**Minutes from Environment and Planning SPC Meeting**

**Wednesday 12th December 2018, 2.00pm, Old Reference Library**

**Present: Cllr. Damien Brady (Chairperson), Paddy Connaughton, Brendan Jennings, Colm O’Callaghan, Jim Lyng, Sean Guider, Nicholas O’Kane, Marice Galligan, Pat Gaynor, Cllr. Val Smith, Cllr. Fergal Curtin, Cllr. Madeleine Argue, Cllr. Winston Bennett, Paddy Denning, IFA**

**Apologies: Andrew O’Gorman, Thomas Cooney**

Cllr. Brady opened the meeting and thanked Cllr. Bennett for chairing the previous meeting.  Cllr. Brady welcomed Jim Lyng to the Waste Management Section and thanked Conor Craven for his work over the previous years.

The minutes from the previous meeting were proposed by Cllr. Argue and seconded by Cllr. Bennett.

**Draft (Segregation, Storage & Presentation of Household & Commercial Waste) Bye-Laws**

Kevin Swift, Regional Waste Coordinator, Connaught Ulster region gave a presentation on the draft Bye Laws.

Mr. Swift explained that most local authority Bye Laws were out of date and needed updating and in accordance with each of the three Regional Waste Management Plans 2015-2021, a more unified approach was being used. The main objectives of the new Bye Laws are to reduce the amount of waste produced, reduce dependence on landfill and increase recycling.

The Bye Laws places an obligation on the holders of waste to dispose of their waste at an approved facility or be collected by an approved collector.  It also sets out the requirement to segregate waste and enables the local authority to issue fixed penalty notices for breaches of the Bye Laws.

Draft Bye Laws will need to go on display for public consultation and a final draft will be presented to a Council meeting for approval.  Template/guidance documents are available for circulation.

A number of queries raised included: what stage were other Counties at, would the Bye Laws have any impact on roadside litter, can Bye Laws be linked to householders Eircode and the Bye Laws are centred on householders, no implication on producers to reduce packaging.

Mr. Swift responded by informing the meeting that each local authority was at different stages, but it was expected that by the end of Q1 2019 that Bye Laws will be adopted by all local authorities.  He added that the issue of roadside litter was a separate matter and would be addressed under the Litter Pollution Act.  He informed the meeting that the Bye Laws places a number of obligations on both the holder and collector of household and commercial waste.  Finally, he advised that the increase of online shopping is having a significant impact on packaging and there is currently no regulation for online purchasing.

**Refill Ireland**

Cathal Boylan advised the committee of a number of proposals currently being discussed with Refill Ireland which are expected to commence in 2019.  Proposals included "Greening" a sporting event in conjunction with Sports Partnership, connecting with businesses to encourage them to provide no obligation free water refill points, provision of free reusable bottles to Green Schools participating in the Water Theme, provide a free water refill point in a public building in Cavan town and explore the possibility of refurbishing retired public taps.

**Bring Centre Relocation**

Jim Lyng advised the meeting that Cavan County Council were planning to relocate the Bring Centre at Lavey to the newly constructed carpark adjoining the Community Centre.  He also advised that extension works to the carpark at the Killydoon Bring Centre would be commencing in early 2019 which would see some disruption to the service while works were ongoing.

**Estates to be taken in charge**

Pat Gaynor provided the committee with an update on the number of estates taken in charge by the local authority.  He advised that in 2017, 24 estates were taken in charge, 12 to be taken in charge in 2018 and the target for 2019 is also 12.

Cllr. Bennett enquired if a developer is insolvent and the services (road) is in poor condition, who is responsible?  Mr. Gaynor advised if it is a private estate, the Council cannot legally carry out improvement works.

**Cavan Town Variation**

Marice Galligan provided the committee with an update on the proposed Material Alterations to the Cavan Town Variation Plan. The public inspection and submission period had lapsed and was due to be discussed at the next Council meeting.

**AOB**

**Local Government (water pollution) (amendment) Bill 2018**

In recent years there has been a problem getting planning permission for single houses in rural areas where the soil is heavy and fails the percolation test (or T-test).    
  
This is a consequence of Environmental Protection Agency guidelines, adopted by the government and lodged with the EU, as part of measures to prevent ground water pollution from septic tanks.    
  
The EPA guidelines stated that if the percolation test fails, there must be 'zero discharge of effluent', but this is difficult to achieve.   
  
EPA Guidelines rules out all reasonable engineering solutions or proposals to treat and dispose of the sewage effluent where it fails the T-test, regardless of how high the treatment standard.  However, the EPA guidelines also say that where the test fails, the local authority can issue a wastewater discharge licence.

**Close of meeting**

It was agreed that the next meeting would take place on 12th March 2019.