

LISBURN & CASTLEREAGH CITY COUNCIL**Minutes of Meeting of the Environment and Sustainability Committee held in the Council Chamber, Island Civic Centre, on Tuesday 5 February 2025 at 6.03 pm****PRESENT IN CHAMBER:**

Councillor P Catney (Chairperson)
 Councillor G Hynds (Vice-Chairperson)
 Aldermen J Baird, O Gawith, A McIntyre and J Tinsley
 Councillors S Burns, C McCready, M McKeever and R McLernon

PRESENT IN REMOTE LOCATION:

The Right Worshipful the Mayor, Councillor K Dickson
 Councillors A Gowan, G McCleave and N Parker

OTHER MEMBERS PRESENT IN CHAMBER

Alderman A Grehan

OTHER MEMBERS IN REMOTE LOCATION:

Alderman M Gregg
 Councillor B Higginson

IN ATTENDANCE:

Acting Director of Environmental Services (RH)
 Head of Service (Building Control & Sustainability) (CD)
 Head of Service (Waste Management & Operational Services) (WM)
 Acting Head of Service (Environmental Health, Risk & Emergency Planning) (SC)
 Member Services Officers (CH, EW)

Commencement of the Meeting

The Chairperson, Councillor P Catney, welcomed those present to the meeting and advised that it would be audio recorded unless the item on the agenda was to be considered under confidential business. The Chair stated that unauthorised recording was not permitted, as per the Council's Standing Orders. The Chair asked that mobile phones be put on silent or switched off for the duration of the meeting.

In accordance with the Protocol for Remote Meetings, the Chairperson asked that those attending via zoom to ensure that the meeting could not be seen or heard by any other person at their remote location when confidential business was being considered. The Chairperson proceeded to outline the evacuation procedures in the case of an emergency.

1. Apologies

It was agreed to accept apologies for non-attendance at the meeting on behalf of Alderman S Skillen and Councillor P Kennedy.

2. Declarations of Interest

The following Declarations of Interest were made:

- Alderman J Baird in respect of Item 3.1 – “Fixed Penalty for The Electrical Safety Standards for Private Tenancies Regulations (Northern Ireland) 2024” and Item 3.2 – “Transfer of Landlord Registration Scheme to Local Councils” given that he was a landlord; and
- Councillor A Gowan in respect of Item 3.1 – “Fixed Penalty for The Electrical Safety Standards for Private Tenancies Regulations (Northern Ireland) 2024” and Item 3.2 – “Transfer of Landlord Registration Scheme to Local Councils” given that he was a landlord.

3. Report by Acting Head of Service (Environmental Health, Risk and Emergency Planning)

3.1 Fixed Penalty for The Electrical Safety Standards for Private Tenancies Regulations (Northern Ireland) 2024

Having declared an interest in items 3.1 and 3.2, Councillor A Gowan left the meeting remotely at the commencement of the above item (6.08 pm).

The Committee considered a report which provided information in connection with The Electrical Safety Standards for Private Tenancies Regulations (Northern Ireland) 2024, which were made on 27 November 2024. It was reported that the Regulations emanate from Section 10 of the Private Tenancies Act Northern Ireland) 2022, with the intent to reduce the risk of injury or death, caused by electrical fault within private rental properties.

Copies of the letter and Regulatory Impact Assessment (RIA) from Department for Communities were circulated for Members consideration.

Compliance deadlines were reported as follows:

- 1 April 2025: new tenancies must be compliant; and
- 1 December 2025: existing tenancies must be compliant, or the date the first electrical inspection and testing is carried out.

The Committee noted that a landlord who committed an offence under the enactment would be liable on summary conviction to a fine not exceeding level 5 (maximum £5000) on the standard scale, or a Fixed Penalty Notice of maximum one fifth of this amount as set by Council. Therefore, the maximum Fixed Penalty Notice charge permitted to be set by Council was £1,000 and other councils indicated their intention to set the Fixed Penalty offence amount at a similar level.

3.1 Fixed Penalty for The Electrical Safety Standards for Private Tenancies Regulations (Northern Ireland) 2024 (Cont'd)

Following discussion, it was proposed by Alderman J Tinsley, seconded by Councillor R McLernon, and agreed to recommend that the Fixed Penalty level offence amount at £1,000 be approved, for the Electrical Safety Standards for Private Tenancies Regulations (Northern Ireland) 2024, as applied by Article 68A of the Private Tenancies Order (Northern Ireland) 2006.

3.2 Transfer of Landlord Registration Scheme to Local Councils

The report outlined the background, key issues and provided an update in relation to the transfer of the Landlord Registration Scheme to local councils as the project neared completion. The Committee were reminded that it was agreed in March 2023, that Lisburn and Castlereagh City Council would act as the lead council in the preparation for, and transfer of the functions under the Landlord Registration Scheme within Northern Ireland.

It was reported that the Landlord Registration Scheme was currently managed by the Department for Communities (DfC), and the function would transfer to local councils in March 2025. The Committee noted updates in relation to the following:

- New Website and Registration Portal: new system 'go live' 3 March 2025;
- Appointment of New Landlord Registration Team: all three positions had been filled;
- Communications Plan: DfC advertising campaign to go live February 2025;
- Governance Structures Post transfer: MoU agreed, new operation model and timeline for regulation change brought forward by DfC.

A copy of a document entitled 'Landlord Registration Scheme Additional Information', alongside the Equality Screening were circulated for Members consideration.

Following discussion, the Committee agreed to recommend that the update on the transfer of the Landlord Registration Scheme to local councils be noted.

4. Any Other Business

4.1 Stray/Abandoned Dog

Councillor A Gowan returned to the meeting remotely following consideration of Items 3.1 and 3.2 (6.19 pm).

