

## **NEWRY, MOURNE AND DOWN DISTRICT COUNCIL**

RTS/M

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### **Minutes of the Regulatory and Technical Services Committee Meeting held on Wednesday 17 October 2018 at 6.00pm in the Boardroom, District Council Offices, Monaghan Row, Newry**

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**Chairperson:** Councillor C Casey

**Vice Chairperson:** Councillor J Rice

**Members:**

Councillor T Andrews	Councillor W Clarke
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 Tinnelly

**Officials in Attendance:** Mr R Moore, Director of Neighbourhood Services  
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/134/2018: APOLOGIES AND CHAIRPERSON'S REMARKS**

Apologies were received from Councillors Craig, Curran and Trainor.

#### **RTS/135/2018: DECLARATIONS OF "CONFLICTS OF INTEREST"**

There were no declarations of Conflicts of Interest.

#### **RTS/136/2018: ACTION SHEET OF THE REGULATORY AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON WEDNESDAY 22 AUGUST 2018**

**Read:** Action Sheet of the Regulatory and Technical Services Committee Meeting held on Wednesday 22 August 2018. ***(Circulated)***.

**AGREED:** **On the proposal of Councillor Harvey, seconded by Councillor Ruane, it was agreed the Action Sheet of 22 August 2018 be noted and actions removed as marked.**

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

### **RTS/137/2018: NEIGHBOURHOOD SERVICES PROJECT HIGHLIGHT REPORT**

**Read:** Report dated 17 October 2018 from Mr R Moore, Director: Neighbourhood Services regarding Neighbourhood Services Project Highlight Report. **(Circulated)**

**AGREED:** **On the proposal of Councillor Stokes, seconded by Councillor Fitzpatrick, it was agreed to recommend approval of the progress update in relation to the Neighbourhood Services project, and to agree the report of the Member workshop held on the 25 June 2018 and proposed Terms of Reference for the (Elected Member) Neighbourhood Services Working Group.**

**It was also agreed that Councillor Andrews be nominated as the second SDLP representative on the Neighbourhood Services Working Group.**

### **RTS/138/2018: MEMORANDUM OF UNDERSTANDING PARTNERING ARRANGEMENTS FOR THE REMOVAL OF SNOW AND ICE FROM TOWN CENTRE FOOTWAYS AND PEDESTRIAN AREAS**

**Read:** Report dated 17 October 2018 from Mr R Moore, Director: Neighbourhood Services regarding Memorandum of Understanding Partnering Arrangements for the Removal of Snow and Ice from Town Centre Footways and Pedestrian Areas. **(Circulated)**

**AGREED:** **On the proposal of Councillor Stokes, seconded by Councillor Andrews, it was agreed to recommend approval for officials to review the agreement and schedule with the Department of Infrastructure for the clearance of ice and snow from footways during prolonged periods of wintry weather and, following a satisfactory review, to extend the agreement for a further 12 months in accordance with the "Scope of the Agreement" Clause 3 and Appendix 1 as amended.**

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

### **RTS/139/2018: 6 MONTH REPORT FOR BUILDING CONTROL AND REGULATION**

**Read:** Report dated 17 October 2018 from Mr E Newell, Acting Assistant Director for Enterprise, Regeneration and Tourism, Building Control and Regulation regarding 6 Month Report for Building Control and Regulation. **(Circulated)**

Mr Newell advised that the Service was meeting their performance standards.

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

In response to a query from Councillor Macauley, Mr Newell advised that the income from inspection fees had decreased, mainly due to the slow-down in commercial applications.

