

ARDS AND NORTH DOWN BOROUGH COUNCIL

30 November 2022

Dear Sir/Madam

You are hereby invited to attend a meeting of the Environment Committee of the Ards and North Down Borough Council which will be held virtually on Zoom on **Wednesday, 7 December 2022** commencing at **7.00pm**.

Yours faithfully

Stephen Reid
Chief Executive
Ards and North Down Borough Council

A G E N D A

1. Apologies
2. Declarations of Interest
3. NOM Report – Policy on the Provision of Personal Sea Rescue Equipment (Copy attached)
4. Technical Revenue Budget for Refurbishments 2023/24 (Report attached)
5. Northern Ireland Local Authority Municipal Waste Management Statistics – April to June 2022 (Report attached)
6. Licensing Q1 Activity Report (1 April 2022 to 30 June 2022) (Copy attached)
7. Grant and Transfer of Entertainment Licences (Report attached)
8. Grant of Pavement Café Licence (Report attached)
9. Grant of Amusement Licence (Report attached)
10. Notices of Motion

10.1. Notice of Motion submitted by Councillors Cathcart and Gilmour

That this Council recognises the difficulties faced by local businesses during this 'cost of doing business crisis', especially on business cash flow. The Council will therefore review the current requirement for advanced payments for Council bin

collection services to help ease cash flow issues. An officers' report will be brought back to the appropriate committee.

11. Any Other Notified Business

Circulated for information

- (a) Noarc21 - Stop the Legal Challenge Petition
- (b) Letter from DfC – Fees for Entertainment Licences

****IN CONFIDENCE****

- 12. Extension of Tenders for the Collection and Reprocessing of various waste streams from Ards and North Down Borough Council Household Recycling Centres (Report attached)
- 13. Aurora Repairs Update (Report to follow)

MEMBERSHIP OF ENVIRONMENT COMMITTEE (16 Members)

Alderman Carson	Councillor Greer
Alderman McDowell (Chair)	Councillor Irwin
Alderman M Smith	Councillor Johnson
Alderman Armstrong-Cotter	Councillor Woods (Vice Chair)
Councillor Boyle	Councillor MacArthur
Councillor Cathcart	Councillor McAlpine
Councillor Cummings	Councillor McKee
Councillor Edmund	Councillor Smart

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Ards and North Down Borough Council

Report Classification	Unclassified
Council/Committee	Environment Committee
Date of Meeting	07 December 2022
Responsible Director	Director of Environment
Responsible Head of Service	Head of Assets and Property Services
Date of Report	17 October 2022
File Reference	65000
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Policy on the Provision of Personal Sea Rescue Equipment
Attachments	Appendix 1 - Draft Policy for the Provision of Personal Rescue Equipment

Background

In September 2022 the Council agreed a Notice of Motion submitted by Councillors Chambers and Brooks that read:

We ask this Council to consider the urgent provision of sea rescue equipment to Cove Bay beach, known locally as the third beach, in Groomsport. A review into other locations around the Borough, should also be considered.

The minutes also recorded that: *"The Chair asked Councillor Chambers if he would like a report to look at the policy and provision of sea rescue equipment throughout the Borough and the Member agreed but asked that Groomsport be considered in the first instance since that village had been the purpose of his Motion.*

Given the urgent nature of this request, officers prioritised this work and a draft policy for the provision of Personal Rescue Equipment (PRE) is attached for approval.

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Assessing the Request at Cove Bay against the Draft Policy

Cove bay in Groomsport is not Council land so therefore would not be considered for PRE under this policy.

As noted in the policy; with the longest coastline of any Council area and potentially thousands of possible sites for PRE to be installed, it is, in the opinion of officers, impractical to provide and maintain provision of PRE across all the potential locations that are not owned by the Council. Furthermore, each site would need to be risk assessed and the landowner's permission sought and there would simply be too many factors outside of our control for this to be feasible.

Assessment of the remainder of the Borough against the Draft Policy

Officers have catalogued some 68 existing items of PRE across the Borough. All meet the criteria set out in this draft policy.

Officers are not currently aware of any gaps in provision that would comply with the criteria set out in the draft policy but will continue to keep this under review.

RECOMMENDATION

It is recommended that the Council approves the draft policy attached.

ARDS AND NORTH DOWN BOROUGH COUNCIL**5****POLICY COVER SHEET**

Policy Title	Policy for the Provision of Personal Rescue Equipment
Policy/File Reference	
Version	3
Policy Summary	The purpose of this policy is to provide a set of criteria that will be applied to determine where Council will provide Personal Rescue Equipment
Responsible Officer(s)	Director of Environment
Date of Equality Screening	27 October 2022
Date of consultation with Consultative Panel	n/a
Date of consultation with Unions	n/a
Date of Council approval	
Implementation date	
Appendices attached	
Next review date	

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Revision History:

Version	Changes made by	Date	Reason for change
1	Policy established	November 2022	

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Policy for the Provision of Personal Rescue Equipment

Introduction Our Council is proud to have the longest coastline of any Council area in Northern Ireland. Whilst this asset provides a great opportunity for water-based leisure activities, it also presents an inherent risk of drowning.

This policy sets out the criteria for where Council will provide Personal Rescue Equipment (PRE) i.e. throw lines or life rings.

Policy scope With such an extensive coastline, there is likely to be thousands of potential access points to the water. PRE will therefore only be considered at Council owned pieces of land that are adjacent to a body of water.

Criteria for provision of PRE

The overriding conditions for PRE to be considered are:

1. Council owns the piece of land directly adjacent to the body of water. AND either....
 - a. There is a reasonable risk of someone inadvertently falling into the body of water and being out of their depth.
 - OR
 - b. Council becomes aware of a regular pattern of water-based leisure activities taking place at the location, which will inform a risk assessment. The associated risk will determine the need for PRE.

An exception to this could be if Council does not own the land, but PRE has been present and maintained by Council for many years. In this case it should remain unless a risk assessment and consultation has been carried out, and it is deemed that PRE is no longer required.

Maintenance

PRE can be onerous to maintain due to its geographical spread across the borough and its vulnerability to vandalism.

