

CASTLEREAGH BOROUGH COUNCIL

Minutes of the proceedings of the Technical and Environmental Services Committee meeting held, in committee, in the Function Suite, Civic & Administrative Offices, Bradford Court, Upper Galwally, Castlereagh, BT8 6RB on Tuesday 7 June 2005 at 7.30 p.m.

- PRESENT:-** Alderman Norris (in the chair)
- ALDERMEN: -** G Rice
- COUNCILLORS:** A M Beattie
J Beattie
M Chambers
S Duncan
B Hanvey
T Jeffers (from 7.40 p.m. until 10.35 p.m.)
A Ramsey
J Spratt
- APOLOGIES:-** Apologies were recorded on behalf of Councillor Henderson and Councillor Drysdale.
- IN ATTENDANCE:-** Director of Technical and Environmental Services, Building Control Manager, Client Manager (from 10.15 p.m.), Operational Services Manager, Environmental Health Manager and Assistant Members' Services Officer.

MATTERS ARISING

T&ESC/2005/150: MINUTES OF TECHNICAL AND ENVIRONMENTAL SERVICES COMMITTEE MEETING OF 1 MARCH 2005 AND 19 APRIL 2005

Councillor Duncan referred Members to an error regarding minute T&ES/2005/124 in that the minute read minutes of the Waste Management Working Group and this should have been the Bonfire Working Group.

Officers explained that as full Council had already ratified the minutes, this typing error could not be amended.

Noted.

T&ESC/2005/151: PRESENTATION BY THE ROADS SERVICE REGARDING ALTERATIONS TO PURDYSBURN ROAD SCHEME

The Mayor welcomed Mr Graham Salmon, Mr Norman Chambers and Mr Rodney Moffett from the Roads Service.

Mr Salmon presented a simulated plan in respect of the above, this detailed a number of changes to the last proposal which had been made to Council on 24 March 2005. He detailed that it was being proposed that the Roads Service would take over a narrow strip of land which would allow for the widening, realignment and signalisation of the Milltown Road/Belvoir Road junction and the replacement of the Hydebank Roundabout with a signalised junction.

Before leaving the meeting, the Roads Service representatives addressed a number of Members' queries.

Members agreed to give this matter further consideration during the Client Manager's report, later in the meeting.

Noted.

REPORT FROM BUILDING CONTROL MANAGER

T&ESC/2005/152: SCHEDULE OF APPLICATIONS

The Building Control Manager outlined the schedules of applications approved by the Building Control Service for the period of 01/02/2005 to 31/03/2005 and 01/04/2005 to 30/04/2005 for Members' information.

Noted.

T&ESC/2005/153: REPORTS ON APPLICATIONS, INSPECTIONS AND SOLICITORS ENQUIRIES FOR THE PERIOD OF 01/02/2005 TO 31/03/2005 AND 01/04/2005 TO 30/04/2005

Noted.

T&ESC/2005/154: PERFORMANCE INDICATORS – FULL PLAN APPLICATIONS FOR JANUARY 2005 TO MARCH 2005

The Building Control Manager reminded Members that the Business Plan 2004-2005 for the Building Control Service set out a number of performance indicators for the Service.

He then referred Members to the number of Full Plan and Amended Plan applications received by the Building Control Service and the times in which these had been actioned by the Service.

Noted.

T&ESC/2005/155: STAFF ISSUES

The Building Control Manager advised that Stephen McGuinness had resigned from the post of Senior Building Control Officer. His last day of work was Friday the 29th April 2005.

He confirmed that this position had since been filled. Mr Keith Fleming commenced work with the Building Control Service on Monday 2nd May 2005.

Noted.

T&ESC/2005/156: PROFESSIONAL QUALIFICATION

The Building Control Manager advised that Mr Andrew Newett (MCIOB), Building Control Officer attended the Professional Interview for membership of the Chartered Institute of Building on the 20th April 2005.

He was successful and achieved Corporate Membership of this Institute.

Members asked the Building Control Manager to convey the Committee's congratulations to the Officer.

Noted.

T&ESC/2005/157: BUILDING REGULATIONS (NORTHERN IRELAND) 2000 – CONSULTATION ON PROPOSED AMENDMENT OF PART R: ACCESS AND FACILITIES FOR DISABLED PEOPLE AND TECHNICAL BOOKLET R

The Building Control Manager advised that the Council had been invited to respond to the Department's proposals for an amendment to Part R (Access and Facilities for Disabled People) in the Building Regulations (NI) 2000 and the new Technical Booklets R which supports the Regulations.

