

NEWRY, MOURNE AND DOWN DISTRICT COUNCIL

RTS/M

Minutes of the Regulatory and Technical Services Committee Meeting held on Wednesday 22 August 2018 at 6.00pm in the Boardroom, District Council Offices, Monaghan Row, Newry

Chairperson: Councillor C Casey

Vice Chairperson: Councillor J Rice

Members:

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

Non Committee Members: Councillor M Savage

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

RTS/106/2018: APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Mr J Parkes, Assistant Director, Waste Management.

Councillor Casey, Chairman, said that World Clean Up Day would be taking place on Saturday 15 September 2018. As part of this event, the Council would be offering some support to those groups engaged in any clean ups. In addition a number of other cleaning activities would be taking place on the day, covering other parts of the District. This would include other towns, housing areas and coastline.

The Chairman urged any community groups that wished to take part in this important event to make contact with the Council's Waste Department, who would assist in providing litter pickers and bags etc.

RTS/107/2018: DECLARATIONS OF "CONFLICTS OF INTEREST"

There were no declarations of Conflicts of Interest.

RTS/108/2018: ACTION SHEET OF THE REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON WEDNESDAY 20 JUNE 2018

Read: Action Sheet of the Regulatory and Technical Services Committee Meeting held on Wednesday 20 June 2018. *(Circulated)*.

AGREED: It was unanimously agreed to note the above action sheet.

AGREED: In response to a query from Councillor Taylor regarding progress in relation to a previous request to set up a meeting regarding Regen Waste, with local residents etc., Marie Ward, Director, advised this was being co-ordinated by Anthony McKay, Chief Planning Officer, and she would get back to Councillor Taylor with an update.

RTS/109/2018: NOTICE OF MOTION – FLY TIPPING

The following Notice of Motion was referred from the Council Meeting of 2 July 2018, in the name of Councillor M Larkin:

“Sinn Fein 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 Ruane advised that Councillor Larkin was unable to attend this meeting but that he would take the opportunity to speak on the Motion at the full Council Meeting. He said there was clearly a serious issue in the area regarding fly tipping and there was an opportunity for the Council, along with Louth County Council, to come together to form some sort of strategy to deal with illegal dumping.

Councillor Ruane condemned a recent incidence where a huge number of illegal tyres had been dumped on the main Newry to Dundalk road.

Councillors Stokes, Trainor, Taylor and McMurray spoke in support of the Motion.

AGREED: It was agreed Mr R Moore, Assistant Director, arrange to:-

- **Make contact with Louth Council with a view to addressing fly tipping in a unified way.**
- **Address enforcement action in conjunction with the NIEA.**
- **Carry out fly tipping review and market the message of “Zero Tolerance”.**
- **Write to the Department raising concerns and requesting prompt action.**

RTS/110/2018: NOTICE OF MOTION – CLANRYE RIVER NEWRY

The following Notice of Motion was referred from the Council Meeting of 2 July 2018, in the names of Councillor M Savage and Councillor G Stokes:

“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 explores 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.”

In formally proposing the Motion Councillor Stokes said this was a long standing issue which had recently arisen due to the hot weather which left the banks of the Clanrye River exposed, particularly at low tide. A number of local businesses and restaurants overlooking the river had said that the condition of the river was affecting their businesses during the hot weather.

Councillor Stokes said if the Council were serious about welcoming tourists to the District then something serious needed to be done to improve the appearance and condition of the Clanrye River, similar to the improvements Dublin Council had carried on the river Liffey. He outlined recent new investments in Newry City Centre such as the opening of the Greenway and a proposed new theatre and city park on the bank of the river.

Councillor Stokes said they could not let the river become the poor relation and there was a need to match investment with investment in the river. Such an upgrade was essential to regenerate Newry City Centre.

He paid tribute to the local media for highlighting this issue and to those local businesses and organisations who got involved in the campaign and who helped with a clean-up of the river.

Councillor Stokes said that as a first point of action the Director should write to Rivers Agency who had chief responsibility for the river to see what their plans were for any upgrade in terms of a weir and also a clean-up of the river.