**RTS/140/2018: CAR PARK REVIEW UPDATE**

**Read:** Report dated 17 October 2018 from Mr E Newell, Acting Assistant Director for Enterprise, Regeneration and Tourism, Building Control and Regulation regarding car park tariff review update. The report contained details of the proposed road show schedule as outlined below.  
***(Circulated)***

**Appendix 2. Proposed Road show schedule.**

DAY/DATE	TIME	LOCATION	ASSOCIATED SETTLEMENTS
Tuesday 6 <sup>th</sup> November 2018	6-7pm	Downpatrick Arts Centre	Downpatrick
Monday 12 <sup>th</sup> November 2018	7-9pm	Sean Hollywood Arts Centre	Newry
Tuesday 13 <sup>th</sup> November 2018	5.30-6.30pm	The Lodge Castlewellan	Castlewellan
Tuesday 13 <sup>th</sup> November 2018	8-9pm	Newcastle Centre	Newcastle
Tuesday 20 <sup>th</sup> November 2018	5.30- 6.30pm	Market House Ballynahinch	Ballynahinch
Wednesday 21 <sup>st</sup> November 2018	5.30 – 6.30pm	Warrenpoint Town hall	W'point/Rostrevor/Hilltown
Wednesday 21 <sup>st</sup> November 2018	8-9pm	Newry St Community Centre	Kilkeel

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

**PLANNING**

**RTS/141/2018: CURRENT APPEALS**

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

**AGREED:** On the proposal of Councillor Stokes, seconded by Councillor Clarke, it was unanimously agreed to note the above Report.

**RTS/142/2018: RECORD OF MEETINGS BETWEEN PLANNING OFFICERS AND PUBLIC REPRESENTATIVES SEPTEMBER 2018-2019**

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

**AGREED:** On the proposal of Councillor Stokes, seconded by Councillor Clarke, it was unanimously agreed to note the above Report.

**RTS/143/2018:** **PLANNING COMMITTEE PERFORMANCE REPORT**  
**- AUGUST 2018**

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

**NOTED:** On the proposal of Councillor Stokes, seconded by Councillor Clarke, it was unanimously agreed to note the above Report.

**RTS/144/2018:** **CURRENT APPEALS – SEPTEMBER 2018**

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

**AGREED:** On the proposal of Councillor Stokes, seconded by Councillor Clarke, it was unanimously agreed to note the above Report.

**RTS/145/2018:** **RECORD OF MEETINGS BETWEEN PLANNING OFFICERS AND PUBLIC REPRESENTATIVES OCTOBER 2018-2019**

**Read:** Report of Meetings between Planning Officers and Public Representatives October 2018-2019. *(Circulated)*

**AGREED:** On the proposal of Councillor Stokes, seconded by Councillor Clarke, it was unanimously agreed to note the above Report.

**RTS/146/2018:** **REGISTER OF CONTACTS JULY – SEPTEMBER 2018**

**Read:** Register of Contacts for July – September 2018. *(Circulated)*

**AGREED:** On the proposal of Councillor Stokes, seconded by Councillor Clarke, it was unanimously agreed to note the above Report.

**RTS/147/2018:** **PLANNING COMMITTEE PERFORMANCE REPORT**  
**- SEPTEMBER 2018**

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

**AGREED:** On the proposal of Councillor Stokes, seconded by Councillor Clarke, it was unanimously agreed to note the above Report.

In response to a query from Councillor Clarke regarding the high number of live enforcement cases, Mr McKay said there were quite a number of staff had returned, who had been off for a various reasons, and this would have a positive impact on enforcement performance. He said he hoped to see an improvement in this figure in the New Year.

**FOR CONSIDERATION AND/OR DECISION – FACILITIES MANAGEMENT AND MAINTENANCE**

**RTS/148/2018: REQUEST FROM ULSTER WILDLIFE TO ALLOW CULLING OF GREY SQUIRRELS ON COUNCIL OWNED LAND**

**Read:** Report dated 17 October 2018 from Mr K Scullion, Assistant Director Facilities Management and Maintenance regarding request from Ulster Wildlife to allow culling of grey squirrels on Council owned land. The report advised Council had been approached by Ulster Wildlife to discuss working in partnership on their 'Red Squirrels United' project. This four-year project, funded by EU Life14 and Heritage Lottery Fund, would help prevent further spread of grey squirrels into areas that were currently home only to reds through conservation and community engagement activities. A key area within the project was Rostrevor Oakwood, a haven for Red squirrels; however the greys living in Kilbroney Park were a major threat. Ulster wildlife was requesting permission to include Kilbroney Park in their culling efforts. Other Council owned sites, including Donard Park and Warrenpoint Town Park, could also be included in the culling efforts, as these were strongholds for greys re-populating red habitat. *(Circulated)*

