

## **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 August 2017 at 5.00 pm in the Boardroom, District Council Offices, Monaghan Row, Newry**

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**Chairperson:** Councillor J Trainor

**Members:**

Councillor T Andrews	Councillor S Burns
Councillor C Casey	Councillor W Clarke
Councillor G Craig	Councillor D Curran
Councillor V Harte	Councillor J Macauley
Councillor M Ruane	Councillor G Stokes
Councillor D Taylor	Councillor JJ Tinnelly

**Officials in Attendance:** Mr L Hannaway, Chief Executive  
Mr A Wilkinson, Interim Director Regulatory & Technical Services  
Mr A McKay, Chief Planning Officer  
Mr C Jackson, Assistant Director of Building Control and Regulations  
Mr K Scullion, Assistant Director Facilities Management and Maintenance  
Mr L Dinsmore, Head of Waste Processing, Enforcement and Business Support  
Miss S Taggart, Democratic Services Officer

### **RTS/85/2017: APOLOGIES AND CHAIRPERSON'S REMARKS**

Apologies were received from Councillors Fitzpatrick and Kimmins and from Mr J Parkes, Assistant Director of Waste Management.

### **RTS/86/2017: DECLARATIONS OF "CONFLICTS OF INTEREST"**

There were no declarations of conflicts of interest.

### **RTS/87/2017: ACTION SHEET OF THE REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON WEDNESDAY 21 JUNE 2016**

**Read:** Action Sheet of the Regulatory and Technical Services Committee Meeting held on Wednesday 21 June 2016. *(Copy circulated)*.

### **RTS/72/2017 – Brown Bins in Urban Areas**

Councillor Andrews praised the staff within the Department for their work in rolling out the brown bin scheme.

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

#### **FOR CONSIDERATION AND/OR DECISION – BUILDING CONTROL**

**RTS/88/2017: REGULATORY AND TECHNICAL SERVICES BUSINESS PLAN – UPDATE Q1**

**Read:** Regulatory and Technical Services Business Plan – Update Q1 (*Copy circulated*).

**Noted:** It was agreed to note the Business Plan Update for Quarter 1.

**RTS/89/2017: CONSIDER POLICY REGARDING HEARING OF REPRESENTATIVES FOR LICENCES**

**Read:** Report from Mr C Jackson, Assistant Director of Regulatory and Technical Services, dated 23 August 2017 regarding Protocol on Hearing of Representation and Referrals for Licenses and Permits (*Copy circulated*).

Mr Jackson advised under the Scheme of Delegation for Officers, they were able to make decisions or grant approval relevant to legislation under their area of control, however, they were unable to refuse a Licence or Permit.

**Agreed:** It was agreed on the proposal of Councillor Casey, seconded by Councillor Andrews to:

- 1. Approve of the “Protocol on Hearing of Representations and Referrals for Licenses and Permits”, and**
- 2. Authorise the Regulatory and Technical Services Committee to hear representations or referrals from the Licensing Officers on Licenses or permits applications. The Committee to be given the power to make decisions /issue refusals on behalf of the Council.**

The Special Meetings should be conducted in accordance with the Council’s approved Standing Orders (9 January 2017), and the above mentioned Protocol.

#### **FOR CONSIDERATION AND/OR DECISION - PLANNING**

**RTS/90/2017: JULY 2017 - PLANNING COMMITTEE PERFORMANCE REPORT**

**Read:** Report on Planning Committee Performance for July 2017  
**(Copy circulated).**

Members asked the following questions:

- Was there a common reason for the increase in sick leave, for example were staff absent due to stress?
- Why was it taking more than 30 weeks to deal with major applications?
- How many major applications were within the 957 current live cases and what was the processing time for these applications?
- Any key reasons as to why performance was not where it should be in terms of major applications?
- Was there anything that Members could do at local or Executive level to assist in the process?
- Statutory consultees were responsible for detaining applications by not submitting the information requested within the required timeframe, was this an issue for the Planning Officers?
- Agents and architects should be made aware that the submission of quality applications would enable them to be turned around a lot quicker.