A robust maintenance regime is required for all our PRE and will generally include a weekly check for vandalism or signs of use/abuse.

PRE may be checked by:

- Council staff
 - An appointed contractor
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-
- A third party (subject to written agreement)

In any case, Council are still responsible for any remedial works or replacements when required.

Type of PRE to be used

The type of PRE to be used shall be determined by a survey of the site and subsequent risk assessment.

The options for PRE and examples of their usage are listed below.

Throw bags or small to medium-sized life rings are the recommended PRE devices for rocky coastal locations, tidal inlets and estuaries. Throw bag devices are most suitable at swift-water locations such as river mouths, estuaries and areas around rocky coasts where frequent strong currents are present.

A small to medium-sized life ring (sometimes referred to as a lifebuoy) is recommended for steeply shelving and medium shelving beaches, or any other situation not noted for large life rings below.

If there is a straight drop between the rescuer and the casualty, with little or no throwing needed, then a large, SOLAS (Safety of Life at Sea) approved, life ring can be used. Harbour walls, piers and breakwaters are examples of suitable locations for large-sized life rings.

Where the casualty might not be easily recovered from the water (for example, where there are no obvious access/exit points such as ladders, slipway or steps) then it is advisable to use a large-sized life ring. It is also recommended that a large-sized life ring be provided at locations where there is a possibility of multiple casualties, such as where boats are frequently moored or harbour walls that are accessible to the public.

Other steps to prevent loss of life

As with any risk hierarchy, protective measures such as PRE should be considered a last resort.

Other measures should always come first such as:

Signage. Our established entry points to the water now have safety signage installed. The signage was developed in association with the RNLI and makes users aware of the hazards in the locality. PRE is typically installed near this signage.

Education. Council's Marine Safety Training Scheme uses income from the Slipway permit system to invest in training initiatives for local groups engaged in water-based activities.

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Repositioning /Removing PRE	Where PRE is regularly vandalised or stolen from a location, equipment removal may be the most appropriate option as a last resort. This is especially relevant where an item of PRE is missing more than it is present. Prior to removal, a consultation and risk assessment should be carried out. Finally, a sign or poster will be erected to tell the public that an item of PRE is potentially going to be removed due to regular theft or vandalism and cannot be reinstalled until the problem is rectified.
Costs	<hr/> <p>A typical PRE installation typically costs in the region of £1000. This includes the PRE, housing, mounting post and installation.</p> <p>Where PRE is to be installed, all purchase, installation and maintenance costs shall be borne by council.</p> <hr/> <hr/>

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ITEM 4**Ards and North Down Borough Council**

Report Classification	Unclassified
Council/Committee	Environment Committee
Date of Meeting	07 December 2022
Responsible Director	Director of Environment
Responsible Head of Service	Head of Assets and Property Services
Date of Report	14 November 2022
File Reference	65374
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Technical Revenue Budget for Refurbishments 2023/24
Attachments	None

1. Strategic Context

The Council's agreed Maintenance Strategy incorporates a "needs based" budgeting model, rather than a more traditional "fixed amount" approach for its refurbishment programme.

Properties are condition scored and a threshold for action is to be agreed by the Council, subject to budget considerations.

By making a budgetary decision at this stage, ahead of the rates setting process, Members are able to see the detail behind each option in order to inform the decision and give officers guidance on the amount to include in the next draft of the 2023/24 budget. Members will have the ability to review any decision as part of the overall final rates setting process.

2. Area of Focus for 2023/24

In 2023/24 works will focus on Tourism Buildings, Public Toilets & HRC's.

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Year 1	Year 2	Year 3
Cemeteries & assoc. buildings	Tourism Buildings	Administrative Buildings
Community Centres	Public Toilets	Leisure Centres
Car Parks	Waste Recycling Centres & Transfer Stations	Sports Pavilions

3. Budget Considerations in current context

Historically our threshold for action has been around 75% with costed options for revising this threshold up or down. However, this year there are several large projects in the 71% to 75% bracket which may make this threshold unaffordable. A brief explanation of these projects is below:

The Parade WCs, Donaghadee	73.69%	£100,000	The basic works package to refurb the toilet block will cost around £85k. However, following a NoM in Oct 21 additional work was included to create a layout suitable for future changing places compliance. Note: Additional works are needed to gain CP accreditation - see 4.0 discretionary costs.
Main Street WCs, Greyabbey	71.13%	£50,000	Options include either refurbishment of existing toilet block or relocation of toilets as part of a regen project at the Village Hall (subject to Planning and consultation)

4. Cross-Departmental Working

Cognisance of wider strategies and plans for these assets is essential so as to meet the expectations of our internal customers and reduce the likelihood of spending significant sums of money on assets that may be disposed of or replaced in the foreseeable future. Therefore, discussions with relevant officers have taken place and the proposed works reflect any known plans for the assets concerned.

In addition to the condition-based works, there are a number of project works that have either been requested by the Council or are otherwise required to maintain the safe and effective operation of the buildings. These “operational” works therefore need to be completed irrespective of the overall condition of the building and are quantified within the table in section 6.0.

5. Discretionary Costs

Several items have been added under this column as they are neither condition based nor are they operational/H&S related and are therefore discretionary. The first item is the additional cost to make the Parade toilets into a changing places facility as previously requested by the Council. Officers acknowledge that in the current budget setting context this additional cost may not be palatable and have therefore upgraded the basic refurbishment works to allow it to be future proofed, enabling further equipment fit-out at a later date to gain changing places accreditation, should budget become available.

The second item is for some experimental works to address seepage in the seawall at Millisle lagoon. It was noted that the structure has a considerable amount of seepage through and under the lagoon wall meaning that in certain tidal conditions the water almost completely drains from the lagoon. Officers have commissioned several specialist assessments of the structure and have confirmed that the defects have not affected the

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structural integrity at this time, and it is therefore not currently at risk of collapse. However, it is clear that in the longer term the seepage needs to be addressed. It has been suggested by the specialist that we carry out some experimental repairs whereby cores are drilled, and wet concrete is pumped into the voids from above at a number of locations along the wall. Seepage could be monitored before and after so that any improvement could be verified. If successful, further cores would follow in subsequent years' budget allocations.