He stated that the Building Regulations (NI) 2000 applied to most building work and were made principally to ensure the health, safety and welfare of people in and around buildings.

The Officer then detailed the proposed changes to the Regulations. He stated that the overall objective of the proposed amendments was to ensure that new buildings meet reasonable standards of accessibility and to secure cost-effective

improvements to the accessibility of the existing building stock when certain building work is carried out.

He referred Members to a copy of the Response Form which would be forwarded to the Consultation Response Co-ordinator Building Regulations unit, for Members' information.

RESOLVED: - Members recommended that the Officer's response to the proposed amendment to PART R (Access And Facilities For Disabled People) be approved.

T&ESC/2005/158: COUNCIL PROPERTY SURVEYS & ASBESTOS SAMPLING

The Building Control Manager advised that on the 21st May 2004, regulation 4 of the Control of Asbestos at Work Regulations 2002 became effective. This regulation lays a specific duty on all those defined as duty holders within the regulations to manage all asbestos containing materials (ACM's) in non-domestic premises. Castlereagh Borough Council falls within this definition in relation to at least twenty-three buildings.

He reported that trained Building Control staff had undertaken surveys of Council Properties, Asbestos Sampling and provided reports for 8 No. buildings during the 2004/2005 financial year.

Noted.

T&ESC/2005/159: STREET NAMING AT 188 NEWTOWNBRED A ROAD, NEWTOWNBRED A

RESOLVED: - Members recommended that the street name of Brerton Hollow be allocated to the 4 No. Dwellings, under construction by Kinturk Properties, at 188 Newtownbreda Road, Newtownbreda.

T&ESC/2005/160: SOUTH EASTERN GROUP BUILDING CONTROL COMMITTEE

The Building Control Manager drew Members' attention to the Minutes of the meeting of the South Eastern Group Building Control Committee held in Ards Borough Council Offices on the 14th February 2005.

Noted.

REPORT FROM OPERATIONS SERVICES MANAGER

T&ESC/2005/161: CASTLEREAGH HILLS GOLF CLUB - GENERAL COMMITTEE

The Operations Manager detailed that as part of the affiliation of this club to the Golf Union of Ireland (GUI) and the Irish Ladies Golf Union (ILGU) a constitution had been drafted by the Council's solicitors, King & Gowdy. He drew Members' attention to this document, attached in Appendix 1 of his report.

The Officer reported that this constitution proposed a Proprietor's Club run by Castlereagh Borough Council with a General Committee to oversee the running of the Club. This General Committee would have ten members; four elected members from the Club and six members appointed by the Proprietor. It is proposed that the following appointments should be Council Officers/Members:-

Chairman
Executive Treasurer
Secretary and one other,

and that two members of this Committee should take up the remaining two positions.

The Officer stated that in proposing this make up of the General Committee, it was also recognised that at the Council's Annual General Meeting three members were elected to the Users Advisory Committee and that there was potential for overlap and duplication of resources and Members time. He stated that Members may wish to consider the appropriateness of the Users Advisory Committee in addition to the legal requirement for a General Committee and of the potential for consolidation of the representation of the Users Advisory group and the General Committee.

Members stated that as the User Advisory Committee had been established by full Council this matter would have to be taken back to Council for consideration.

Councillor Beattie sought the reassurance of Officers that the General Committee would remain in Council control.

Councillor Beattie was referred to the content of the constitution which addressed this matter comprehensively.

The Operations Manager confirmed that the Council as the Proprietor would at all times have a majority on this Committee, as set out in the constitution.

Following consideration Alderman Rice proposed that the Officer's recommendations be accepted.

Councillor Duncan seconded this proposal and it was

RESOLVED: - Members recommended

- (a) that the Chairman and Vice Chairman of the Technical and Environmental Services Committee be the representatives on the Castlereagh Hills Golf Club General Committee, along with four Council Officers;
- (b) that the current draft constitution for Castlereagh Hills Golf Club be finalised and tabled at a future meeting of the Committee for Members approval.

T&ESC/2005/162: DRESS CODE

The Operations Manager stated that currently, the only dress code, which was being enforced at the Golf Club, was that football tops were not permitted. He asked Members to consider an appropriate dress code for the new course.

Following some consideration Members agreed that football tops should not be permitted, however, felt that this was a matter for the new General Committee of Castlereagh Hills Golf Club.

It was therefore

RESOLVED: - Members recommended that the matter of an appropriate dress code for the Golf Club should be referred to the new General Committee of Castlereagh Golf Club, with a stipulation that, as a minimum, football tops should not be permitted.