Councillor Savage formally seconded the Motion and said that Newry’s unique selling point was its waterways. If the Council was serious about Newry being a tourist destination then its natural assets of a tidal river and one of the oldest working navigation canals had to be brought up to the highest standards so that they could fulfil their potential. He said Newry was about to embark on a £20m investment with a proposed Civic Centre and a new theatre and it was essential the river was brought up to standard.

Councillor Savage said there was continued confusion over who was responsible for the Clanrye River. He referred to the recent ludicrous situation where Rivers Agency staff were fixing a wall along the river but were not allowed to remove shopping trollies which were dumped close by. That was why the Motion was calling for a Taskforce to be set up to improve the condition of the River and ensure the expectations of people are met.

Councillors Kimmins, Taylor, Clarke, Craig, Macauley and McMurray spoke in support of the Motion, with some Members saying the problem was much wider than the condition of the Clanrye River. Community Planning required Statutory Bodies to work together and it was important this be done in relation to establishing a partnership which would address issues of waterway/river cleaning across the District. Members also said it was important that the issue of trolley dumping was addressed with the larger shops and also that the Recreational Bodies in Northern Ireland should be given the opportunity to feed into the taskforce.

AGREED: It was agreed Mr R Moore, Acting Director, arrange to:-

- Write to Rivers Agency to ascertain their current position regarding the provision of a weir.
- Start discussions on progress on a clean-up of Clanrye River.
- Report back to the R&TS Committee when a response has been received from Rivers Agency and consider the establishment of a task force.

FOR CONSIDERATION AND/OR DECISION – BUILDING CONTROL AND LICENSING

RTS/111/2018: PEDESTRIANIZING A SECTION OF KINGS LANE, WARRENPOINT

Read: Report dated 22 August 2018 from Mr G McCurry, Duty Manager, Off Street Parking Function re: possibility of pedestrianizing a section of Kings Lane, Warrenpoint. *(Circulated)*

AGREED: On the proposal of Councillor Ruane, seconded by Councillor Fitzpatrick, it was agreed to recommend 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.

AGREED: It was also agreed that Warrenpoint Chamber of Commerce and Trade be advised of the Council's intention to formally request that Kings Lane, Warrenpoint be converted into a pedestrian only zone.

RTS/112/2018: ENERGY PERFORMANCE OF BUILDINGS (EPB) AUDIT REPORT

Read: Report dated 22 August 2018 from Patrick Hobson, Senior Specialist Building Control Surveyor and Christine Rice, Technical Officer (EPB and LPS) Re: Energy Performance of Buildings (EPB) Audit Report. The report noted that the Energy Performance of Buildings (EPB) Enforcement Procedure for District Councils in Northern Ireland had been agreed by Building Control Northern Ireland (BCNI); reference to copy in Appendix 2 *(Circulated)*

AGREED: On the proposal of Councillor Craig, seconded by Councillor Andrews, it was agreed to recommend to note the content of the above report and provide authorisation for Council Officers to fully implement the EPB Enforcement Procedure to include Penalty Charges Notices where non-compliance was identified. This would be preceded by two information sessions, one in Newry and one in Downpatrick, which the Council would facilitate for Estate Agents within our District supported by the central EPB team from Belfast City Council.

AGREED: At the request of Councillor Craig it was also agreed that quarterly progress reports on Building Control performance be tabled at future Committee Meetings.

RTS/113/2018: CAR PARK TARIFF REVIEW – UPDATE

Read: Report dated 22 August 2018 from Mr G McCurry, Duty Manager, Off Street Parking Function re: car park tariff review – update. The report outlined that at the Regulatory & Technical Services Committee Meeting held on 24 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. Council were 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 partners NSL Ltd and the Department For Infrastructure (DFI), covering the period April-September 2017-2018. It would be the intention to report to the RTS Committee sitting in October 2018. ***(Circulated)***.

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

- It was important that engagement take place with all key stakeholders and residents to take into account that not everyone had on-line access to complete the on line survey
- The need for a heavy advertising campaign to encourage people to respond to the survey.
- Make contact with businesses affected possibly through the DEAs.