6. Condition scores and Costs

The condition scores and corresponding costs are shown on the table below:

Type of Building	Building name	Location	Condition Score 2020	Costs for Condition based works	Operational requests	Discretionary Costs	Notes
Waste Recycling Centres	Ballygowan Road	Comber	80.94%				
Public Conveniences	Main Road Car Park WCs	Cloughey	80.81%				
Public Conveniences	Springvale Road WCs	Ballywalter	80.69%				
Public Conveniences	Abbey Street WCs	Bangor	80.13%				
Tourism	Cockle Row	Groomspoint	80.06%				
Public Conveniences	Anchor Car Park WCs	Portavogie	80.00%	£ 1,500			
Public Conveniences	Castle Park WCs	Bangor	79.81%	£ 3,000			
Public Conveniences	Ward Park WCs	Bangor	79.75%	£ 1,000			
Public Conveniences	Groomspoint WCs	Groomspoint	79.56%	£ 1,000			
Public Conveniences	Castle Street WCs	Comber	79.50%	£ 1,000			
Public Conveniences	Islandhill WCs	Comber	79.13%	£ 2,000			
Public Conveniences	Kiltonga WCs	Newtownards	79.00%	£ 500			
Public Conveniences	Ballyhalbert WCs	Ballyhalbert	78.94%	£ 1,500			
Public Conveniences	Seapark WCs	Hollywood	78.69%	£ 60,000			
Tourism	Tower House	Bangor	78.63%	£ 2,500			
Tourism	Townhall	Newtownards	78.50%		£ 36,000		Works to replace front windows
Waste Recycling Centres	Parsonage Road	Kircubbin	78.50%	£ 2,000			
Public Conveniences	Ballywalter Road Car Park WCs	Millisle	78.44%	£ 10,000			
Waste Recycling Centres	Moss Road	Millisle	78.31%	£ 3,000			
Waste Recycling Centres	Quarry Heights	Newtownards	77.88%	£ 1,000			
Waste Recycling Centres	Balloo HRC	Bangor	77.63%		£ 35,000		Extensive works to kiosk building
Public Conveniences	Londonderry Park WCs	Newtownards	77.56%	£ 2,500			
Waste Recycling Centres	Waste Transfer Station	Bangor	77.38%		£ 30,000		Repair cladding / repair toilets
Public Conveniences	Mill Street WCs	Newtownards	77.31%	£ 1,500			
Waste Recycling Centres	Moss Road	Ballygowan	77.25%	£ 3,000	£ 30,000		Lay by/Entrance improvements (road safety issue)
Public Conveniences	Banks Lane WCs	Bangor	77.06%	£ 60,000			
Public Conveniences	South Pier WCs	Bangor	76.69%	£ 20,000			
Waste Recycling Centres	Coach Road	Portaferry	76.38%	£ 5,000			
Public Conveniences	The Commons WCs	Donaghadee	76.00%	£ 30,000			
Waste Recycling Centres	Railway Street	Donaghadee	75.69%	£ 10,000			
Public Conveniences	Hibernia Street WCs	Hollywood	75.19%	£ 60,000			
Public Conveniences	Ballyholme WCs	Bangor	75.13%	£ 60,000			
Public Conveniences	The Parade WCs	Donaghadee	73.69%	£ 100,000		£ 55,000	Extra cost for changing places equipment
Public Conveniences	Main Street WCs	Greyabbey	71.13%	£ 50,000			New toilet block to be considered as part of regen project
Public Conveniences	Whiterock WCs	Killinchy	70.00%	£ 50,000			
External works	Millisle Lagoon	Millisle				£ 35,000	Experimental works to resolve seepage
Option 1	<70%			£ 50,000	£ 131,000		£ 181,000
Option 2	<75%			£ 200,000	£ 131,000		£ 331,000
Option 3	<80%			£ 542,000	£ 131,000		£ 673,000
Additional costs for discretionary works						£ 90,000	
Option 1 + Discretionary works				£ 50,000	£ 131,000	£ 90,000	£ 271,000
Option 2 + Discretionary works				£ 200,000	£ 131,000	£ 90,000	£ 421,000
Option 3 + Discretionary works				£ 542,000	£ 131,000	£ 90,000	£ 763,000

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7. Options Available

7.1 If Members opt to adopt a threshold of 70%, only Whiterock toilets would receive a refurbishment. This added to the “operational works” gives a total of **£181k** and would result in the budget being **reduced by 2.6%** from last year, achieving a saving of **£4,924**.

7.2 Alternatively, Members have the option to implement a threshold of 75%, meaning that refurbishments would also take place at The Parade, Donaghadee and at the Public Toilets in Greyabbey. By consequence, **£331k** will be included in the 2023/24 estimates for refurbishments, resulting in a **78% increase (£145k)** over the 2022/23 revenue allocation.

7.3 If Members wish to carry out the £90k of discretionary works in addition to Option 1, **£271k** would be included in the 2023/24 refurbishments budget, representing an **increase of 46% or £85k** over the 2022/23 revenue allocation.

7.4 If Members wish to carry out the £90k of discretionary works in addition to Option 2, **£421k** would be included in the 2023/24 refurbishments budget, representing an **increase of 126% or £235k** over the 2022/23 revenue allocation.

8. Longer Term Consequences

It should be noted that the option set out in 7.1, will result in a reduction in revenue budget. Whilst this may be desirable and feasible this year, Members should bear in mind that this will be the third year in a row where this budget has been reduced. All buildings deteriorate through wear and tear and unforeseen issues and there is a possibility that we may need to request this money back into revenue budgets next year, depending on what the condition surveys find. Naturally, the more this budget is eroded, the bigger the potential impact on future budgets when it is reinstated.

In addition, option 7.1 limits the amount of refurbishment carried out to just one project and therefore carries a risk of increased reactive maintenance costs in the estate and a greater potential for the properties to fail to meet user expectations.

RECOMMENDATION

It is recommended that the Council approves as its preferred option, that set out in section 7.1 of this report, resulting in £181,000 being included in the 2023/24 budget, subject to the Estimates process.

