

**NEWRY, MOURNE AND DOWN DISTRICT COUNCIL**

RTS/M

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**Minutes of the Regulatory and Technical Services Committee Meeting held on Wednesday 23 March 2016 at 3.15pm in the Boardroom, District Council Offices, Monaghan Row, Newry**

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**Chairperson:** Councillor T Andrews

**Members:** Councillor P Brown Councillor P Byrne  
Councillor C Casey Councillor S Doran  
Councillor G Fitzpatrick Councillor G Hanna  
Councillor M Murnin Councillor H McKee

**Non Committee Members:** Councillor T Hearty Councillor D Curran  
Councillor P Clarke Councillor B Walker  
Councillor S Burns

**Officials in Attendance:** Mr L Hannaway, Chief Executive  
Mr C O'Rourke, Director of Regulatory and Technical Services  
Mr A McKay, Head of Planning  
Mr C Jackson, Assistant Director of Building Control and Regulations  
Mr L Dinsmore, RTS  
Mrs C McAteer, Democratic Services Officer

**RTS/35/2016: APOLOGIES AND CHAIRPERSON'S REMARKS**

It was noted apologies were received from Councillor G Stokes, Councillor S Ennis, Councillor V Harte and Councillor D Taylor.

Councillor Andrews referred to the recent terrorist attack in Brussels and said the thoughts and prayers of the whole community were with those who had lost their lives, their families and their friends.

Councillor Andrews also expressed his deepest sympathy on the tragic pier accident which had occurred in Buncrana, County Donegal, and led to the loss of the lives of five members of the same family. He said the whole community were united in grief and extended his thoughts and prayers to all who had been so terribly affected.

Councillor Andrews expressed his sympathy on the death of a former Chairman of Down District Council, Mr Jim Magee, and asked that a letter of sympathy be sent to his family on behalf of the Council.

Councillor Andrews thanked all the Council staff who had been involved in any way in organising or working at the very successful St. Patrick's Day celebrations held throughout the District.

**RTS/36/2016:        DECLARATIONS OF INTEREST**

It was noted there were no declarations of interest.

**RTS/37/2016:        ACTION SHEET OF THE REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING – WEDNESDAY 17 February 2016**

**Read:**                    Action Sheet of the Regulatory and Technical Services Committee Meeting held on Wednesday 17 February 2016. ***(Attached)***.

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

**FOR CONSIDERATION AND/OR DECISION**

**RTS/38/2016        PORTRAITS OF FORMER CHAIRPERSONS ON DOWN DISTRICT COUNCIL**

**Noted:**                    Councillor Curran, Councillor Walker and Councillor P Clarke paid tribute to the former serving Chairpersons of the legacy Down District Council. They explained that when the Council offices moved to their new Civic Headquarters the portraits of former Chairpersons had not been re-erected, despite this having been agreed by the Council. They paid tribute to all former Chairpersons and said the work which they had carried out to lead the District in difficult times should be acknowledged and their portraits re-erected in the new Civic Centre.

Mr O'Rourke explained the portraits had been taken down to be re-digitised as they were too large and this work was almost completed. He confirmed action would be taken to have them remounted and put up in the building.

**Agreed:**                **On the proposal of Councillor McKee, seconded by Councillor Murnin it was agreed that officials arrange to have the portraits of former Chairpersons of Down District Council re-erected in the new Civic Centre.**

## **BUILDING CONTROL**

### **RTS/39/2016      REPORT RE: TENDER FOR COUNCIL'S STREET NAMEPLATE SERVICE**

**Read:** Report dated 14 March 2016 from Mr Colum Jackson, Assistant Director of Regulatory and Technical Services re: tender for Council's street nameplate service. The report sought approval from the Council to go out to tender for the provision of street nameplates for the period 1 April 2016 – 31 March 2019, with the option to extend by a further period of up to one year, with the likely cost to be in the region of £9,000 per annum. **(Circulated).**

**Agreed:** **On the proposal of Councillor Hanna, seconded by Councillor Doran, it was agreed to go out to tender for the provision of street nameplates for the period 1 April 2016 – 31 March 2019, with the option to extend by a further period of up to one year, with the likely cost to be in the region of £9,000 per annum.**

**It was also agreed that the Council adopt the street nameplate design as shown in appendix A, B and C, circulated at the meeting.**

## **PLANNING**

### **RTS/40/2016      PLANNING DEPARTMENT PERFORMANCE INDICATORS – FEBRUARY 2016**

**Read:** Planning Performance Indicators for February 2016. **(Circulated).**

**Noted:** **The Planning Department Performance Indicators report was noted.**

**Noted:** Mr McKay advised that the last two Planning staff had now been recruited for Newry giving a total of 6 new additional staff. He said that he expected the level of performance to now significantly improve. In the 6 week period from the start of February to mid-March the backlog of planning applications had reduced from 1600 to 1485; 221 new applications had been received and 427 decisions issued.