AGREED: **It was unanimously agreed to note the content of the above Report, in the context as an update of the on-going process.**

FOR CONSIDERATION AND/OR DECISION – PLANNING

**RTS/114/2018: CONTACT FROM PUBLIC REPRESENTATIVES Q1
- 4 APRIL 2018 TO 30 JUNE 2018**

Read: Report on contact from Public Representatives from 4 April 2018 to 30 June 2018. ***(Circulated)***

AGREED: **It was unanimously agreed to note the above report.**

RTS/115/2018: RECORD OF MEETINGS BETWEEN PLANNING OFFICERS AND PUBLIC REPRESENTATIVES 2018 – 2019 FROM JUNE PLANNING MEETING

Read: Report of Meetings between Planning Officers and Public Representatives 2018 – 2019 from June Planning Meeting. ***(Circulated)***

AGREED: **It was unanimously agreed to note the above Report.**

RTS/116/2018: JUNE 2018 – PLANNING COMMITTEE PERFORMANCE REPORT

Read: Report on Planning Committee Performance for June 2018. *(Circulated)*

AGREED: It was unanimously agreed to note the above Report.

RTS/117/2018: **CURRENT APPEALS – JUNE 2018**

Read: Report of current appeals in June 2018. *(Circulated)*

AGREED: It was unanimously agreed to note the above Report.

RTS/118/2018: **RECORD OF MEETINGS BETWEEN PLANNING OFFICERS AND PUBLIC REPRESENTATIVES 2018 – 2019 FROM JULY PLANNING MEETING**

Read: Report of Meetings between Planning Officers and Public Representatives 2018 – 2019 from July Planning Meeting. *(Circulated)*

AGREED: It was unanimously agreed to note the above Report.

RTS/119/2018: **CURRENT APPEALS – JULY 2018**

Read: Report of current appeals in July 2018. *(Circulated)*

AGREED: It was unanimously agreed to note the above Report.

RTS/120/2018: **JULY 2018 – PLANNING COMMITTEE PERFORMANCE REPORT**

Read: Report on Planning Committee Performance for July 2018. *(Circulated)*

AGREED : It was unanimously agreed to note the above Report.

Councillor Crag welcomed the increase in the number of new applications but said there was still a big back log and this needed to be addressed with a new Scheme of Delegation. He said the current situation did not benefit developers or constituents and did not help the economic development of the District.

Mr McKay advised a Planning Workshop for all 41 Councillors had been arranged for 5 September 2018.

FOR CONSIDERATION AND/OR DECISION
– FACILITIES MANAGEMENT AND MAINTENANCE

RTS/121/2018: **PROVISION OF SANITARY DISPOSAL BINS AT PUBLIC CONVENIENCES**

Read: Report dated 22 August 2018 from Kevin Scullion, Assistant Director Facilities Management and Maintenance and Gail Kane, Head of Facilities Management regarding the provision of sanitary disposal bins at Public Conveniences. *(Circulated)*.

AGREED: On the proposal of Councillor Fitzpatrick, seconded by Councillor Macauley, it was agreed to recommend approval of the proposal for 1 No. Sanitary Disposal Bin to be provided in all 31 No. Public

Conveniences, with signage provided on the door advising the public. The total cost for the service was £838.24 per annum.

RTS/122/2018: PROPOSED EXTENSION TO WARRENPOINT MUNICIPAL CEMETERY

Read: Report from Kevin Scullion, Assistant Director Facilities Management and Maintenance dated 22 August 2018 regarding proposed extension to Warrenpoint Municipal Cemetery. The report advised that the current phase of Warrenpoint Municipal Cemetery was reaching capacity and Council had approved a capital spend of £125,000 to allow for its extension. There was a current planning approval which included extension of the cemetery into the area now proposed for the extension and there were some minor design changes proposed to that originally approved which focused on improving accessibility to the site for vehicles. *(Circulated)*

AGREED: On the proposal of Councillor Ruane, seconded by Councillor Kimmins it was agreed to recommend approval of:-

- **The 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.**

RTS/123/2018: UPDATE ON PROPOSAL TO PROVIDE TO LOCAL COMMUNITIES AN ENVIRONMENTALLY SUSTAINABLE OPTION OF PLANTING CHRISTMAS TREES

Read: Report from Kevin Scullion, Assistant Director Facilities Management and Maintenance, dated 22 August 2018 regarding update on proposal to provide to local communities an environmentally sustainable option of planting Christmas trees. The report advised that Council had established a Councillors' Christmas Illuminations/Celebrations Group to agree a three to five year programme for how Council would help local communities across the district celebrate Christmas. A proposal arising out of this Group was 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 sought 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 had 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 *(Circulated)*.