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ITEM 5

Ards and North Down Borough Council

Report Classification	Unclassified
Council/Committee	Environment Committee
Date of Meeting	07 December 2022
Responsible Director	Director of Environment
Responsible Head of Service	Head of Waste and Cleansing Services
Date of Report	07 November 2022
File Reference	53042
Legislation	Waste and Contaminated Land (NI) Order 1997
Section 75 Compliant	Yes <input type="checkbox"/> No <input type="checkbox"/> Other <input checked="" type="checkbox"/> If other, please add comment below: Not relevant
Subject	Northern Ireland Local Authority Municipal Waste Management Statistics - April to June 2022
Attachments	None

Background

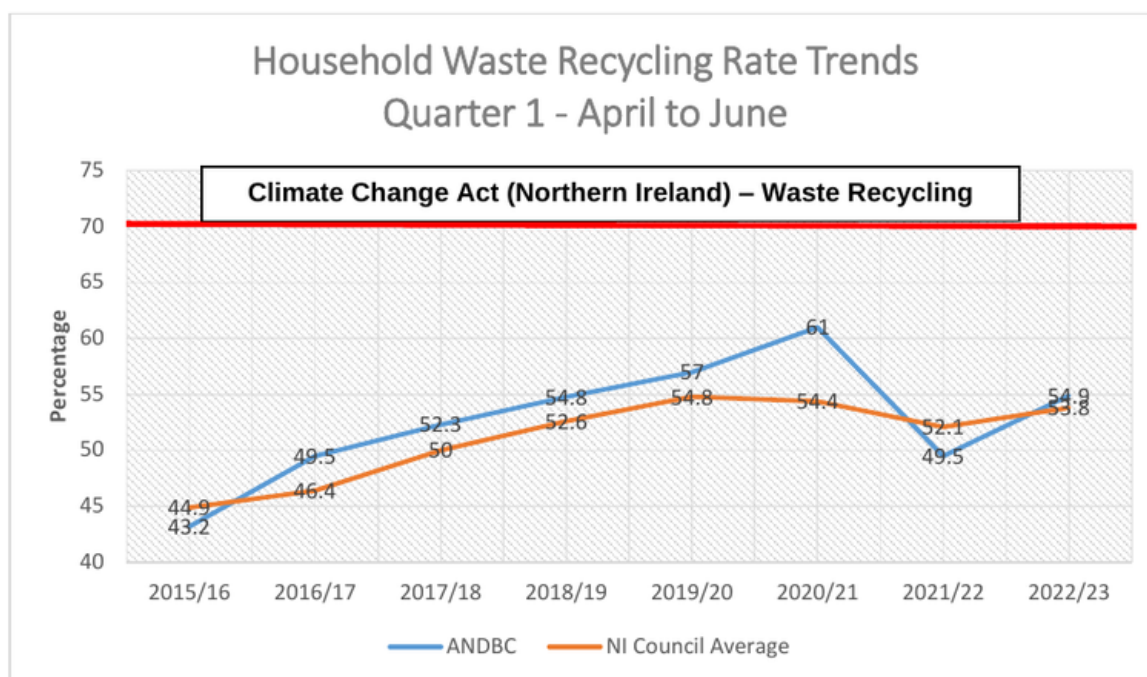
The official waste management statistics for the first quarter of 2022/2023 (April to June 2022) have been released by the Northern Ireland Environment Agency.

The significant headlines contained within the latest DAERA report show that:

- i. Our household waste recycling rate rose compared to Q1 last year, from 49.5% to 54.9%.

