

NEWRY, MOURNE AND DOWN DISTRICT COUNCIL

Minutes of Sustainability and Environment Committee Meeting held on Wednesday 24 January 2024 at 6.00pm in the Boardroom, District Council Offices, Monaghan Row, Newry and via MS Teams.

Chair:	Councillor W Clarke (Chamber)	
In Attendance in Chamber:	Councillor C Enright Councillor G Kearns Councillor K Murphy	Councillor J Jackson Councillor O Magennis Councillor D Taylor
In Attendance via Teams:	Councillor D Finn Councillor H Reily Councillor J Truesdale	Councillor M Larkin Councillor M Rice
Non-Committee Members in Attendance via teams:	Councillor C Bowsie Councillor S Murphy	Councillor O Hanlon
Officials in Attendance:	Mr A Cassells, Director Sustainability and Environment Ms S Murphy, Assistant Director Waste Management Mr C Sage, Assistant Director Sustainability Ms S Taggart, Democratic Services Manager Ms F Branagh, Democratic Services Officer	

As the Chairperson had tendered an apology, the Deputy Chairperson, Councillor Clarke assumed the Chair.

SE/001/2024: APOLOGIES AND CHAIRPERSON'S REMARKS

Apologies were received from Councillors Andrews and Feehan.

Councillor Clarke congratulated Ms Murphy on her appointment to the position of Director Sustainability and Environment, and also wished Mr Cassells well for his future endeavours.

SE/002/2024: DECLARATIONS OF "CONFLICTS OF INTEREST"

There were no declarations of interest.

FOR DECISION

SE/003/2024: ACTION SHEET: SUSTAINABILITY AND ENVIRONMENT COMMITTEE MEETING HELD ON 20 DECEMBER 2023

Read: Action Sheet of the Sustainability and Environment Committee Meeting held on 20 December 2023. **(Copy circulated)**

AGREED: **On the proposal of Councillor Kearns, seconded by Councillor Finn, it was agreed that the Action Sheet of the Sustainability and Environment Committee Meeting held on 20 December 2023 be noted.**

SE/004/2024: REPORT ON NOTICE OF MOTION – FLOOD DEFENCES

Read: Report dated 24 January 2024 from Ma A Cassells, Director of Sustainability & Environment, regarding a report on Notice of Motion – Flood Defences. **(Copy circulated)**

Councillor Enright informed Members that he was on the board of Drainage and Flooding Council representing Council and noted his support of the four flood relief schemes in Newry under discussion, however budget constraints had seen the Downpatrick flood alleviation scheme remain a proposal. He stated that the Quoile barrier was not fit for purpose, and maintenance issues needed to be addressed.

He pointed out that a number of flooding events needed to be considered, and urged Newry Councillors investigate the defences relating to flooding from the sea. He noted an assumption that Newcastle flood defences were finished, but many were aware that this wasn't the case given recent events.

Councillor Enright, in noting his support regarding points 2, 3 and 4 of section 2.2 of the Officer's Report, proposed to invite DFI Rivers to meet with elected members to discuss the recent flooding events. He also noted queries regarding the process of addressing potential floods, and communications relating to the flooding. He commended Council actions after the floods occurred but confirmed that there were no warnings or support prior to the floods occurring.

Councillor Magennis welcomed the assessment of funding from the Shared Island Fund, however, noted that Council appeared to be tasked with roles and responsibilities that were the responsibility of other departments. She pointed out that there had been years of lobbying for better maintenance schedules and infrastructure upgrades, but years of cuts had resulted in a meagre budget that was not fit for purpose.

She noted her Party's support for a request of river maintenance schedule but cautioned that this would not be adequate without significant funding, and she urged Council to await the outcome of the independent review.

Councillor Truesdale confirmed her understanding of Sinn Fein's position but noted that she felt elected representatives should be able to support the community while the independent review was ongoing.