AGREED: On the proposal of Councillor Andrews, seconded by Councillor Clarke, it was agreed the Council:-

- **Adopt the proposed Terms of Reference as provided in Appendix 3 circulated – Terms of Reference for Expression of Interest Exercise – Sustainable Christmas Tree Pilot Scheme 2018**
- **Purchase 5 No. Christmas trees of the species Abies Nordmanniana at a height of 4.5 metres (from ground level to tip) for planting at five agreed locations.**
- **Council to agree with local communities identified within the report (sites 1 to 7 in Table 1) to taking part in a pilot program as per Terms of Reference for Expression of Interest Exercise – Sustainable Christmas Tree Pilot Scheme 2018.**

RTS/124/2018: UPDATE ON TRANSLINK'S PROGRAM FOR INSTALLATION OF BUS SHELTERS IN COUNCIL AREA

Read: Report from Kevin Scullion, Assistant Director Facilities Management and Maintenance, dated 22 August 2018 regarding update on Translink's program for installation of bus shelters in Council area. The report advised that Translink had been consulted on requests for bus shelters received by Council and had confirmed a number that they proposed to consider for installation subject to funding being made available. They also said they were unable at this time to provide a timeframe for when such funding would become available or when any such bus shelters would be installed. *(Circulated)*.

AGREED: It was unanimously agreed to note the above report.

FOR CONSIDERATION AND/OR DECISION – WASTE MANAGEMENT

RTS/125/2018: STRATEGY TO ADDRESS DOG FOULING

Read: Report from Mr L Dinsmore, Head of Waste Processing dated 22 August 2018 regarding Strategy to address dog fouling. The report advised that a recent survey had indicated unacceptable levels of dog-fouling on our streets. The incidence of dog-fouling could 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. It was proposed to approach to address this matter in two phases ;

Phase 1 : Immediate

Approve 'brand' and to launch the brand with a publicity campaign with a sticker to be placed on every litter –bin in our District .

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 .

Phase 2 : Within 3 months

Completion of Strategy, with other areas to be addressed ;
*dogs on leads were a possible extension to all grassed areas

- *consideration of ban for dogs from playing fields and review for bye-laws
- *joined –up approach with Grounds Open Spaces and other Directorates
- *legal considerations and Enforcement
- *future advertising and outreach
- *monitor effectiveness and receipt of initial campaign

A number of Members expressed their view that they believed the Brand Image pictorial for the Dog Strategy Campaign needed to be more visually graphic to get the message across.

AGREED: Following discussions it was agreed on the proposal of Councillor Clarke, seconded by Councillor McMurray, to endorse initial approach to the preparation of a Dog-Fouling Strategy and to approve the proposed 'brand' to be used in all literature and publications associated with the Strategy.(Appendix 1 as circulated at Meeting).

It was also agreed to approve a two-phased approach to the completion of the Strategy, with Phase 1 to provide pictorial 'brand' to all litter-bins throughout the District and also to be used in any Dog-Fouling signage erected by Enforcement Officers and Phase 2 to engage with other Directorates to agree a confirmed Dog-Fouling Strategy for recommendation to the Council, target completion end – December 2018.

RTS/126/2018: BROWN BIN PROJECT

Read: Report from Liam Dinsmore, Head of Waste Processing, dated 22 August 2018 regarding brown bin project. The report outlined key issues including the key facts following an evaluation of the food waste project and extension of the Brown Bin Collection Service. ***(Circulated)***.

Members raised the following issues:-

- The need for a strong marketing campaign to advertise the end date for the free issue of brown bins (effective from 30 September 2018)
- All requests for free brown bins, submitted before the closing date of 30 September 2018 would be honoured.
- The public to be advised that they could personally collect a brown bin from Council depots if they were waiting on a delivery.