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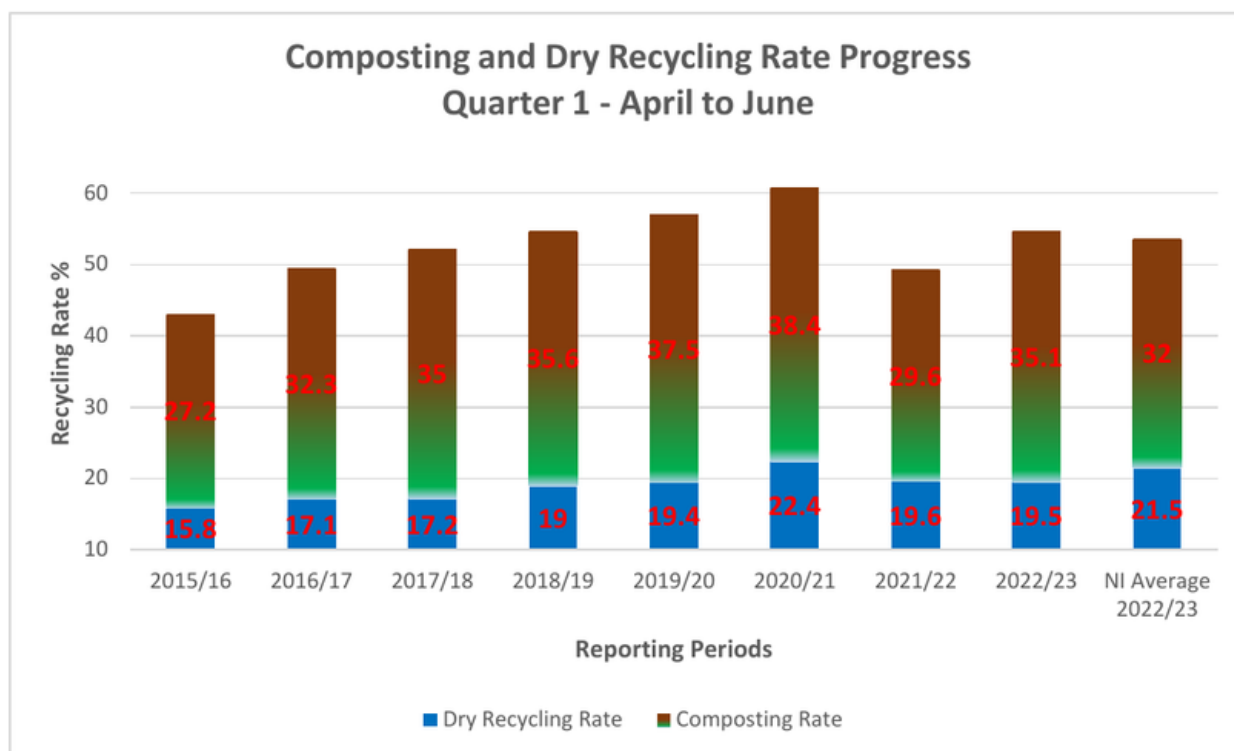
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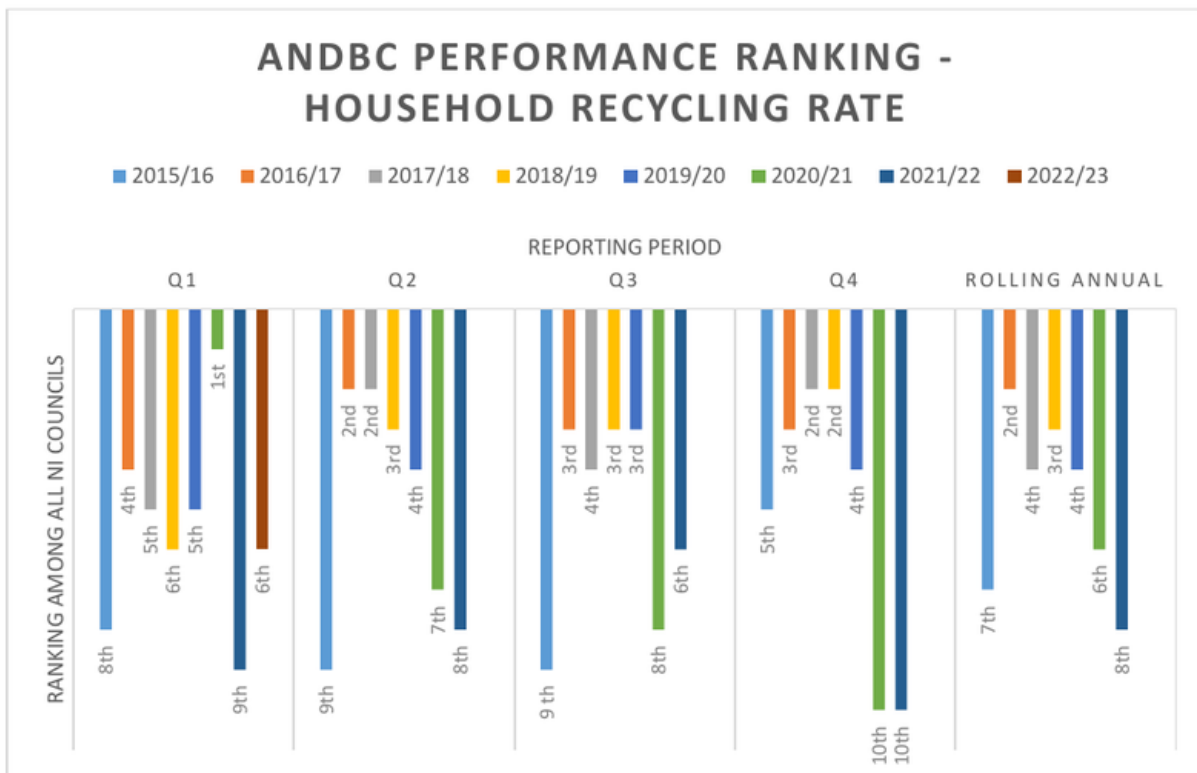
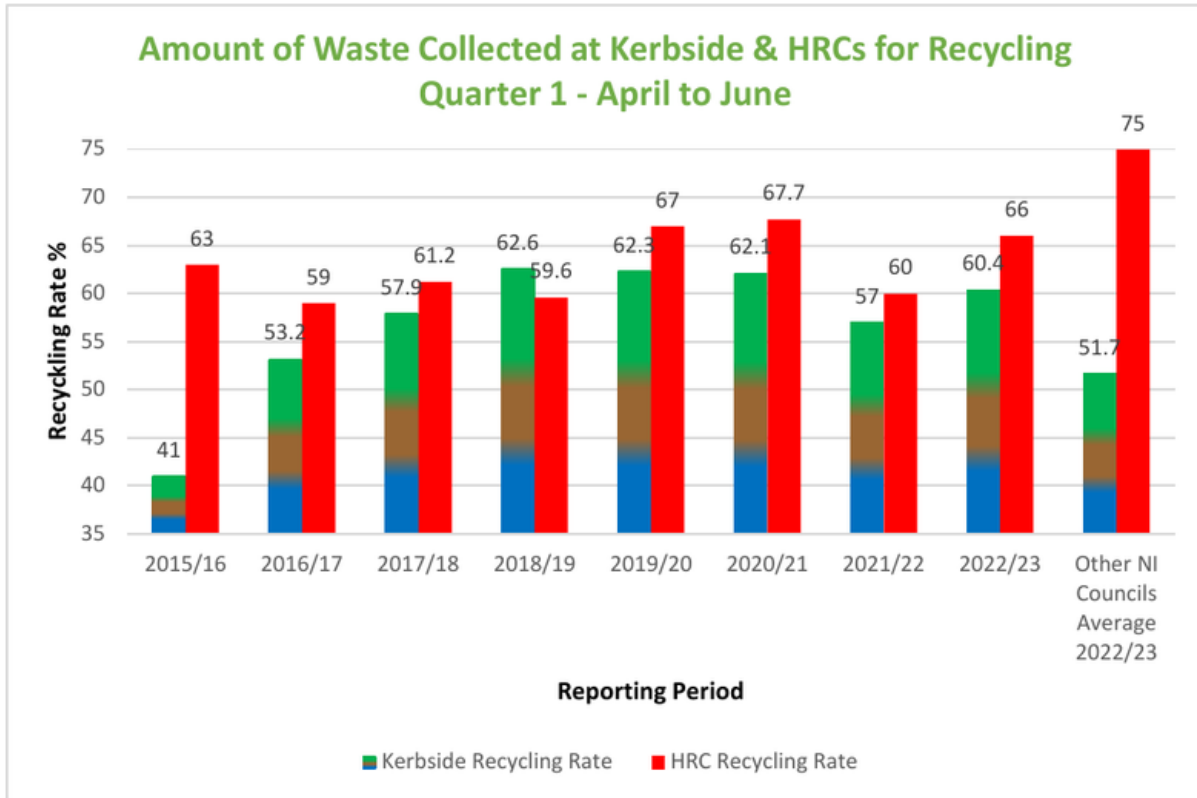
- ii. Our household waste recycling rate of 54.9%, was 1.1% higher than the NI average of 53.8%.
- iii. We were ranked sixth out of the 11 NI Councils for our household waste recycling rate, up from the ninth place ranking last year.
- iv. Our household waste composting rate rose by 5.5% - from 29.6% to 35.1%. Our household waste dry recycling rate fell by 0.1% - from 19.6% to 19.5%.
- v. Our household waste composting rate of 35.1% was 3.1% higher than the NI average of 32%.
- vi. Our household waste dry recycling rate (i.e. recycling of items other than organic food and garden waste) of 19.5% was 2% lower than the N.I. average of 21.5%.
- vii. Our kerbside recycling capture rate of 78.3% for household compostable waste materials compared to a NI Council average of 72.8%.
- viii. We were at the bottom end of the performance table for 'dry' recycling rate, ranking ninth out of eleven Councils.
- ix. We received 33.5% more waste per capita at our HRCs compared to the average for other NI Councils.
- x. We received 78% more non-recycled waste at our HRCs per capita than the average for other NI Councils.
- xi. The percentage of waste collected at our HRC sites for recycling was lower than the average for other Councils – 66%, compared to an average rate of 75% for other Councils.