Mr Cassells presented his report, highlighting the detailed statutory obligations of the relevant departments, and confirmed that members would have an opportunity to feed into the independent review.

Following further discussions, Councillors Hanlon and Finn requested clarity on what action was being agreed, and queried the merit in inviting DFI Rivers and members of the Flood and Drainage board to meet with Members at this time, given the independent review was ongoing.

Councillor Enright clarified the reason for the departmental meeting was to seek clarity on the process, the liaison between Council and DFI could be clarified to ensure there is an early warning system in place for any future issues that may arise in relation to flooding.

Mr Cassells provided clarification on the role and responsibilities of the Drainage Council stating they provided an independent impartial oversight sitting above DFI Rivers, with a statutory duty to ensure uniformity of drainage throughout Northern Ireland. If Councillor Enright's proposal was agreed, it was requested that Members prepare questions in advance to allow representatives to be able to provide all relevant information.

Following further queries Mr Cassells advised that Council could investigate the legality of whether holding such a meeting would compromise the ongoing independent review.

AGREED:

On the proposal of Councillor Enright, seconded by Councillor Truesdale, it was agreed that Council would:

- **Further investigate the possibility of a Shared Island application to assist with flood defences.**
- **Write to DFI Rivers and request a river maintenance schedule.**
- **Seek legal advice to clarify if a meeting with DFI Rivers (flooding department) and the Drainage and Flooding Council would compromise the ongoing independent review of the recent floods in the district.**

SE/005/2024: REPORT ON NOTICE OF MOTION – FLOOD PREPAREDNESS

Read: Report dated 24 January 2024 from Ma A Cassells, Director of Sustainability & Environment, regarding Flood Preparedness. **(Copy circulated)**

Councillor Truesdale stated that this motion had its roots in years of repetitive extreme weather events, noting that many weather records were being broken. She recognised the existence of the Regional Community Development Group for the management of extreme weather events and stated that Council should have Community Resilience Groups.

With regard to the officer's report, Councillor Truesdale highlighted the following:

- Note of thanks to Taucher McDonald, local DEA co-ordinator, for acting so swiftly during the December floods in Newcastle. She caveated this by stating that it should not be the sole responsibility of a DEA Coordinator but should be assisted by a Council emergency task force, working alongside local resilience groups.
- Disappointed she was unable to find any Community Resilience Group pages on the Council's website adding that existing community groups across NI, along with DFI, provide support to elected representatives and Councils with the process.
- Disappointed that Council did not assist with sandbag distribution, regardless of statutory obligations. She called for Council to work collaboratively with DFI Rivers and funders to share information in relation to sandbag locations, and to update its website in this matter.
- Supported writing to the NIEA to call for the implementation of a flood warning system in line with England, Scotland and Wales, and for the Community Flood Plans to be fully implemented.

- Reiterated her Party's call for an Independent Environment Agency since it was promised previously under New Decade, New Approach.
- Referenced the second cycle flood risk management plan 2021-2027, and questioned how Council was translating this at a local level, stressing the importance of good communication and the necessary preparation to ensure its accessibility by people in times of distress, such as flooding.
- Stressed the onus was on everyone to empower residents and businesses within the district by building Community Resilience Groups, have the necessary information freely available on Councils website, and need to agree and set out clear lines of communication through a Council led multi-agency task force.

Councillor Finn commended the community spirit of those impacted in Newry, noting her frustration at the lack of knowledge regarding location and availability of sandbags. She queried whether a Community Resilience Group was established in Newry and recommended it as an action if not.

Councillor Taylor advised he had been contacted by those impacted by the floods, who raised concerns about the timeline of the independent review. He noted concerns of the local businesses around insurance viability moving forward, and the impact of the lack of insurance should another flooding incident happen.

Councillor Hanlon noted problems with Floodline and noted that DFI Rivers had advised that it helped them identify the worst affected areas. She noted the strategic benefit of this view of flooding but stated that when on the ground in a flooding incident, it appeared to be too little too late. She expressed her hope that the whole system was reviewed in regards to this.