Mr McKay referred to page 3 of the report – item 9 Appeals and said the figure given was incorrect. The total number of appeals currently on-going was 6.

In response to queries from Members, Mr McKay advised that he hoped that in 2-3 months, each Case Officer would have a case load in the region of 50-60 applications and this would generally be considered a workable case load. He also said it was hoped that average planning applications would be progressed within the target of 15 weeks.

**RTS/41/2016                    RECORD OF MEETINGS BETWEEN PLANNING OFFICERS AND PUBLIC REPRESENTATIVES – FEBRUARY 2016**

**Read:** Record of Meetings between Planning Officers and Public Representatives for February 2016. **(Circulated).**

**Agreed:**                    **The above report was noted.**

**FACILITIES MANAGEMENT AND MAINTENANCE**

**RTS/42/2016                    LEASE – BUS SHELTER AT ST. NICHOLAS PRIAMARY SCHOOL, ARDGLASS**

**Read:** E mail dated 18 March 2016 from Alison Robb, Assistant Director, seeking approval to enter into a 25 year lease agreement with the NI Housing Executive for the bus shelter at St. Nicholas Primary School, Ardglass in the sum of £1000.

**Agreed:**                    **On the proposal of Councillor Hanna, seconded by Councillor Murnin, it was agreed the Council enter into a 25 year lease agreement with the NIHE for land for the bus shelter at St. Nicholas Primary School, Ardglass in the sum of £1000.**

**RTS/43/2016                    THE PROVISION OF BLUE BINS TO BUSINESSES**

**Noted:** Councillor Murnin said he had asked for this item to be put on the agenda for the meeting as he believed the provision of blue bins to businesses would save the Council in the region of £100,000 per annum as it would lead to more material being recycled. He said he owned a business on which he paid rates but he did not see any conflict of interest as his proposal was made on the basis that it would save the Council money.

Mr O'Rourke advised that in November 2014 the Shadow Council had agreed to introduce commercial blue bin collections in the Down side of the organisation. This service was already in place in the former Newry and Mourne side. The difficulty was how to prioritise this against all the other priorities for waste and he

suggested that it should be considered as an item at the first meeting of the Strategic Issues Waste Working Group.

**Agreed:** **On the proposal of Councillor Murnin, seconded by Councillor Hanna, it was agreed that the Council provide blue bins to all businesses throughout the District to enable them to recycle their waste.**

**It was agreed this issue be put on the agenda for consideration at the first meeting of the Strategic Issues Waste Working Group.**

## **FOR NOTING**

**RTS/44/2016**

### **COUNCIL'S BI-ANNUAL SCHEME OF DELEGATION**

**Read:** Report from Mr C O'Rourke, Director RTS, detailing the decisions taken by the Director under Category 6 of the Council's Scheme of Delegation including:-

- Licensing Report.
- List of Entertainment Licences issued from 1 November 2015 - 29 February 2016.
- List of Petroleum Licences issued from 1 November 2015 – 29 February 2016.
- List of Amusement Permits issued from 1 November 2015 – 29 February 2016.
- Number of stray and unwanted dogs.
- Enforcement Action taken Welfare of Animals (NI) Act 2011.
- Street nameplates.
- List of single language nameplates erected from 1 November 2015 – 29 February 2016.
- Requests for dual language nameplates.
- Postal numbering.
- Local Government (Miscellaneous Provisions) (NI) Order 1995, Article 11.
- Requests for Development naming.
- Off street charged car park tariff change to 6 car parks,
- Building Regulations report.

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

**RTS/45/2016                    CONSULTATION RESPONSE ON PROPOSED EARLY CLOSURE OF THE NI RENEWABLES OBLIGATION (NIRO) TO ONSHORE WIND IN 2016**

**Read:** Update from the Department of Enterprise, Trade and Investment re: outcome of consultation on the early closure of Northern Ireland Renewables Obligation (NIRO) to onshore wind in 2016. **(Circulated).**

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

**Noted:**                    Councillor Brown said he wished to place on record the Council's disappointment at the closure of the NI Renewables Obligation to onshore wind scheme.