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- xii. The percentage of waste collected at the kerbside for recycling was higher than the average for other Councils – 60.4%, compared to an average rate of 51.7% for other Councils.
- xiii. Overall (HRC plus kerbside), we collected 14% more household waste per capita than the average for other NI Councils; 33.5% more waste through HRCs and 11% more waste at the kerbside.
- xiv. Our rolling 12-month recycling rate (July 2021 to June 2022) was 49.8%; this was 0.7% lower than the average for all Councils, ranked 7th out of 11 Councils and is 20.2% lower than the new 70% waste recycling target set for 2030.



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Summary and Conclusions

Members will note that we are still some way off the new 70% waste recycling target introduced for 2030, under the Climate Change Act (Northern Ireland) 2022. Whilst our kerbside recycling rate is above the Northern Ireland average, our HRC recycling rate is below the average for other Councils. In both these key aspects of our waste management services, there is still very significant scope for improved recycling and cost reduction outcomes.

Further to a report brought to the October 2022 meeting of the Environment Committee, a major campaign of recycling engagement is currently underway. This will see a combination of both education and enforcement being used to target householder recycling behaviours as well as aiming to better control the source and type of waste that Council collects. Periodic progress reports will be brought to the Committee in due course.

RECOMMENDATION

It is recommended that the Council notes the report.

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ITEM 6

Ards and North Down Borough Council

Report Classification	Unclassified
Council/Committee	Environment Committee
Date of Meeting	07 December 2022
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	23 November 2022
File Reference	LQR / 90100
Legislation	
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below: If other, please add comment below:
Subject	Licensing Q1 Activity Report (1 April 2022 to 30 June 2022)
Attachments	None

Introduction

The information provided in this report covers, unless otherwise stated, the period from **1 April to 30 June 2022**. The aim of the report is to provide Members with details of some of the key activities of the Licensing Service, the range of services it provides along with details of level of performance.

Applications Received

The Service deals with a wide range of licensing functions which require the officers to consult with the PSNI, NIFRS and a range of other internal Council Sections in making their assessment of an application.

	Period of Report 1 April to 30 June 2022	Same quarter last year 1 April to 30 June 2021
Entertainment Licence	44	46
Cinema Licence	0	0

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Amusement Permits	2	0
Marriage and Civil Partnership Place Approval	4	2
Pavement Café Licence	3	0
Street Trading Licence	2	2
Lottery Permits	1	3

Most of the licences issued are for renewals and hence the workload is relatively constant year on year. Renewing a licence still entails considerable work to access the application and consult with the other bodies.

Regulatory Approvals

The following table gives the number of licences, approvals and permits that have been processed and issued.

	Period of Report 1 April to 30 June 2022	Same quarter last year 1 April to 30 June 2021
Entertainment Licence	37	27
Cinema Licence	0	0
Amusement Permits	1	2
Marriage and Civil Partnership Place Approval	5	0
Pavement Café Licence	1	1
Street Trading Licence	0	3
Lottery Permits	2	3

Town Centre CCTV

The Council currently operates 18 cameras in Bangor, Holywood and Newtownards with the control room located in Bangor. They are manned for 40 hours per week; the remainder of the week the cameras are recording from a fixed position.

Five incidents were recorded (up to the 18 May 2022) and reported to the PSNI by the CCTV operator.

The CCTV system failed on the 18 May 2022 and whilst the cameras continued to work it was not possible to review or record any incidents. A solution to this problem is being sought.

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Offence Recorded	Bangor	Holywood	Newtownards	Total
Traffic accidents	1	1	1	3
Criminal damage			1	1
Other	1. Man fell and required medical help 2. Person lying in the road – Safe Zone attended			2

Members will also be aware that a Working Group has been established to review this service and it is proposed to allocate a budget in the next financial year to provide expert support to facilitate the review process.

Off-Street Car Parking

Table 1: Income from Ticket Sales

	Period of Report 1 April to 30 June 2022
Income from ticket sales	£180,028

Table 2: PCN's Issued

	Period of Report 1 April to 30 June 2022	Same quarter last year 1 April to 30 June 2022
Bangor	277	293
Holywood	300	166
Newtownards	360	295
Total	937	754

RECOMMENDATION

It is recommended that the Council notes the report.

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ITEM 7

Ards and North Down Borough Council

Report Classification	Unclassified
Council/Committee	Environment Committee
Date of Meeting	07 December 2022
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	21 November 2022
File Reference	LR 100 / 90101
Legislation	The Local Government (Miscellaneous Provisions) (NI) Order 1985
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Grant and Transfer of Entertainment Licences
Attachments	

1. An application has been received for the grant of an entertainment licence as follows:

Donaghadee Parish Church Halls, Church Lane, Donaghadee**Applicant:** Mr David Sloan, 45 The Meadows, Donaghadee**Days and Hours:** 9.00am – 11.30pm**Occasional Licence:** granted for 14 unspecified days within the next 12 months**Type of entertainment:** Indoor dancing, singing and music or any other entertainment of a like kind; A Theatrical Performance.