Councillor Clarke reiterated his own concerns regarding communication relating to sandbag availability and distribution, confirming that clarity was needed on the ownership of this task. He proposed that the establishment of community resilience groups were managed by local DEA groups as they were best placed to oversee the process.

He noted that the Burren River flood defence failed as nearby homes were flooded and stated that this defence was meant to protect them. He also stated the drain network was not fit for purpose anymore, given the direction of the flooding in Newcastle. He commended Belfast Council's actions during the flooding incidents, noting their sterling work in accessing sandbags and assisting with the flood emergency response.

Councillor Magennis noted her thanks to Monaghan County Council for assisting with the delivery of sandbags.

Mr Cassells advised there were well-established multi agency emergency arrangements already in place, involving all blue light services, government departments and Council. He pointed out that his report was mindful of Council responsibilities and those of other statutory agencies. He noted that in section 2.4 of his report, any reference to "Council" was the Draining and flooding Council, not this Council.

He confirmed the internal debrief on flooding had been completed, and a wider questionnaire to capture members and staff feedback would be issued in the coming weeks, with a further debrief report then fed into the external multi agency review. He confirmed the formal report from multi agency review would be compiled independently and should be complete by end of June. He confirmed that stakeholder input was being sought from individuals, groups and members, and there would be several engagement events across this Council and Armagh, Banbridge and Craigavon Council.

Councillor Truesdale noted her support for the involvement of local DEA forums, but urged Council to recognise its role, such as disseminating information from Regional Community on the website.

AGREED:

On the proposal of Councillor Truesdale, seconded by Councillor Enright, it was agreed that Council would

- **Liase with local DEA forums to discuss and plan the setup of Community Resilience Groups**
- **Investigate the facilitation of sandbag availability and management through these Community Resilience Groups.**
- **Look into sharing information on the website from the Regional Community Resilience Group**

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

Agreed:

On the proposal of Councillor Magennis, seconded by Councillor Rice, it was agreed to exclude the public and press from the meeting during discussion on items 6 to 13, which related to exempt information by virtue of para. 3 of Part 1 of Schedule 6 of the Local /Government (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.

Agreed:

On the proposal of Councillor Finn, seconded by Councillor Rice, it was agreed the Committee come out of closed session.

The Chairperson advised the following had been agreed whilst in closed session:

FOR DECISION

SE/006/2024: BUSINESS CASE FOR FIRE FIGHTING EQUIPMENT CONTRACT

Read:

Report dated 24 January 2024 from Mr C Sage, Assistant Director Sustainability regarding a business case for annual servicing and maintenance of fire fighting equipment in Council buildings. (copy circulated)

AGREED:

It was agreed on the proposal of Councillor Taylor, seconded by Councillor Murphy, to note the content of the report and associated Business Case, and to accept the conclusion of the Business Case to see the appointment, through a tender process, of a competent contractor to inspect, maintain and testing of all Fire Fighting Equipment in Buildings in the Council's asset register.

SE/007/2024: UPDATE ON FINANCIAL COSTINGS FOR CONSULTANTS REGARDING CEMETERY CAPITAL PROJECTS

Read: Report dated 20 December 2023 Mr C Sage, Assistant Director Sustainability regarding an update on financial costings for consultants re: Cemetery Capital Projects. **(Copy circulated)**

AGREED: **It was agreed on the proposal of Councillor Murphy, seconded by Councillor Rice, to note the contents of the report and approve the recommendations contained within the Officer's Report in relation to Capital Expenditure sought.**

SE/008/2024: WASTE CONTRACT EXTENSIONS

Read: Report dated 24 January 2024 from Mrs S Murphy, Assistant Director: Environment, regarding the extension of mixed dry recycling contracts. **(Copy circulated)**