T&ESC/2005/163: SERVICE LEVEL AGREEMENT FOR CATERING AT THE NEW CLUB HOUSE (Supplementary report circulated at the meeting)

The Operations Manager circulated a draft Service Level Agreement between the Department of Finance & Leisure Services and the Department of Technical and Environmental Services for the provision of catering services at the Castlereagh Hills Golf Club.

He stated that the purpose of the agreement was to clearly show the division of responsibility between the Technical and Environmental Services Department and the Finance and Leisure Services Department.

It was agreed that the Finance & Leisure Services Department would be responsible for the management and maintenance of the entire first floor, this

would include the provision of kitchen fuel costs, cleaning (including windows) and an agreed proportion of miscellaneous utility costs.

All additional income generated would be clearly profiled in an appropriate golf course catering code, which would reduce the operating loss of the facility. At the end of each financial year the amount of income to be apportioned between business services and Operational Services from these activities would be agreed based on directly related costs and a nominal percentage based operating profit.

Operational Services (Technical & Environmental Services) would cover all initial capital expenditure e.g. Furniture, Cutlery, Crockery, Coffee Machines, Ice Machines, Ancillary Equipment including start up costs.

Following consideration of the draft agreement, Councillor Rice proposed that Officers proceed to finalise the draft agreement bringing it to a future meeting for final approval.

Councillor Spratt seconded this proposal and it was

RESOLVED:- Members recommended that the draft Service Level Agreement between the Departments of Finance & Leisure Services, and Technical and Environmental Services for the provision of catering services at the Castlereagh Hills Golf Club be finalised and brought to a future meeting of the Committee for Members approval.

T&ESC/2005/164: OFFICIAL OPENING

The Operations Manager advised that the official opening of the Golf Course was being held on 24 June 2005, and drew Members' attention to the draft running order for this event.

Noted.

T&ESC/2005/165: INCOME REPORT AND PROJECTION – MEMBERSHIP SALES

The Operations Manager referred Members to a table in his supplementary report, outlining the financial performance of Castlereagh Hills Golf Course for April & May 2005. The Officer took Members through this table in detail, and in particular, pointed out that the income to date was £5,588.36 lower than that which had been estimated and that the predicted final income for the year based on joint two months' income was a £27,544.34 shortfall against the estimates.

He advised that, as predicted, membership sales had slowed down. The Officer suggested that the current intake should be closed off at the end of July 2005,

with a new seven-month season ticket being introduced for sale commencing the start of September, at a cost of £300.00 plus the joining fee.

Councillor Spratt proposed that this recommendation be accepted. This proposal was seconded by Councillor Beattie and it was

RESOLVED: - Members recommended that the current intake of membership for Castlereagh Hills Golf Course be closed off at the end of July 2005, with a new seven-month season ticket being introduced for sale commencing the start of September, at a cost of £300.00 plus the joining fee.

T&ESC/2005/166: GOLF COURSE AND CLUBHOUSE CAPITAL EXPENDITURE TO DATE

The Operations Manager referred Members to a table included in his report, and advised that the total approved expenditure for the Clubhouse, to date, was £1,694,093.10 and the total estimated final account, as of 27 April 2005, would be £1,673,749.00.

He stated that it was important to note that outstanding works were still on going. It was, however, expected that the estimated final account for the clubhouse would come in below the total approved expenditure figure of £1,694,093.10.

For the Golf Course the total approved expenditure was £1,129,717.00 and the total expenditure to date was £1,094,300.00. Again, he stressed it was important to note that various works on the contract were still ongoing i.e. construction of the putting green estimated cost £19,674.00 and other outstanding works to the course. It was, however, expected that the estimated final account for the golf course would come in below the total approved expenditure of £1,129,717.00.

Noted.

T&ESC/2005/167: BOWLING CLUBS

The Operations Manager advised that there had been no real progress made in resolving the ongoing dispute in respect of the Bowlers refusing to sign an agreement indemnifying the Council against any loss sustained, by reason of a breach of the agreement.

By way of information for the new Councillors present, the Operations Manager provided Members with a brief resume of the situation to date in respect of this matter.

Following discussion it was suggested that representatives from the bowling fraternity be invited to attend the September meeting of the Committee. In the interim, Members suggested that the Operations Manager and Director of

Administration and Community Services continue to liaise with the bowlers, in an attempt to resolve the outstanding matters.

It was therefore

RESOLVED: - Members recommended

- (a) that representatives from the bowling fraternity be invited to attend the September meeting of the Committee;
- (b) the Operations Manager and Director of Administration and Community Services continue to liaise with the bowlers, in an attempt to resolve the outstanding matters;
- (c) prior to the September meeting Officers prepare an update report, to be forwarded to Members, detailing any negotiations or progress made by Officers in respect of settling the outstanding matters.