**RTS/46/2016                    ARC21 MEMBERS MONTHLY BULLETIN – 25 FEBRUARY 2016.**

**Read:**                    arc21 Members Monthly Bulletin – 25 February 2016. **(Circulated).**

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

**RTS/47/2016                    ARC 21 JOINT STEERING GROUP MEETING MINUTES OF THE MEETING HELD ON TUESDAY 19 JANUARY 2016**

**Read:**                    Arc 21 Joint Committee Members Monthly Bulletin – 19 January 2016. **(Circulated)**

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

**RTS/48/2016                    ARC 21 JOINT COMMITTEE MEETING - MINUTES OF THE MEETING HELD ON THURSDAY 28 JANUARY 2016**

**Read:**                    Minutes of Arc 21 Steering Group Meeting held on Thursday 28 January 2016. **(Circulated).**

**Agreed:**                    **It was unanimously agreed to note the above Minutes.**

**ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE LOCAL GOVERNMENT ACT (NI) 2016**

**RTS/49/2016                    PAC HEARING IN RELATION TO THE PLANNING APPLICATION FOR ARC'S PROPOSED WASTE TREATMENT FACILITY AT HIGHTOWN QUARRY**

**Agreed:**                    **On the proposal of Councillor Hanna, seconded by Councillor**

**McKee, it was agreed to exclude the public and press from the meeting during discussion on these matters which related to exempt information 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).**

**Read:** Report from Mr C O'Rourke dated 23 March 2016 re: progression of PAC in relation to planning application for proposed waste treatment facility at Hightown Quarry for arc21. **(Circulated).**

**RTS/50/2016**      **REPORT RE: TENDER FOR FINAL CAPPING AT AUGHNAGUN LANDFILL SITE**

**Read:** Report from Mr C O'Rourke dated 23 March 2016 re: request to tender for final capping at Aughnagun Landfill site. **(Circulated).**

**Agreed:**      **On the proposal of Councillor Fitzpatrick, seconded by Councillor Hanna, it was agreed the Committee come out of closed session.**

**Agreed:**      **When the Committee came out of closed session, the Chairman reported:-**

PAC Hearing – arc21 proposed waste treatment facility

Councillor Casey had proposed and Councillor Doran seconded that a decision on the PAC hearing be deferred and a copy of the legal opinion be circulated to all Councillors to give the Party Groupings an opportunity to study it and if necessary seek their own legal opinion.

The proposal was put to a vote and voting was as follows:-

FOR:                    2  
AGAINST:             7  
ABSTENTIONS:     Nil

The proposal was declared lost.

Councillor Hanna had proposed and Councillor McKee seconded that the Council approve Option 1 in the report from Mr C O'Rourke dated 23 March 2016 – to pursue a hearing in front of a Planning Appeals Commission inquiry, in relation to the planning application for developing waste infrastructure at Hightown Quarry, to its conclusion (as provided for by the Planning Act (Northern Ireland) 2011 and that arc21 officers enter

into discussions with the bidding consortium to seek to develop a protocol for minimising the costs to arc21 associated with the PAC hearing process and that the legal advice be circulated to all Councillors in advance of the Council Meeting.

The proposal was put to a vote and voting was as follows:-

FOR: 7  
AGAINST: Nil  
ABSTENTIONS: 2

The proposal was declared carried.

**Agreed:** It was agreed on the proposal of Councillor Hanna, seconded by Councillor McKee, to recommend that the Council approve Option 1 in the report from Mr C O'Rourke dated 23 March 2016 – to pursue a hearing in front of a Planning Appeals Commission inquiry, in relation to the planning application for developing waste infrastructure at Hightown Quarry, to its conclusion (as provided for by the Planning Act (Northern Ireland) 2011 and that arc21 officers enter into discussions with the bidding consortium to seek to develop a protocol for minimising the costs to arc21 associated with the PAC hearing process and that the legal advice be circulated to all Councillors in advance of the Council Meeting.

Final capping at Aughnagun Landfill site

**Agreed:** On the proposal of Councillor Fitzpatrick, seconded by Councillor Hanna, it was agreed to grant permission to tender for the final capping at Aughnagun Landfill site.

There being no further business the meeting ended at 5.05 pm.

For consideration at the Council Meeting to be held on Monday 4 April 2016.

**Signed:** Councillor Terry Andrews  
Chairperson of Regulatory & Technical Services Committee

**Signed:** Mr C O Rourke  
Director Regulatory & Technical Services