AGREED: **It was agreed on the proposal of Councillor Magennis, seconded by Councillor Kearns, to approve the following:**

- **The extension of the contract for the Receipt and Processing of Mixed Dry Recycling with Re-Gen Waste LTD from 1 April 2024 to 31 March 2025, subject to the approval of the arc21 Joint Committee**
- **The extension of the current haulage contract with Natural World Products LTD from 1 April 2024 to 31 March 2025, subject to approval of the arc21 Joint Committee.**

SE/009/2024: SINGLE TENDER ACTIONS

Read: Report dated 24 January 2024 from Ms S Murphy, Assistant Director Environment, regarding Single Tender Action Extension **(Copy circulated)**

AGREED: **It was agreed the proposal of Councillor Magennis, seconded by Councillor Kearns, to approve the extension of the Single Tender Action for the collection, treatment and processing of residual waste, rigid plastics, and mixed paper from Downpatrick, Ballynahinch and Castlewellan Household Recycling Centres as outlined in section 2.3 of the officer's report.**

SE/010/2024: ENERGY CONTRACTS 2024-2025

Read: Report dated 24 January 2024 from Mr A Cassells, Director Sustainability and Environment, regarding Electricity and Natural Gas contracts 2024/25
(Copy circulated)

AGREED: **It was agreed the proposal of Councillor K Murphy, seconded by Councillor Finn, to approve the second year (12 month extension) of electricity and natural gas contracts with GoPower, commencing in May 2024.**

FOR NOTING

SE/011/2024: REPORT ON CHRISTMAS ILLUMINATIONS

Read: Report dated 24 January 2024 from Mr C Sage, Assistant Director: Facilities Management and Maintenance Officer, regarding Christmas illuminations 2023
(Copy circulated)

AGREED: **It was agreed the proposal of Councillor Magennis, seconded by Councillor Rice, to note the contents of the report.**

SE/012/2024: ARC21 JOINT COMMITTEE MEMBERS' MONTHLY BULLETIN HELD ON 5 DECEMBER 2023

Read: ARC21 – Joint Committee Members' Monthly bulletin. **(Copy circulated)**

AGREED: **It was agreed the proposal of Councillor Magennis, seconded by Councillor Rice, to note the arc21 Joint Committee Members' Monthly Bulletin from 5 December 2023.**

SE/013/2024: ARC21 JOINT COMMITTEE MEETING IN COMMITTEE MINUTES OF THURSDAY 26 OCTOBER 2023

Read: ARC21 Joint Committee Meeting In Committee Minutes of Thursday 26 October. **(Copy circulated)**

AGREED: **It was agreed the proposal of Councillor Magennis, seconded by Councillor Rice, to note the in Committee minutes of the arc21 Joint Committee meeting of Thursday 26 October 2023.**

Councillor Taylor left the meeting at 07.35pm

FOR NOTING

SE/014/2024: UPDATE REPORT ON OCTOBER/NOVEMEBR FLOOD RECOVERY AND RESPONSE

Read: Report from Mr A Cassells, Director: Sustainability & Environment, regarding an October/November 2023 Floods – Post Flooding review **(Copy circulated)**.

AGREED: **On the proposal of Councillor Magennis, seconded by Councillor Finn, it was agreed note the contents of the report.**

SE/015/2024: **ARC21 JOINT COMMITTEE MEETING MINUTES OF THURSDAY 26 OCTOBER 2023**

Read: arc21 Joint Committee Minutes of Thursday 26 October 2023 **(Copy circulated)**

AGREED: **On the proposal of Councillor Magennis, seconded by Councillor Finn, it was agreed note the minutes.**

There being no further business the meeting ended at 07:42pm.

For adoption at the Council Meeting to be held on Monday 05 February 2024.

Signed: **Councillor Willie Clarke**
Chairperson

Signed: **Mr Andrew Cassells**
Director of Sustainability & Environment