

LISBURN & CASTLEREAGH CITY COUNCIL

Minutes of the Environmental Services Committee held in the Council Chamber, Island Civic Centre, and remotely, on Wednesday 1st February 2023 at 6.00 pm

PRESENT IN CHAMBER:

Councillor M Gregg (Chairman)

Councillor C McCready (Vice-Chairman)

Councillors F Cole, A P Ewing, A Givan, A McIntyre, T Mitchell and S Lee

PRESENT IN REMOTE LOCATION:

The Right Worshipful the Mayor Councillor S Carson

Alderman J Baird, D Drysdale, M Henderson and S P Porter

Councillors S Lowry, R McLernon and S Skillen

OTHER MEMBERS:

In Remote Location:

Councillor A Gowan

IN ATTENDANCE:

In Chamber:

Chief Executive

Head of Service (Building Control)

Head of Service (Environmental Health)

Head of Service (Waste Management and Operational Services)

IT Officer

Member Services Officers (CH BF)

Commencement of the Meeting

At the commencement of the meeting, the Chairman, Councillor M Gregg, welcomed those present to the meeting of the Environmental Services Committee, including those who were seated in the public gallery. The Chairman advised that the meeting would be audio recorded unless the item on the agenda was to be considered under confidential business.

At this point, the Member Services Officer read out the names of the Elected Members and Officers in attendance at the meeting.

The Chairman, Councillor M Gregg, stated that, whilst the meeting was being recorded, unauthorised recording was not permitted, as per the Council's Standing Orders.

He asked that mobile phones be put on silent or switched off for the duration of the meeting. The Chairman proceeded to outline the evacuation procedures in the case of an emergency.

1. Apologies (00:01:00)

It was agreed to accept apologies for non-attendance at the meeting on behalf of the Deputy Mayor Councillor M Guy and Director of Environmental Services, Mrs Heather Moore.

2. Declarations of Interest (00:01:35)

The following interests were declared:

- Alderman D Drysdale in respect of item 5.3 'Update on Residual Waste Treatment & Disposal and Landfill Capacity' and item 5.5 'Tender for the Haulage of Residual and Green Waste from Council Household Recycling Centres' in view of his membership of arc21;
- Councillor A P Ewing in respect of item 3.2 'Commencement of Sections 1-12 of the Private Tenancies Act (Northern Ireland) 2022' given that he was a landlord;
- Alderman J Baird in respect of item 3.2 'Commencement of Sections 1-12 of the Private Tenancies Act (Northern Ireland) 2022' given that he was a landlord;
- Councillor F Cole in respect of item 3.2 'Commencement of Sections 1-12 of the Private Tenancies Act (Northern Ireland) 2022' given that she was a landlord.

3. Report by the Head of Service (Environmental Health) (00:04:05)

3.1 Changes to Fixed Penalties for illegal dumping, littering, dog fouling and other environmental crime as set out in The Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations (Northern Ireland) 2022 (00:04:17)

The Head of Service's (Environmental Health) report outlined changes to the fixed penalty regime, which came into effect on 30th December 2022, for a number of environmental offences such as; illegal dumping, littering, dog fouling, dog control orders, audible intruder alarms and graffiti/flyposting through the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations (Northern Ireland) 2022.

It was also reported that Council had been given authority under the Waste and Contaminated Land (Amendment) (2011 Act) (Commencement No.3) Order (Northern Ireland) 2022, to enforce Articles 4 and 5 of the Waste and Contaminated Land (Northern Ireland) Order 1997, the commencement date of which was 2nd January 2023.

3.1 Changes to Fixed Penalties for illegal dumping, littering, dog fouling and other environmental crime as set out in The Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations (Northern Ireland) 2022 Cont'd

A copy of the environmental offences comparison table which detailed the changes was circulated to Members. The Head of Service responded to a number of comments and questions from the Committee arising from the report.

It was proposed by Councillor T Mitchell, seconded by Councillor S Lee, and agreed to recommend that;

- the report in relation to changes to Fixed Penalty levels for environmental crime as set out in The Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations (Northern Ireland) 2022 be noted;
- the authority given to Council to enforce Articles 4 and 5 of the Waste and Contaminated Land (Northern Ireland) Order 1997 be noted;

Following discussion it was further agreed:

- that a report would be tabled to the March 2023 Environmental Services Committee on proposed tariffs associated with fixed penalty notices; and
- that statistics in relation to dog fouling and illegal dumping fines be included in the report.

3.2 Commencement of Sections 1-12 of the Private Tenancies Act (Northern Ireland) 2022 (00:14:25)

The Committee considered a report which outlined changes to the Private Tenancies Act (Northern Ireland) 2022 which was due to take effect from 1st April 2023.