T&ESC/2005/168: LAGAN VALLEY REGIONAL PARK (LVRP) HERITAGE LOTTERY APPLICATION

By way of information the Operations Manager provided Members with a brief outline of the details of the above application. He explained that Castlereagh Borough Council, as the employing authority, would sign on behalf of all three Councils a 12-15 month contract with the Heritage Lottery Fund to develop the project to Stage II as detailed in his report.

In addition to this measure, the Heritage Lottery Fund were also funding the posts of a Development Officer and an Administration Officer, and it was proposed that these Officers would be employed by Castlereagh Borough Council.

Noted.

**SUPPLEMENTARY REPORT FROM THE OPERATIONAL SERVICES
MANAGER**

**T&ESC/2005/169: BRODRICKS GRASS MACHINERY TURF CARE
EQUIPMENT**

The Operations Manager advised that he had received an invitation from Brodricks Grass Machinery for two members of the Parks Section to examine various types of Turf Care Maintenance Equipment at their Ipswich Factory on the 22 & 23 June 2005. This trip will allow the investigation of the modern turf

care machinery available from Textron. All costs will be borne by Brodricks and therefore there would be no cost to the Council.

RESOLVED:- Members recommended that approval be granted for two members of the Parks Section to attend at the Brodricks Grass Machinery Factory on 22 & 23 June 2005, with all costs being borne by Brodricks.

T&ESC/2005/170: OPERATIONAL SERVICES UNIT BUDGET REALLOCATION

The Operations Manager explained that during CCT the former Direct Services Organisation codes, under 1602, 1702, 1802 and 0434 were shown on one line.

He requested that in order to make the estimating and budgeting process more meaningful it was being proposed to split these individual budget headings. He then referred Members to a detailed table outlining his recommendations. The Officer took Members through this table in details.

RESOLVED: - Members recommended that the budget reallocation for Operational Services codes, under 1602, 1702, 1802 and 0434, as outlined in the Operational Manager's report be approved.

T&ESC/2005/171: REQUEST FROM ACTION CANCER

The Operational Services Manager advised Members that he had received a request from Action Cancer to run a charity golf tournament at the new golf course.

Discussion ensued, but Members felt that in agreeing to this tournament the Council could be setting a precedent. Following consideration it was suggested that the Council could host an annual charity golf tournament at the new Castlereagh Hills Golf Course, with all proceeds being donated to the Mayor's nominated Charity.

RESOLVED: - Members recommended that the Council host an annual golf tournament at the new Castlereagh Hills Golf Course, with all proceeds being donated to the Mayor's nominated Charity.

T&ESC/2005/172: SUPPLEMENTARY REPORTS

Alderman Mrs Rice drew Members' attention to the fact that several supplementary reports at been tabled at tonight's meeting. She stated that it was her understanding that there was a minute prohibiting this practice and requested

that Officers ensure that all reports were forwarded to Members in advance of the meeting, in order for them to have time to consider the detail.

Members concurred.

Noted.

T&ESC/2005/173: CAIRNSHILL PLAYING FIELDS

Councillor Chambers advised Members that a number of local residents had contacted her expressing concern at the current state of Cairnshill Playing Fields and Pavilion and the subsequent annoyance caused by youths loitering in the area.

Alderman Rice and Councillor Duncan advised that they too had been contacted in relation to this matter.

Following discussion it was

RESOLVED: - Members recommended that Officers carry out an inspection of the Cairnshill Playing Fields and Pavilion to ascertain necessary works required, i.e. trimming of shrub beds etc to help alleviate the problem of youths loitering in that area.

REPORT FROM THE ENVIRONMENTAL HEALTH MANAGER

T&ESC/2005/174: PUBLIC HEALTH (IRELAND) ACTS 1878 TO 1907 – STATUTORY NOTICES

The Environmental Health Manager detailed that Statutory Notices had been served regarding the abatement of Public Health nuisances/conditions prejudicial to health.

Noted.

T&ESC/2005/175: AIR QUALITY REVIEW AND ASSESSMENT PROGRESS REPORT 2005

The Environmental Health Manager drew Members' attention to a Progress Report prepared by the Environmental Health Service for submission to the Environment and Heritage Service.

She stated that the Progress Report 2005 formed an integral part of Castlereagh Borough Council's Air Quality Management. The Progress Report 2005 focuses on information that might affect the air quality of Castlereagh and provides

information that would assist in other policy areas such as transport and land use planning.