**AGREED:** **On the proposal of Councillor McMurray, seconded by Councillor Clarke, it was agreed to approve the request from Ulster Wildlife to permit controlled culling of grey squirrels on Council owned sites subject to proof of licence, Insurance and agreed Method Statement.**

**It was noted this decision was taken on the basis of advice from experts and that there was no other option that would protect the native red squirrels.**

**RTS/149/2018: UPDATE ON PROPOSAL TO PROVIDE LOCAL COMMUNITIES WITH AN ENVIRONMENTALLY SUSTAINABLE OPTION OF PLANTING CHRISTMAS TREES**

**Read:** Report dated 17 October 2018 from Mr K Scullion, Assistant Director Facilities Management and Maintenance regarding update on proposal to provide local communities an environmentally sustainable option for planting Christmas Trees. The report advised it had been agreed to proceed with the Environmentally Sustainable Option of Planting Christmas Trees Project and authorisation was approved for the purchase of five Christmas Trees. Subsequent to this, the Council's Sub Committee on Christmas Illuminations met and through discussion recommended that the number of trees to be purchased be increased from five to seven. *(Circulated)*

**AGREED:** **On the proposal of Councillor Harvey seconded by Councillor Andrews it was agreed to grant retrospective approval to purchase 7 No. Christmas trees of the species Abies Nordmanniana at a height of 4.5 metre (from ground level to tip) for planting at seven agreed locations.**

NOTED: Mr Scullion advised that the tender for the trees had now closed and a Contractor had been appointed who would meet with Officers to assess the proposed sites.

**RTS/150/2018: STRUCTURAL CONDITION OF STEPS AT SOUTH PROMENADE, NEWCASTLE**

**Read:** Report dated 19 September 2018 from Mr K Scullion, Assistant Director Facilities Management and Maintenance regarding structural condition of steps at South Promenade, Newcastle. The report advised the structural condition of steps at South Promenade which lead from the walkway to the beach had been examined by a Structural Engineer following concern raised about the impact of coastal erosion on the steps. The report from the Structural Engineer had made a number of recommendations for repairs to the steps. Such repair work would require a Marine Licence before works could commence. *(Circulated)*.

**AGREED:** **On the proposal of Councillor Clarke, seconded by Councillor Macauley, it was agreed to recommend approval to proceed to submit an application for a Construction Marine Licence to DAERA to undertake repairs to concrete steps at South Promenade, Newcastle.**

NOTED: Mr Scullion said that whilst the application for the Licence was being submitted, officers would work on identifying the repairs that were needed and would be in a position to issue a tender when the Licence was obtained. He also advised that possible funding resources were being sought and if anything came to fruition he would advise the Committee.

**RTS/151/2018: BUS SHELTER AT CLOUGHREAGH PARK, BESSBROOK**

**Read:** Report dated 17 October 2018 from Mr K Scullion, Assistant Director Facilities Management and Maintenance regarding Bus Shelter at Cloughreagh Park, Bessbrook. *(Circulated)*

**AGREED:** **On the proposal of Councillor Stokes, seconded by Councillor Taylor it was agreed, in line with Council Policy on bus shelters, to recommend as follows:-**

New bus shelter at John F Kennedy Park, Bessbrook

- A cantilever type bus shelter (no side panels) be erected at this location in accordance with Dfi agreement.

New bus shelter at Cloughreagh Park, Bessbrook

- A bus shelter should not be erected at this location as it does not fulfil all the criteria as per Council policy.