It was reported that Councils were required to specify the level of Fixed Penalty charges. A copy of the Private Tenancies Act (NI) 2022 Guidance was circulated to Members' for information.

It was proposed by Councillor A Givan, seconded by Councillor S Lowry, and agreed to recommend that;

- the report relating to the commencement of Sections 1-12 of the Private Tenancies Act (Northern Ireland) 2022 be noted; and
- a further report would be tabled to the March 2023 meeting of the Environmental Services Committee.

The Chairman, Councillor M Gregg, advised that Any Other Business would be considered at this point in the meeting.

4. Any Other Business (Agenda item 5.0 refers) (00:15:22)

There was no other business of a non-confidential nature.

5. Confidential Report from the Director of Environmental Services (Agenda item 4.0 refers) (00:15:40)

The Chairman, Councillor M Gregg, advised that the confidential report item would be dealt with “In Committee” due to (1) containing information relating to the financial or business affairs of any particular person (including the Council holding that information), and (2) due to information which is likely to reveal the identity of an individual and (3) information in relation to which a claim to legal professional privilege could be maintained in legal proceedings.

“In Committee”

It was proposed by Councillor A Givan, seconded by Councillor A P Ewing, and agreed that the following matters be considered “in committee”, in the absence of members of the press and public being present.

The member of the press seated in the public gallery left the meeting (6.18 pm).

5.1 OPSS Grant Funding For The Capacity and Capability Building Programme In Northern Ireland: Non-Food Products 2022/2023 (Agenda item 4.1 refers) (Report will not be made available)

The Head of Service for Environmental Services presented this item of business and outlined the background and key issues in relation to the above matter.

It was proposed by Alderman J Baird, seconded by Councillor T Mitchell, and agreed to recommend the acceptance of the 2022/2023 Grant offer from OPSS, the national regulator for product safety, for activities carried out by the Environmental Health Service Unit as detailed in the report.

5.2 Cemetery Provision Update (Agenda item 4.2 refers) (Report will not be made available)

The Head of Service for Environmental Services presented this item of business and provided an update in relation to the above matter. Officers responded to a number of questions from the Committee arising from the report.

It was proposed by Alderman J Baird, seconded by Councillor F Cole, and agreed to recommend that;

- the Cemetery Provision Update report be noted; and
- a further update report be tabled to the September 2023 Environmental Services Committee.

5.3 Residual Waste Update (Agenda item 4.3 refers)
(Report will not be made available)

Alderman Drysdale left meeting remotely at (6.46 pm).
Alderman S P Porter joined the meeting remotely at (6.51 pm).

The Head of Service for Waste Management and Operational Services presented this item of business and provided an update in relation to the above matter.

Following discussion, it was proposed by Councillor T Mitchell, seconded by Alderman J Baird, and agreed to recommend that;

- continued use of landfill at Biffa until such time as Members are presented with a recommendation based on completion of the procurement process for residual waste treatment be approved;
- any recommendation approved by the arc21 Joint Committee that the landfill contract be extended from 1 August 2023 for a further period of any durations of up to 24 months be endorsed; and
- once a recommendation is brought forward to award the residual waste treatment contract, an end date for use of the landfill contract by Council can be confirmed, be noted.

5.4 Collection, Recycling and/or Recovery of Mattresses from Council Household Recycling Centres (Agenda item 4.4 refers)
(Report will not be made available)

Councillor S Lee left the meeting at (6.57 pm).

The Head of Service for Waste Management and Operational Services presented this item of business and provided an update in relation to the above matter and responded to a number of questions from the Committee arising from the report.

It was proposed by Vice-Chairman Councillor C McCready, seconded by Alderman M Henderson, and agreed to recommend that:

- the PEA and Business Case be approved; and
- the commencement of a new procurement exercise and interim Single Tender Action (max 6 months) for the collection, recycling and/or recovery of mattresses from Council Household Recycling Centres be agreed.

5.5 Tender for the Haulage of Residual and Green Waste from Council Household Recycling Centres (Agenda item 4.5 refers)
(Report will not be made available)

The Head of Service for Waste Management and Operational Services presented this item of business and provided an update in relation to the above matter.

5.5 Tender for the Haulage of Residual and Green Waste from Council Household Recycling Centres Cont'd

It was proposed by Councillor T Mitchell, seconded by Alderman M Henderson, and agreed to recommend that:

- the PEA and Business Case be approved; and
- the commencement of a new procurement exercise and interim Single Tender Action (max 6 months) for the haulage of residual and green waste from Council Household Recycling Centres be agreed.

Resumption of Normal Business

It was proposed by Councillor A Ewing, seconded by Councillor T Mitchell, and agreed to come out of committee and normal business was resumed.

There being no further business, the meeting concluded at 7.04 pm.

Mayor/Chairman