The Officer advised that the report could be viewed online at the Council's website or alternatively, a full copy was available in the Environmental Health Service should members wish to view a copy.

Noted.

T&ESC/2005/176: CASTLEREAGH BOROUGH COUNCIL AIR QUALITY STRATEGY – ONGOING TO 2010

The Environmental Health Manager advised that in accordance with the Environment (Northern Ireland) Order 2003, each Local Authority was required to assess and monitor local air quality. In an attempt therefore for the Council to demonstrate its commitment to the air quality review, it was necessary to develop a strategy to take the Council through to the year 2010 deadline. She stated that interim progress reports would continue to be produced and submitted to the Environment and Heritage Service.

She stated that the purpose of this Strategy was to attempt to keep air quality levels below the threshold target levels contained within the table as outlined in her report. Presently Castlereagh Borough Council does not need to declare an Air Quality Management Area, given the outcome of the recent air quality review.

The Officer detailed that this report was the outline of the strategy with regard to Air Quality, the success of which would obviously depend on interagency working also.

She then detailed the main aims of the Air Quality Strategy and it was

RESOLVED: - Members recommended the adoption of the details pertaining to the Air Quality Strategy.

T&ESC/2005/177: AIR QUALITY MONITORING IN NORTHERN IRELAND 2003

The Environmental Health Manager drew Members' attention to the receipt of a report "Air Quality Monitoring in NI 2003" and summary pamphlet.

She advised that a copy of the report could be viewed at www.ehsni.gov.uk or alternatively a copy was available in the Environmental Health Service should members wish to peruse a copy.

Noted.

T&ESC/2005/178: THE ANTISOCIAL BEHAVIOUR (NORTHERN IRELAND) ORDER 2004 INTRODUCTION

The Environmental Health Manager referred Members to her report, which detailed the introduction of Antisocial Behaviour Orders (ASBOs). She stated that ASBOs should be viewed within the Council's staged approach to enforcement in compliance with the Enforcement Concordat.

The Officer reported that the Antisocial Behaviour Order (Northern Ireland) Order 2004 was made on 27 July 2004, and she proceeded to detail the main elements and current legislation of the Order for Members' information.

In the conclusion the Officer advised, that in all aspects regarding the consideration of and any subsequent application for an ASBO, the Council would adhere to the current legislation and have regard to the "ASBOs Guidelines For Implementation" produced by the NIO, Community Safety Unit, PSNI, NIHE and SOLACE.

Councillor Spratt outlined his concern in relation to the effectiveness of ASBOs, adding that where the Council was responsible for enforcement ratepayers would ultimately be responsible for meeting these costs, he urged Officers to be cautious in the use of ASBOs.

The Environmental Health Manager reiterated that an ASBO would only be issued when all other measures of control had been exhausted.

Following consideration Alderman Rice proposed that the Council adopt the ASBO Enforcement Policy.

Councillor Norris seconded this proposal.

RESOLVED: - Members recommended that Council adopt the ASBO Enforcement Policy, as detailed the Environmental Health Manager's report.

T&ESC/2005/179: THE REVIEW OF PUBLIC ADMINISTRATION IN NORTHERN IRELAND – A FURTHER CONSULTATION – 23 MARCH 2005

Councillor Rice declared an interest.

The Environmental Health Manager drew to Members' attention specific proposals within the latest consultation document produced by the Review of Public Administration Team. These proposals set out a single option for the future of health and safety enforcement in Northern Ireland and state that the

responsibility for health and safety should be removed from District Councils and transferred to the Health and Safety Executive Northern Ireland.

The Officer referred to the required characteristics of future administration and added that it was clear that the proposal to remove health and safety enforcement from district councils and centralise the function in an expanded executive body would be to fly in the face of these required characteristics of future administration.

The Environmental Health Manager stated that the proposal currently within the RPA consultation document appeared to run counter to the principles and characteristics set for the public service post the review, to contradict the public policy statements and partnership working commitments of the Health and Safety Commission and Executive in GB and to be, quite simply, ill founded, supported by inaccurate argument and wrong for the effective delivery of health and safety protection.

Members concurred with the Officers comments and it was

RESOLVED: - Members recommended that Council oppose the latest consultation document produced by the Review of Public Administration Team, which recommended that the responsibility for health and safety should be removed from District Councils and transferred to the Health and Safety Executive Northern Ireland.

T&ESC/2005/180: NEIGHBOURHOOD ENFORCEMENT OFFICERS

The Environmental Health Manager advised Members that Ards Borough Council had engaged a team of officers to deal with problems arising from antisocial behaviour in its various forms. She explained that this team was dedicated to tackling the issue of antisocial behaviour through working together with local residents, the PSNI, other statutory bodies and community groups, to deal with the problem and enforce the law as required.

