centre review and recommendations would be brought forward as part of this review.

ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE LOCAL GOVERNMENT ACT (NI) 2014

Items 20, 21, 22, 23, 24 and 25 were deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 – information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

On the proposal of Councillor Fitzpatrick, seconded by Councillor Andrews, it was agreed to exclude the public and press from the meeting during discussion on these items.

RTS/038/2019: ARC 21 PRESENTATION

A presentation was given by representatives from arc21 on the arc21 Organic Waste Treatment Contract.

RTS/039/2019: ARC21 ORGANIC WASTE TREATMENT SERVICE CONTRACT

Read: Report dated 20 February 2019 from Johnny McBride, Assistant Director: Waste Management (Acting) re: Organic Waste Treatment Service Contract. (*Circulated*)

RTS/040/2019: INCLUSION OF LEGACY NMDC ORGANIC WASTE IN THE ORGANIC WASTE TREATMENT SERVICE CONTRACT

Read: Report dated 20 February 2019 from Johnny McBride, Assistant Director: Waste Management (Acting) re: inclusion in the legacy NMDC Organic Waste in the Organic Waste Treatment Services Contract. (*Circulated*)

RTS/041/2019: ARC21 MDR PROCUREMENT UPDATE

An update was provided by Officials.

RTS/042/2019: REPORT OF BUSINESS CASE FOR CLEANING SERVICES

Read: Report dated 20 February 2019 from Gail Kane, Head of Facilities Management re: Business Case for the appointment of a contractor to undertake Commercial Cleaning Services (2year contract).
(Circulated)

RTS/043/2019: MONKSHILL CEMETERY

Read: Report dated 20 February 2019 from Gail Kane, Head of Facilities Management re: Business Case to proceed with Phase 2 Extension of Monkshill Cemetery. *(Circulated)*

Councillor Clarke proposed and Councillor Andrews seconded to come out of closed session.

When the Committee was out of closed session the Chairman reported the following had been agreed:-

Arc21 Presentation

AGREED: On the proposal of Councillor Clarke, seconded by Councillor Ruane, it was agreed to note the Arc21 Presentation.

Arc21 Organic Waste Treatment Service Contract and Inclusion of legacy NMDC waste in Organic Waste Treatment Service Contract

AGREED: On the proposal of Councillor Fitzpatrick, seconded by Councillor Ruane it was agreed, following a vote of FOR: 7 AGAINST: 2 – to convene a Special Council Meeting, to which all Councillors would be invited to attend, along with representatives from arc21, to consider issues relating to the arc21 Organic Waste Treatment Contract.

Arc21 MDR Procurement Update

AGREED: On the proposal of Councillor Ruane, seconded by Councillor Fitzpatrick it was agreed to note the update on Arc21 MDR Procurement as provided by Officials.

Report on Business Case for Cleaning Services

AGREED: On the proposal of Councillor Andrews, seconded by Councillor Craig, it was agreed to note the content of the report dated 20 February 2019 and associated Business Case and to accept the conclusion of the Business Case that Option 2 was the preferred option for the appointment of a contractor to undertake daily cleaning at Downshire Civic Centre and Strangford Road Depot, Downpatrick.

Monkshill Cemetery – Phase 2 Extension

AGREED: **On the proposal of Councillor Craig, seconded by Councillor Ruane, it was agreed to note the content of the report dated 20 February 2019 and associated Business Case and to accept the conclusion of the Business Case that Option 2 was the preferred option for the appointment of a contractor to undertake the works required to complete Phase 2 of Monkshill Cemetery and make ready an additional 280 burial plots.**

There being no further business the meeting ended at 7.30 pm.

For adoption at the Council Meeting to be held on Monday 4 March 2019.

Signed: **Councillor Casey**
 Chairperson of Regulatory & Technical Services Committee

Signed: **Mr R Moore**
 Director of Neighbourhood Services