AGREED: On the proposal of Councillor Taylor, seconded by Councillor Kimmins, it was agreed to recommend that a final call for free issue of brown bins be undertaken, with the intention to discontinue free issue of bins effective from 30 September 2018. Thereafter bins to be recharged at £19, kitchen caddy inclusive.

It was agreed the issue of the purchase of food liners be addressed as part of the Rates Estimates 2019/2020.

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

The Chairperson advised that item No. 22 was an exempt item under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (NI) 2014 – information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

On the proposal of Councillor Trainer, seconded by Councillor Stokes, it was agreed to exclude the public and press from the meeting during discussion on this item.

RTS/127/2018: RECYCLING PERFORMANCE STATISTICS

Read: Report from Mr L Dinsmore, Head of Waste Processing dated 22 August 2018 regarding recycling performance statistics. *(Circulated)*.

When the Committee came out of closed session on the proposal of Councillor Trainor, seconded by Councillor Taylor, the Chairman reported it had been agreed on the proposal of Councillor Trainor, seconded by Councillor Taylor to note the contents of the report giving details of the Council's Recycling Performance against the target of 50% recycle rate, to be achieved by 2020.

RTS/128/2018: TEMPORARY CLOSURE OF BALLYKINE HOUSEHOLD AMENITY SITE TO ACCOMMODATE THE MOURNE TRIATHALON EVENT ON SATURDAY 25 AUGUST 2018

Read: Report from Liam Dinsmore, Head of Waste Processing dated 22 August 2018 regarding the temporary closure of Ballykine Household Amenity Site to accommodate the Mourne Triathlon event on Saturday 25 August 2018. *(Circulated)*.

AGREED: On the proposal of Councillor McMurray, seconded by Councillor Clarke, it was agreed to recommend closure of the Bann Road Household Recycling Centre on Saturday 25th August 2018 9.00am – 12.00 noon, during the Mourne Triathlon Event to reduce Health & Safety risk to the public.

It was also agreed that this decision be communicated to the general public.

RTS/129/2018: TEMPORARY CLOSURE OF WARRENPOINT CIVIC AMENITY SITE

Mr Dinsmore advised of the pending closure of Warrenpoint Civic Amenity site for an approximate two week period to facilitate works to drains.

AGREED: It was unanimously agreed to recommend closure of Warrenpoint Civic Amenity Site for an approximate two week period to facilitate drainage works.

It was also agreed that this decision be communicated to the general public.

RTS/130/2018: ACQUISITION OF VEHICLES 2017 – 2022

Read: Report from Liam Dinsmore, Head of Waste Processing dated 22 August 2018 regarding acquisition of vehicles 2017 – 2022. The report advised the Council had previously approved a five-year vehicle replacement plan

and provided an update on progress towards completing acquisition of replacement Council vehicles in line with planned expenditure in this current financial period (2018/2019). ***(Circulated)***.

AGREED: **On the proposal of Councillor Craig, seconded by Councillor Stokes, it was agreed that minor additions/deletions made since to the replacement list presented to RTS in April 2018 be approved. (Appendix 1 circulated at meeting).**

It was also agreed that future minor changes to replacement list of vehicles for 2018/19 can be made without need for future RTS/Council approvals, subject to individual Business Cases being approved and the final spend not exceeding spend forecast advised in April, i.e. £2,902,467.00.

FOR NOTING

**RTS/131/2018: ARC 21 JOINT COMMITTEE MEETING MINUTES
- THURSDAY 31 MAY 2018**

Read: Arc 21 Joint Committee Meeting Minutes dated Thursday 31 May 2018.
(Circulated)

AGREED: **It was unanimously agreed to note the Arc 21 Joint Committee Meeting Minutes held on Thursday 31 May 2018.**

**RTS/132/2018: ARC 21 JOINT COMMITTEE MEMBERS MONTHLY BULLETIN
26 JUNE 2018**

Read: Arc 21 Joint Committee Members Monthly Bulletin 26 June 2018.
(Circulated)

AGREED: **It was unanimously agreed to note the Arc 21 Joint Committee Members Bulletin dated 26 June 2018.**

RTS/133/2018: HISTORIC ACTION SHEET

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

AGREED: **It was unanimously agreed to note the historic Action Sheet.**

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

For adoption at the Council Meeting to be held on Monday 3 September 2018.

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

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