**WASTE MANAGEMENT**

**RTS/152/2018: MINUTES OF WASTE STRATEGY WORKING GROUP MEETING HELD ON 22 AUGUST 2018**

- Read:** Minutes of Waste Strategy Working Group Meeting held on 22 August 2018 *(Circulated)*
- AGREED:** **On the proposal of Councillor Andrews, seconded by Councillor Clarke, it was agreed to recommend approval of the above Minutes and the recommendations contained therein.**
- RTS/153/2018:** **TEMPORARY CLOSURE OF WARRENPOINT HOUSEHOLD RECYCLING CENTRE**
- NOTED:** Mr Dinsmore advised that Warrenpoint Household Recycling Centre was now re-opened and the contingency arrangements that had been put in place had worked well.
- RTS/154/2018:** **NIEA RE: ILLICIT DUMPING/FLY TIPPING**
- Read:** Letter dated 20 September 2018 from Northern Ireland Environment Agency regarding illicit dumping/fly tipping. *(Circulated)*
- NOTED:** Mr Moore said he would be arranging a meeting with representatives from NIEA to discuss how to move forward on this issue. As a Member of the TAG Group he would also raise this issue at their meeting and he further confirmed that reminder letters would be sent to Armagh, Banbridge and Craigavon Council and to Louth County Council.
- Councillors expressed their concerns about fly tipping, particularly the number of tyres that had been dumped at various locations throughout the District. They said there should be some accountability or paper trail for the disposal of used tyres as customers were being charged for their disposal.
- AGREED:** **It was unanimously agreed to note the above correspondence.**
- AGREED:** **On the proposal of Councillor Clarke, seconded by Councillor McMurray, it was agreed the Council write to NIEA regarding the issue of dumping of used tyres and asking what procedures were in place in terms of inspections of premises, follow-up of serial numbers etc. to ensure tyres were being properly disposed of, as customers were being charged for their disposal.**
- RTS/155/2018:** **DFI RE: CLANRYE RIVER**
- Read:** Letter dated 28 September 2018 from the Department of Infrastructure regarding the Clanrye River. They advised they would be content to be involved in discussions regarding their maintenance remit to the river but in relation to the weir, they advised it had been previously deemed to have insufficient cost benefit. *(Circulated)*.
- NOTED:** Mr Moore said he would raise the issue of upkeep and maintenance of the Clanrye River at the next meeting of the TAG Group and would arrange for an internal meeting of Officers prior to meeting the Department in relation to the request for a weir and maintenance of the river.
- AGREED:** **It was unanimously agreed to note the above correspondence.**

**RTS/156/2018: DFI RE: WEED-SPRAYING IN THE NEWRY, MOURNE AND DOWN AREA**

**Read:** Letter dated 27 September 2018 from the Department of Infrastructure regarding weed-spraying in the Newry, Mourne and Down Area. They advised that due to operational difficulties, the implementation of weed control measures had been initiated late in the 2018 season and this had been further hampered by unfavourable weather conditions. They anticipated that week spraying, weather permitting, would be completed in the coming weeks. *(Circulated)*.

**NOTED:** Councillors expressed their disappointment at this response and said that the wider Newry, Mourne and Down District had never looked as bad in terms of weed growth, particularly after one of the driest summers in recent years when weather conditions would have been favourable for weed spraying.

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

**FOR NOTING**

**RTS/157/2018: SCHEME OF DELEGATION REPORT FROM 1 APRIL 2018 TO 30 SEPTEMBER 2018**

**Read:** Report dated 17 October 2018 from Mr Roland Moore, Director of Neighbourhood Services regarding Scheme of Delegation Report from 1 April 2018 to 30 September 2018. The report outlined decisions and authorisations taken under the following categories:-

1. Engaging consultancy assistance below the delegated level of £2,000.
  2. Decision to commence formal restructuring within a Department or Departments
  3. Consultation responses other than technical responses where officers asked for Members views.
  4. Decisions arising from external report on significant Health and Safety at Work.
  5. In cases of emergency, the allocation or awarding of Financial Assistance to external groups or organisation below the delegated level of £300; and
  6. Other decisions such as those with political media or industrial relations implications that Directors consider Members should be aware of.
- (Circulated)*

**AGREED:** **On the proposal of Councillor Stokes, seconded by Councillor Kimmins, it was unanimously agreed to note the above Report.**