Based with the local Police, these Council Officers work a shift pattern to allow the flexibility of being on the ground more regularly when the majority of problems are actually occurring.

She advised that she had attached further details of this initiative to her report, which would give more details and may assist Members in considering the issue.

The Officer advised that an opportunity had arisen to joint fund such a project in Castlereagh, with 75% of the costs being met by the PSNI through funding from the NIO due to the creation of a "Policing with the Community Fund". The Officer then outlined the details of the proposed funding agreement over the next three years.

The Environmental Health Manager stated that the proposal was for Castlereagh Borough Council to employ two Neighbourhood Enforcement Officers working from the local District Command Unit Headquarters. She explained that this would be estimated to cost approximately £60,000 per annum, 75% met by the PSNI and 25% by the Council, giving an input of £45,000 and £15,000 respectively.

The Officer highlighted that it should be noted that the maximum grant available to the PSNI from the NIO in any one year was £50,000 per project and funding would require to be applied for each year of the project which would not normally run for longer than three consecutive years. She outlined that all bids for finance from the NIO would be submitted by the PSNI to a Fund Panel for consideration and arbitration three times per year, namely by 30 June, 30 September and 31 December.

The Officer advised that Police in the local District Command Unit believed this to be an excellent opportunity to enhance community policing and the existing partnerships developed with the Council in combating antisocial behaviour and the enforcement of other legislation where quality of life issues were concerned.

The Officer asked Members to consider the information in this report with a view to providing the initial 25% (£15,000) funding required to put a Neighbourhood Enforcement Team in place and to make provision for similar funding to be available for the second and third years of the project.

Councillor Spratt was of the view that this was a policing matter and the Council should therefore not be involved in this initiative.

A detailed discussion ensued on the matter, with Councillor Spratt proposing that the Council do not participate in the Neighbourhood Enforcement Scheme.

Alderman Norris seconded the proposal.

Councillor Beattie outlined that although he would be supportive of the proposal, he was of the view that the matter should be considered by full Council. He therefore proposed an amendment, in that, the issue be referred to the June Council meeting.

Councillors Duncan, Hanvey and Alderman Rice indicated that they would be supportive of the matter being referred to full Council.

The Chairman then asked Members to vote on the amendment, which was unanimously agreed to. The amendment was then put to the meeting as the substantive motion, and was unanimously agreed.

RESOLVED : That the issue of participation in the Neighbourhood Enforcement Team initiative be referred to the June Council meeting.

T&ESC/2005/181: POISONS (NI) ORDER 1976 - Registration of Premises

RESOLVED: - That the Council be recommended to approve the premises as outlined within the Officers' report be registered for the selling of poisons, as required under the Poisons (NI) Order 1976.

T&ESC/2005/182: THE BETTING, GAMING, LOTTERIES AND AMUSEMENTS (NI) ORDER 1985 - UPDATE ON THE PROVISIONAL GRANT OF AN AMUSEMENT PERMIT FOR PREMISES AT 1 CHURCH ROAD, DUNDONALD

The Environmental Health Manager advised that an application for the provisional grant of an amusement permit was reported to the Technical and Environmental Services Committee on Tuesday 1 March 2005 with a recommendation that the permit be provisionally granted subject to no objections from the PSNI or any objections arising from the Public Notice placed by the applicant as a requirement of the application procedure.

She stated that it was noted that gaming by means of gaming machines could not be authorised until the provisional grant of the amusement permit was declared final by the Council. This recommendation was upheld by the committee and subsequently ratified by full Council at a meeting on Thursday 24 March 2005.

The Officer reiterated that the applicants had complied with the requirements of the application procedure in that they:

- have paid the required application fee
- have advertised the application in the local press
- have provided the necessary financial reference
- have not been objected to by the PSNI
- have not been the subject of any objections as a result of the Public Notice regarding the application.

The Environmental Health Manager stated that the amusement permit application was for a maximum of 25 gaming machines to be used on the premises which were to operate from Monday to Saturday inclusive between the hours of 10.00am to 10.00pm. The Premises would not open on a Sunday.

She confirmed that Officers were awaiting details of the Fire Certificate for the premises which was currently being considered by the Northern Ireland Fire Brigade. Once this certificate had been presented, or a letter of intent to issue such a Fire Certificate confirming that the premises meet the required standard is

received from the Fire Brigade, the Council would then be in a position to declare the provisional grant of the amusement permit final. Upon receipt of this certificate, the Officer stressed that the Council must progress to declaring the grant final.