The PSNI and NIFRS have advised that they have no objections.

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2. An application has also been made for the **Transfer of Licence:**

The Portaferry Hotel, The Strand, Portaferry

Applicant: Mr Kieran Quinn, 12 Millview, Portaferry

Days and Hours: Monday to Sunday during the permitted hours when alcohol may be served on these premises under the Licensing (NI) Order 1996

Type of entertainment: Indoor dancing, singing and music.

The PSNI and NIFRS have advised that they have no objections.

RECOMMENDATION

It is recommended that the Council grants the applications.

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ITEM 8

Ards and North Down Borough Council

Report Classification	Unclassified
Council/Committee	Environment Committee
Date of Meeting	07 December 2022
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	21 November 2022
File Reference	LR PCL47 / 90101
Legislation	Licensing of Pavement Cafés Act (NI) 2014
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Grant of Pavement Café Licence
Attachments	None

The following application has been received for the grant of a Pavement Café Licence:

The Olive Tree Artisan Café

Applicant: Mr Scott McDonald

Venue: The Olive Tree Artisan Café, 9-11 Bridge Street, Bangor

Day and hours of use:

Monday - Saturday 08.00 - 16.00
Sunday 09.00 - 16.00

The application has been publicly displayed on the relevant premises for 28 days as required in the legislation. No objections have been received.

DFI Roads and the Planning Service have been consulted. No objections have been raised to the application.

Unclassified

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Under the agreed conditions of licence, the pavement cafe will be required to:

- only use the agreed area to be outlined in the licence,
- provide only the approved furniture,
- completely remove any furniture from the pavement at the end of each day's trading
- keep the area used for the café to be kept clean of litter and liquid spills

RECOMMENDATION

It is recommended that the Council grants the above licence.

Unclassified

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ITEM 9

Ards and North Down Borough Council

Report Classification	Unclassified
Council/Committee	Environment Committee
Date of Meeting	07 December 2022
Responsible Director	Director of Environment
Responsible Head of Service	Head of Regulatory Services
Date of Report	21 November 2022
File Reference	LR 100 / 90101
Legislation	The Betting, Gaming, Lotteries and Amusements (NI) Order 1985
Section 75 Compliant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Other <input type="checkbox"/> If other, please add comment below:
Subject	Grant of Amusement Permit
Attachments	None

The following application for an Amusement Permit has been received:

Premises: Bean BT18 Ltd, 107 Bloomfield Road South, Bangor BT19 7HR

Applicant: Mr Francis Brady, Dunmalagh Park, Ballycastle

An application for an **amusement permit** has been made under Article 108 (1) (ca) of the Order to provide gaming machines with a maximum cash prize pay-out of £25. Access to the premises will be restricted to over 18-year-olds only.

Comment

The application has been publicly advertised as required by the Order and there have been no objections.

The PSNI has also confirmed that they do not have any objection to the provisional grant of the application.

Unclassified

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Should the Council be minded to refuse this application or wish to impose further restrictions on the applicant then the Council is required to serve Notice on the applicant stating the proposed grounds for the refusal or additional restrictions. The applicant then has 14 days to inform the Council in writing their desire to show cause, in person or by a representative as to why the application should not be refused or the additional conditions applied.

RECOMMENDATION

It is recommended that the Council considers the application and confirms if it wishes to grant or to indicate its intention to refuse the permit/grant with further restrictions.



31 October 2022

No to the Hightown Incinerator: Stop the legal challenge



To the Chief Executives of the six Arc21 partner councils (Antrim & Newtownabbey, Belfast City, Ards & North Down, Lisburn & Castlereagh, Mid and East Antrim & Newry and Mourne) we request must not provide public funding or support to judicially review the Ministerial decision to refuse planning application for this damaging and dirty incinerator.

Why is this important?

In March 2022 former Minister for Infrastructure Nichola Mallon refused permission for the planning application for a mechanical biological treatment (MBT) facility and waste incinerator at Hightown Quarry, beside North Belfast.

<https://www.facebook.com/StopHightownWasteIncinerator>

Twitter @NotInHightown or email to NoArc21@mail.com



The planning decision was made following over 5,000 objections submitted by the local community, and a wide range of political representatives from MPs to Councillors. It will increase the market for waste disposal and discourage recycling. Waste technology, waste composition and recycling policies had all moved on since the project was first conceived 15 years ago, and it should be abandoned once and for all - not blindly pursued with public money.

<https://www.bbc.co.uk/news/uk-northern-ireland-60893249>

The planning refusal followed a long running campaign by the No-Arc21 group who represent residents around the Mallusk, North Belfast and South Antrim areas, who are opposed to the controversial project.

This planning application was refused by a previous Environment Minister Mark Durkan, and successfully challenged in the Courts by No-Arc21. There is comprehensive and widespread political opposition to the project from all political Parties in South Antrim and beyond. Alternative do exist and if this Incinerator goes ahead it will reduce recycling and result in millions of tonnes of CO2 being emitted and accelerating climate change. This challenge is a flagrant waste of public money and resources can be better targeted to increase recycling to 70% by 2030 as per the Climate Change targets on Waste Management. During the current inflationary pressures that many households and workers are facing at present, councils should not be wasting more money on a legal case which questions local Ministerial powers to make such decisions. Over £20 million has been spent on the "Waste Monster" to date, how many pot holes, hospital beds, pay rises for key workers etc. could have been sorted in the over eight years of this white elephant. Bin the Burner.

<https://www.facebook.com/StopHightownWasteIncinerator>

Twitter @NotInHightown or email to NoArc21@mail.com



Please acknowledge this petition of over 960 signatures that will be presented to relevant bodies and councillor's within each constituent council and respond to confirm.