Mr McKay responded to the queries as follows:

- Stress was not the issue in terms of the sickness absence, it was due to other ailments.
- None of the Councils in Northern Ireland were performing well in terms of major applications as due to their nature they can be complex and controversial and often require significant amount of negotiations to reach a positive outcome. Usually the applications submitted require additional amendments or further reports to be provided therefore they were not being turned around within the 30 weeks.
- Although didn't have the figures to hand, some of those live cases would be major applications with the current processing time taking 50 or 60 weeks as opposed to 30.
- Every Council was experiencing resource constraints and this Council had one of the busiest planning departments. Work was ongoing on a number of fronts including reducing backlog and getting local applications turned around quickly.
- Any applications that came in with a potential for generating jobs would be highlighted and would receive a certain level of priority. There were quite a few legacy applications dating as far back as 2004. There were 165 of these legacy applications last year and now there were 80 so the department was working very hard to reduce these legacy applications.
- The department would be largely content with the speed at which the information was received from statutory consultees although sometimes there can be some difficulties.
- Generally speaking if the information that comes through on an application was good enough, the application can be turned around quite quickly. Agents and applicants need to recognise this and ensure they are filing sufficiently robust applications.

**Noted:** The Planning Committee Performance Report was noted.

**RTS/91/2017:** **RECORD OF MEETINGS BETWEEN PLANNING OFFICERS AND PUBLIC REPRESENTATIVES**

**Read:** Report of meetings between Planning Officers and Public Representatives. *(Copy circulated)*.

**Noted:** The report of meetings between Planning Officers and Public Representatives was noted.

**RTS/92/2017:** **CURRENT APPEALS – JULY 2017**

**Read:** Report of current appeals in July 2017 *(Copy circulated)*.

**Noted:** The report of current appeals in July 2017 was noted.

#### **FOR CONSIDERATION AND/OR DECISION - WASTE MANAGEMENT**

**RTS/93/2017:** **BROWN BIN EVALUATION**

Mr Wilkinson advised this item had been removed from the agenda as Mr Parkes was not in attendance and would be discussed at the September meeting.

**RTS/94/2017:** **EXTENSION OF LEASE – CLOONAGH ROAD CIVIC AMENITY SITE, DOWNPATRICK**

**Read:** Report dated 23 August 2017 from Mr L Dinsmore, Head of Waste Processing, Enforcement and Business Support, re Extension of Lease – Cloonagh Road Civic Amenity Site, Downpatrick *(Copy circulated)*.

Mr Wilkinson advised the report sought approval to extend the current lease for Cloonagh Road Amenity Site, Downpatrick for a period of six months, with an option for the Council to extend for a further six month period if required.

Councillor Clarke asked officers to speak with PCSP regarding security of the site and the establishment of a community habitat scheme in the area.

**Agreed:** It was agreed on the proposal of Councillor Curran, seconded by Councillor Burns to approve the extension of the current lease for Cloonagh Road Amenity Site, Downpatrick for a period of six months, with an option for the Council to extend for a further six month period if required.

**Agreed:** It was agreed that officers contact PCSP regarding site security and the establishment of a community habitat scheme in the area of the new site moving forward.

**FOR NOTING**

**RTS/95/2017:** **REPORT RE: REQUEST THE USE OF COUNCIL CAR PARK AT THE SQUARE, WARRENPOINT FROM BELLS AMUSEMENTS FROM 2<sup>ND</sup> TO 29<sup>TH</sup> AUGUST 2017**

**Read:** Report dated 23 August 2017 from Mr C Jackson, Assistant Director Building Control and Regulation regarding request to use a Council car park at The Square, Warrenpoint from Bells Amusements from 2<sup>nd</sup> to 29<sup>th</sup> August 2017 (***Copy circulated***).

Councillor Taylor queried whether other Members would be allowed to attend the review being arranged by DEA Councillors.

Mr Jackson advised he would confirm with the Crotlieve DEA Councillors whether other Members would be allowed to attend the review.

**Noted:** **The report regarding request to use a Council car park at The Square, Warrenpoint from Bells Amusements from 2<sup>nd</sup> to 29<sup>th</sup> August 2017 was noted.**

**RTS/96/2017:** **REPORT RE: ENERGY AND PERFORMANCE OF BUILDINGS REGULATIONS 2008**

**Read:** Report dated 23 August 2017 from Mr C Jackson, Assistant Director Building Control and Regulation regarding Energy And Performance of Buildings Regulations 2008 as amended (***Copy circulated***).

Councillor Craig queried whether the £150,000 was to be split between all 11 Councils. Mr Jackson advised there was a delegated team working on behalf of all Councils from Belfast City Council however the enforcement of the legislation was carried out by the Council's own Building Control team in association with support from the centralised team.