Subject to the premises' lighting, window displays, sanitary accommodation and any other notices required being provided to the satisfaction of the Council the provisional grant should be declared final.

The Environmental Health Manager reiterated that the legislation offered little discretion to Councils in their power to refuse an application for an amusement permit and certainly where an application had already been provisionally granted, a permit, according to the legislation, shall be declared final unless two years had expired from the date the permit was provisionally granted.

Councillor Jeffers expressed disappointment that this application was proceeding, he highlighted that Councillors from the area had been present at the initial meeting where this had been raised. He asked the Environmental Health Manager to ascertain whether the age limit could be raised from eighteen to twenty-one years of age.

The Environmental Health Manager also advised that, not only had there been no objections to the application, but in fact a letter of support in respect of the application had been received from a local MLA.

Following consideration it was

RESOLVED: - Members recommended

- (a) that Environmental Health Manager's report in respect of the Amusement Permit at 1 Church Road, Dundonald be forwarded to the June Council meeting for Members' information and noting;
- (b) that the Environmental Health Manager ascertain whether legislation would permit the upper age limit for the use of this facility to be increased from eighteen years to twenty-one years of age.

T&ESC/2005/183: PETROLEUM CONSOLIDATION ACT (NI) 1929 - GRANT OF A PETROLEUM LICENCE

The Environmental Health Manager advised that an application had been received from Maxol Oil Ltd for the grant of a petroleum licence for the recently redeveloped Belvoir Filling Station, 60 Milltown Road, Shawsbridge. She stated that this was an entirely new site with new underground tanks, suction lines, pumps, etc and had been developed within the same site boundaries as the old Belvoir Filling Station which was demolished.

RESOLVED: - That, the application requesting a licence to store petroleum at the recently redeveloped Belvoir Filling Station, 60 Milltown Road, Shawsbridge premises, be granted in compliance with the requirements of the Petroleum Consolidation Act (NI) 1929.

T&ESC/2005/184: PETROLEUM CONSOLIDATION ACT (NI) 1929 - LICENCE RENEWAL

The Environmental Health Manager advised that applications for the renewal of a licence to store petroleum had been received at premises detailed in her report. These had subsequently been inspected and complied with the requirements of the Act.

RESOLVED:- That, the application requesting a licence to store petroleum at the premises, as detailed in the Environmental Health Manager's report, be renewed in compliance with the requirements of the Petroleum Consolidation Act (NI) 1929.

T&ESC/2005/185: THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985- REGISTRATION OF PREMISES

The Environmental Health Manager advised that applications for registration had been received from premises to carry on the business of ear piercing and electrolysis under Article 14 of the above-mentioned legislation. She reported that the premises had been inspected and were found to comply with the Bye-Laws made under the above Order.

RESOLVED: - Members recommended that the Council grant a certificate of registration to the Proprietors as outlined in the Environmental Health Manager's report, to carry on the business of ear piercing and electrolysis under Article 14 of the above mentioned legislation.

T&ESC/2005/186: THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985 - ARTICLE 3 – LICENSING OF PLACES OF ENTERTAINMENT - RENEWAL OF LICENCE

The Environmental Health Manager outlined applications for the renewal of entertainment licences, which had been received for premises detailed in the report, and explained that the necessary inspections were being carried out.

RESOLVED: - That the Council authorise that the licences, detailed in the Environmental Health Manager's report, be renewed, subject to receipt of all

necessary documentation and compliance with the Council's Terms and Conditions of Licence.

T&ESC/2005/187: THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985 - APPLICATION FOR THE GRANT OF A LICENCE

The Environmental Health Manager advised that an application had been received from Mr Michael Lipsett, Operational Services Manager for the grant of an Entertainment Licence for Castlereagh Hills Golf Club, Manns Road, Gilnahirk.

She detailed that the application was for the provision of entertainment in the first floor restaurant/function room and meeting room 3 also on the first floor. Rooms on the ground floor would not to be used for the provision of entertainment.

Consultations were taking place with the Police Service for Northern Ireland, the Northern Ireland Fire Brigade and the Council to ensure the relevant safety standards required would be achieved.

RESOLVED: - Members recommended that the Entertainment Licence be granted to the above premises, subject to satisfactory consultation with the Northern Ireland Fire Brigade and the PSNI and the completion of any additional work which may be required as a result of these consultations.