Regards

On behalf of No-ARC21

Colin Buick

Not Safe, Not Sustainable, Not Sensible

Noarc21@mail.com

<https://www.facebook.com/StopHightownWasteIncinerator>

Twitter @NotInHightown or email to NoArc21@mail.com

Chief Executive of Council

Local Government & Housing
Regulation Division
Social Policy Unit
Causeway Exchange
1-7 Bedford Street
Belfast BT2 7EG

Tel: (028) 90 823140

Email: social.policy@communities-ni.gov.uk

15 November 2022

Dear Chief Executive

LOCAL GOVERNMENT CIRCULAR 19/22

FEES FOR ENTERTAINMENT LICENCES – DETERMINATION EFFECTIVE FROM 6 APRIL 2023

(LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985)

Article 3 and Schedule 1 to the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, as amended by Article 52 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992, make provision that certain specified entertainments shall not be provided at places, except under, and in accordance with, the terms, conditions and restrictions that are included in entertainment licences granted by district councils. The legislation also requires that any application for the grant, renewal, transfer or variation of an entertainments licence shall be accompanied by such fee as the Department for Communities may from time to time determine.

Towards the beginning of 2021 the hospitality industry made representations to the Department seeking easements to the costs of entertainment licences to alleviate hardship being experienced by the industry as a result of COVID-19 restrictions at the time. Even with the easing of lockdown there remained for some time many restrictions on live music and dancing and other live performances within venues which meant businesses couldn't make full use of the entertainment licences for which they had paid.

In response the Department amended the licensing fees structure to introduce a nominal fee of £1 for renewal applications only, for all categories of entertainment licence, with effect from 6 April 2021.

The reduction was to remain in place for the duration of the 2021/2022 financial year. Following a review early in 2022 it was decided to extend the period of the easement to cover the 2022/2023 year to give businesses time to return to normal trading practices, as COVID-19 restrictions had only recently been removed. Additional funding provided by the Executive to support local councils with their financial pressures in respect of lost income and exceptional costs because of the COVID-19 pandemic was allocated to councils to cover these two years.

The reduced licence fees have undoubtedly helped ease some of the financial burden for businesses in the hospitality industry, however, with the removal of all remaining COVID-19 restrictions earlier this year, licence holders will by April 2023 have had a year to get back on a normal trading footing.

The Department is of the view that there is no need to continue with this easement beyond the end of the 2022/23 financial year and therefore with effect from 6 April 2023 fees for renewal entertainment licences will revert to pre-April 2021 levels.

Details of the revised fees, **effective from 6 April 2023**, are set out in the attached formal determination.

Yours sincerely



LIAM QUINN
SOCIAL POLICY UNIT

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985**DETERMINATION OF FEES FOR ENTERTAINMENTS LICENCES**

33

The Department for Communities, in exercise of the powers conferred by Article 3 of, and paragraph 5(2)(c) of Schedule 1 to, the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985¹, as amended by Article 52 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992², hereby determines that, with effect from 6 April 2023, the fees to accompany the application to a district council for the grant, renewal, transfer or variation of an entertainments licence shall be the amounts specified in the following table:

TABLE

	Occasional Licence Fee³	Full Licence Fee⁴
	£	£
An application relating to an indoor place of entertainment to which paragraph 1(2)(a), (b) or (d) and (6) of the above mentioned Schedule applies, where that place or premises (as the case may be) may hold:		
- not more than 100 persons;	50	100
- 101 to 200 persons;	75	150
- 201 to 300 persons;	125	250
- 301 to 500 persons;	200	400
- 501 to 1,000 persons; and	375	750
- over 1,000 persons.	500	1,000
An application relating to an indoor place of entertainment to which paragraph 1(2)(c) and (6) of the above mentioned Schedule applies (i.e. a circus).		Fee £ 50
An application relating to an indoor place of entertainment to which paragraph 1(4) and (6) of the above mentioned Schedule applies (i.e. where machines for entertainment or amusement, or equipment for the playing of billiards, pool, snooker or other similar games, are provided).		100
An application relating to an indoor place of entertainment of any capacity for a licence to be granted under paragraph 4(2) of the above mentioned Schedule (i.e. an occasional licence) in respect of:		50
(a) a place used wholly or mainly for public religious worship in relation to an entertainment to which paragraph 1(2)(a), (b) or (d) and (6) of the above mentioned Schedule applies, other than any music or singing;		

¹ S.I. 1985/1208 (N.I. 15)

² S.I. 1992/810 (N.I. 6)

³ A licence granted under paragraph 4(2) of the above mentioned Schedule (i.e. an occasional licence).

⁴ A licence granted under paragraph 3 of the above mentioned Schedule.

<p>(b) a place used for religious meetings or services in relation to an entertainment to which paragraph 1(2)(a), (b) or (d) and (6) of the above mentioned Schedule applies, other than any music or singing performed as an incident of a religious meeting or service; or</p> <p>(c) an educational institution while not being used as such in relation to an entertainment to which paragraph 1(2)(a), (b) or (d) and (6) of the above mentioned Schedule applies.</p>	
<p>An application relating to an indoor place of entertainment of any capacity to which paragraph 1(2)(a), (b) or (d) and (6) of the above mentioned Schedule apply for a licence to be granted under paragraph 4(2) of that Schedule (i.e. an occasional licence) where the application is made by a voluntary organisation⁵ or a charity.</p>	50
<p>An application by a voluntary organisation or a charity relating to outdoor musical entertainments to which paragraph 2 of the above mentioned Schedule applies, where that place may hold:</p> <ul style="list-style-type: none"> - not more than 500 persons; or - over 500 persons. 	<p>125</p> <p>250</p>
<p>An application, other than by a voluntary organisation or a charity, relating to outdoor musical entertainments to which paragraph 2 of the above mentioned Schedule applies, where that place may hold:</p> <ul style="list-style-type: none"> - not more than 500 persons; or - over 500 persons. 	<p>1,000</p> <p>2,000</p>
<p>An application under paragraph 7A of the above mentioned Schedule for the variation of the terms, conditions or restrictions on or subject to which an entertainments licence is held.</p>	80

Dated this 15th day of November 2022.



A senior officer of the Department for Communities

⁵ A "voluntary organisation" means an organisation carrying on or proposing to carry on activities otherwise than for the purpose of gain by the organisation or individual members thereof.