Councillor Craig asked whether there was sufficient budget to carry out this work or if the ratepayer was having to subsidise it. Mr Jackson advised there was no income from enforcement therefore the cost was borne by the ratepayer.

**Noted:** **The report regarding Energy And Performance of Buildings Regulations 2008 as amended was noted.**

- RTS/97/2017:            ARC 21 JOINT COMMITTEE MEMBERS' MONTHLY BULLETIN 29 JUNE 2017**
- Read:**                    Arc 21 Joint Committee Members' Monthly Bulletin 29 June 2017 (*Copy circulated*)
- Noted:**                 **It was agreed to note the Arc 21 Joint Committee Members' Bulletin dated 29 June 2017.**
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- RTS/98/2017:            ARC 21 JOINT COMMITTEE MEMBERS' MONTHLY BULLETIN 27 JULY 2017**
- Read:**                    Arc 21 Joint Committee Members' Monthly Bulletin 27 July 2017 (*Copy circulated*)
- Noted:**                 **It was agreed to note the Arc 21 Joint Committee Members' Bulletin dated 27 July 2017.**
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- RTS/99/2017:            ARC 21 JOINT COMMITTEE MEETING – MINUTES OF THE MEETING HELD ON THURSDAY 30 MARCH 2017.**
- Read:**                    Arc 21 Joint Committee Meeting Minutes dated Thursday 30 March 2017 (*Copy circulated*)
- Noted:**                 **It was agreed to note the Arc 21 Joint Committee Meeting Minutes dated Thursday 30 March 2017.**
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- RTS/100/2017:           ARC 21 JOINT COMMITTEE MEETING – MINUTES OF THE MEETING HELD ON THURSDAY 29 JUNE 2017.**
- Read:**                    Arc 21 Joint Committee Meeting Minutes dated Thursday 29 June 2017 (*Copy circulated*)
- Noted:**                 **It was agreed to note the Arc 21 Joint Committee Meeting Minutes dated Thursday 29 June 2017.**
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- RTS/16/2017:            HISTORIC ACTIONS TRACKING UPDATE**
- Read:**                    Report re: Regulatory & Technical Services Committee Action Tracking Update. (*Copy circulated*).

***RTS/60/2016 – Opening and Closing of Toilets in Newcastle***

Councillor Clarke welcomed the audit of the toilets being carried out however asked for a timeframe as many people were complaining about toilets being closed in Newcastle in the middle of high season and the condition of some of the toilets was unsatisfactory.

Mr Wilkinson advised initial thoughts would be hopefully brought back to the next Committee meeting and the likely outcomes would be recommend certain works and changes to cleaning regimes.

***RTS/124/2015 – Bus Shelter Requests***

Councillor Casey referred to the bus shelter at Old Warrenpoint Road asking what was proposed and whether it would be possible to place a bus shelter on Drummond Road.

Mr Scullion advised there were no proposals in place at present however capital budget could be spent to change the bus shelter to an open structure. There was an impasse at present between Transport NI and Translink and until that occurs proposals cannot be passed.

Councillor Tinnelly raised an issue regarding a bus shelter at Sheepbridge in Newry stating this was the third winter he tried to get a facility in place. He advised with the park and ride being used extensively a bus shelter should be erected as soon as possible.

***RTS/78/2016 – Council Public Amenity Space near the Council public toilets at Castlewellan***

Councillor Casey stated there was a piece of ground in Newry which had been paid for by NIHE and adopted by Transport NI however it had not been maintained. He asked whether this could be added to grounds maintenance schedule for maintaining.

Mr Scullion advised adding to the existing schedule would put the grounds maintenance team under more pressure. He advised there was to be a review of grounds maintenance to ensure it was operating in line with the corporate objectives of the Council.

Councillor Casey proposed that officers meet with Transport NI to investigate possible options for the piece of ground in Newry. This was seconded by Councillor Stokes.

**Agreed:** It was agreed on the proposal of Councillor Casey, seconded by Councillor Stokes that officers meet with Transport NI to explore opportunities for the piece of ground in Newry.

**Noted:** It was agreed to note the historic action sheet.

There being no further business the meeting ended at 6.45pm.

For consideration at the Council Meeting to be held on Monday 4 September 2017.

**Signed:** Councillor John Trainor

**Chairperson of Regulatory & Technical Services Committee**

**Signed: Mr A Wilkinson**  
**Interim Director Regulatory & Technical Services**