**RTS/158/2018: ARC21 JOINT COMMITTEE MEMBERS' MONTHLY BULLETIN 30 AUGUST 2018**

**Read:** ARC21 Joint Committee Members' Monthly Bulletin 30 August 2018. *(Circulated)*

**AGREED :** **On the proposal of Councillor Stokes, seconded by Councillor Kimmins, it was unanimously agreed to note the above Bulletin.**



**RTS/159/2018:     **ARC21 JOINT COMMITTEE MEETING  
– MINUTES OF THURSDAY 28 JUNE 2018****

**Read:**               ARC21 Joint Committee Meeting Minutes dated Thursday 28 June 2018.  
*(Circulated)*

**AGREED:**           **On the proposal of Councillor Stokes, seconded by Councillor  
Kimmins, it was unanimously agreed to note the above Minutes.**

**RTS/160/2018:     **ARC21 JOINT COMMITTEE MEMBERS MONTHLY BULLETIN 27  
SEPTEMBER 2018****

**Read:**               ARC21 Joint Committee Members Monthly Bulletin 27 September 2018.  
*(Circulated)*

**AGREED:**           **On the proposal of Councillor Stokes, seconded by Councillor  
Kimmins, it was unanimously agreed to note the above Bulletin.**

**RTS/161/2018:     **ARC21 JOINT COMMITTEE MEETING  
- MINUTES OF THURSDAY 30 AUGUST 2018****

**Read:**               ARC21 Joint Committee Meeting Minutes dated Thursday 30 August  
2018. *(Circulated)*

**AGREED:**           **On the proposal of Councillor Stokes, seconded by Councillor  
Kimmins, it was unanimously agreed to note the above Minutes.**

**RTS/162/2018:     **HISTORIC ACTION SHEET****

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

**AGREED:**           **On the proposal of Councillor Stokes, seconded by Councillor  
Kimmins, it was unanimously agreed the Historic Action Sheet  
be noted and actions removed as marked.**

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

The Chairperson advised that item No. 30 and Item No. 31 were exempt items 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 Kimmins, seconded by Councillor Stokes, it was  
agreed to exclude the public and press from the meeting during discussion on this  
item.**

**RESTRICTED ITEMS**

**RTS/163/2018:     **CHARGES FOR COLLECTION AND DISPOSAL OF WASTE AT  
CARAVAN SITES****

**Read:** Report dated 17 October 2018 from Mr Liam Dinsmore, Head of Waste Processing and Enforcement regarding charges for collection and disposal of waste at caravan sites. *(Circulated)*.

**RTS/164/2018: UPDATE ON DRUMNAKELLY WIND TURBINE**

**Read:** Report dated 17 October 2018 from Mr Liam Dinsmore, Head of Waste Processing and Enforcement regarding update on Drumnakelly Wind Turbine. *(Circulated)*

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

Charges for collection and disposal of waste at caravan sites

Councillor Clarke had proposed and Councillor Ruane seconded to recommend acceptance of a revised scale of charges to be implemented for the Refuse Collection Service to Caravan Sites, as option 4 and detailed in Appendix 1 and also that a fact sheet be produced for use by caravan owners advising of the costs of collection and the recycling options available.

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

FOR:	8
AGAINST:	3
ABSTENTIONS:	1

The proposal was declared carried.

**AGREED:** On the proposal of Councillor Clarke, seconded by Councillor Ruane, it was agreed to recommend approval of the recommendation outlined in Section 3 of the report dated 17 October 2018 that a revised scale of charges be implemented for the refuse collection service to Caravan Sites, as option 4 and detailed in Appendix 1 and also that a fact sheet be produced for use by caravan owners advising of the costs of collection and the recycling options available.

Update on the planned Drumanakelly Wind Turbine

**AGREED:** On the proposal of Councillor Andrews, seconded by Councillor Stokes, it was agreed to recommend approval of the recommendations outlined in Section 3 of the report dated 17 October 2018 that, based on the consultancy report regarding the viability of the proposed wind turbine at Drumanakelly Landfill Site, the Committee recommend approval to withdraw the planning application for the proposed wind turbine.

There being no further business the meeting ended at 7.00 pm.

For adoption at the Council Meeting to be held on Monday 5 November 2018.

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

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