During lengthy discussion, the Acting Director of Environmental Services received questions from a number of Members in relation to the abandoned dog, in respect of:

- the duty of care to Council Officers and reassurance of Members support;
- engagement with USPCA;
- communications made by the Council; and
- visitation rights/access to abandoned dog by any potential owner.

A number of Members referred to the length of time the abandoned dog had remained in Kennels and reiterated their desire to find a positive resolution as soon as possible.

The Acting Director of Environmental services reported that 'Frequently Asked Questions (FAQs)' had been published on the Council website, which addressed a number of misconceptions, and clarified the legal requirements the Council were obliged to follow.

Responding to questions raised by a Member of the Committee, the Acting Director stated that, as there were legal proceedings ongoing, the assessment reports would not be released; and advised that information on the variations in assessment criteria were included in the briefing that Members had received earlier that day.

Vice-Chairperson, Councillor G Hynds put on record that Members had not received details in relation to the variation in assessment criteria across the four assessments that had been carried out.

It was proposed by Vice-Chairperson, Councillor G Hynds that the Council release the assessment reports to Committee Members. At this point, the Chairperson, Councillor P Catney, stated that the proposal would not be permitted to proceed due to the ongoing legal process.

4.2 Notice of Motion – Clean Air Quality Councillor M McKeever

Referring to the response included in the February Information and Correspondence Schedule in respect of the 'Air Quality Notice of Motion'; Councillor M McKeever passed on a message of appreciation to Officers, for their hard work and cross departmental efforts, on behalf of his colleague, Councillor S Lowry.

Responding to a query in respect of the review timescale for the purpose of progress tracking; the Head of Service for Building Control and Sustainability confirmed that a number of the recommendations would be continuously assessed, however he would liaise directly with Councillor S Lowry to provide further information on review timescales.

4.3 Dog Attack Councillor C McCready

Councillor C McCready passed on his appreciation to the Acting Director of Environmental Services and his team for their proactive response the previous weekend, in respect of a dog attack in the Council area. Responding to a question in relation to the emergency number being displayed in a prominent location on the Council Website; the Acting Director of Environmental Services confirmed that the request had been actioned.

4.4 East Down View Incident
Vice-Chairperson, Councillor G Hynds

Vice-Chairperson, Councillor G Hynds passed on his appreciation to the Head of Service for Waste Management and Operational Services and his team, for their swift clear up following an incident at East Down View.

4.5 Storm Eowyn

Councillor M McKeever put on record his gratitude to staff for their efforts in respect of bin collections following the disruption to the service during storm Eowyn. Responding to a question in relation to the disruption to the service, the Acting Director of Environmental Services confirmed that it took approximately three working days to get caught up on bin collections following Storm Eowyn.

The Chairperson, Councillor P Catney passed on his appreciation to the Chief Executive, Directors and Officers for their impressive efforts during Storm Eowyn.

4.6 Fleet Strategy
Vice-Chairperson, Councillor G Hynds

Responding to a query raised by the Vice-Chairperson, Councillor G Hynds in respect of the fleet strategy; the Acting Director of Environmental Services confirmed that the fleet strategy was due to be presented for Members consideration at the March 2025 meeting of the Environment and Sustainability Committee.

“In Committee”

It was proposed by Alderman O Gawith, seconded by Alderman J Baird, and agreed that the following matters be considered “in Committee,” in the absence of members of the press and public being present.

Members of the press and public seated in the public gallery left the Council Chamber (6.48 pm).

4.6 Fleet Strategy (Cont'd)

It was proposed by Alderman O Gawith and seconded by Alderman J Baird to recommend that:

- a further four (4) new RCVs be procured immediately for delivery in the 25/26 financial year given the previous business case would still be relevant for this additional procurement; and
- the business case and fleet strategy explore the procurement of at least an additional four RCVs the following year.

Officers responded to a number of comments and questions by Members in respect of the Councils current position in relation to fleet procurement.

4.6 Fleet Strategy (Cont'd)

The Acting Director of Environmental Services noted Members disappointment and frustration in respect of the delay in procuring the four new RCVs, as agreed in September 2024.

The Director reiterated that the fleet strategy, which was due to be presented for Members consideration at the March 2025 meeting of the Environment and Sustainability Committee, would include a replacement schedule.

During lengthy discussion, a number of Members spoke in support of Alderman O Gawith's proposal. Councillor C McCreedy also speaking in support of the proposal, requested that an addition be added to the proposal as follows:

- a report be tabled to a future meeting of the Environment and Sustainability Committee, detailing the procurement timeline to date, for the four RCVs approved for purchase by Council in September 2024.

Alderman O Gawith indicated his agreement to include the above addition to his proposal, as requested by Councillor C McCreedy.

Following a vote the Committee agreed unanimously to the proposal.

4.7 Stray/Abandoned Dog Vice-Chairperson, Councillor G Hynds

Alderman O Gawith left the meeting at the commencement of this item (7.48 pm).

Alderman J Baird left the chamber at 7.51 pm and returned (7.53 pm).

The Acting Director of Environmental Services in noting concerns raised by the Vice-Chairperson, Councillor G Hynds, clarified that the Frequently Asked Questions (FAQs) in respect of the abandoned dog had been emailed to Members prior to being published on the Council website. Members noted that an issue had been identified with the Members email distribution list during Storm Eowyn and requested the issue be investigated.

Resumption of Normal Business

It was proposed by Councillor M McKeever, seconded by Alderman A McIntyre, and agreed to come out of Committee and normal business was resumed.

There being no further business, the meeting concluded at 7.55 pm.

Chairperson