T&ESC/2005/188: GRANT OF AN OCCASIONAL ENTERTAINMENT LICENCE

The Environmental Health Manager advised that an application had been received for the grant of an Occasional Entertainment Licence from 8.00pm on Friday, 1 July 2005 to 2.00am on Saturday, 2 July 2005. She reported that the event was a charitable dance. The applicant was an organiser and fund-raiser for Moneyreagh and District Action Cancer Group and the profits from the function would be donated to the charity.

Consultations were taking place with the Northern Ireland Fire Brigade and the PSNI with respect to the organisation of the event and fire fighting equipment, sanitary accommodation and electrical certification were being provided by North Down Marquees Ltd who specialise in the arrangements for this type of event.

RESOLVED: - Members recommended that an Occasional Entertainment Licence be granted to the applicant, as detailed in the Environmental Health Manager's report.

T&ESC/2005/189: STREET TRADING ACT (NI) 2001 - RENEWAL OF STREET TRADING LICENCE

RESOLVED: - That the Council be recommended to approve the renewal of the street trading licences, as detailed in the Officer's report.

T&ESC/2005/190: THE DOGS (NI) ORDER 1983 - DOGS KEPT WITHOUT A VALID LICENCE

The Environmental Health Manager advised that despite a written warning, the under-mentioned person continued to keep a dog without obtaining a valid licence. A Fixed Penalty Notice was issued for the offence but this was returned unpaid from the Clerk of Petty Sessions Office.

- Fixed Penalty Notice No. 1119 - Lady from Clontonacally.

RESOLVED:- Members recommended that legal proceedings be instigated under the above legislation against the aforementioned person.

T&ESC/2005/191: DOG ATTACK (CRF3828)

The Environmental Health Manager advised Members that on 24 March 2005 a Rottweiler dog belonging to a man from Carryduff was straying off his property and on two separate occasions attacked two persons who were passing by. One was a 13-year-old girl and the other was an elderly lady who received puncture wounds to her arm as a result of the attack. The dog owner had previously been convicted in court on 8 October 2004 regarding a previous incident on 19 May 2004 when the same dog attacked two other people.

The Officer reported that on that occasion he was fined a total of £250.00 plus ordered to pay legal costs of £142.50. In addition the Court ordered that the dog was to be kept secured behind a second set of gates at his home and was to be muzzled at all times when out in public. This Court Order had obviously not been complied with on the occasions of the latest attacks.

RESOLVED: - Members recommended the instigation of legal proceedings in relation to these two latest attacks and that a destruction order be sought on the dog involved.

T&ESC/2005/192: DOGS (NI) ORDER 1983 – INFORMATION TO THE DEPARTMENT

The Environmental Health Manager drew Members' attention to the return from the Department in respect of the year 2004.

Noted.

T&ESC/2005/193: CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES - DRINKING IN DESIGNATED AREAS

The Environmental Health Manager advised that the Environmental Health Service had received a witness statement from the Police Service of Northern Ireland in respect of person who was caught drinking in a public place, contrary to the Council Bye-Laws made under the above legislation. The incident occurred on:

- Friday 22 April 2005 Thorndale Road North, Carryduff.

RESOLVED: - Members recommended that the Council instigate legal proceedings against the offender, as outlined above.

T&ESC/2005/194: STAFF ISSUES - STAFF TRAINING – FOOD LABELLING COURSE – 9-10 JUNE 2005

RESOLVED: - Members recommended that permission be given for an Officer from the Environmental Health Service to attend the Food Labelling Course, being held in Ards Borough Council, on 9-10 June 2005 at a cost of £125.00.

T&ESC/2005/195: STAFF TRAINING – PYROTECHNICS SAFETY AWARENESS COURSE

RESOLVED: - Members recommended that permission be given for the Borough Inspector, Mr W T Duke, to attend the Pyrotechnics Safety Awareness Course, being held at the Odyssey Arena Belfast, on 15 June 2005 at a cost of £120.00 plus VAT.

T&ESC/2005/196: ADJOURNMENT OF MEETING

Members referred to the volume of business that was still to be addressed at the meeting. Following discussion it was

RESOLVED: - Members agreed that the meeting would be adjourned to reconvene on Tuesday 14 June 2005 at 7.30 p.m.

As there was no further business, the meeting adjourned at 10.45 p.m.

The meeting reconvened on Tuesday, 14th June 2005 at 7.30 p.m.

PRESENT:-

Alderman J Norris
Alderman Mrs G Rice (until 9.45 p.m.)

Councillor Mrs A Beattie
Councillor J Beattie
Councillor Mrs M Chambers

Councillor S Duncan
Councillor B Hanvey
Councillor M Henderson
Councillor T Jeffers (from 9.45 p.m.)
Councillor A Ramsey
Councillor J Spratt

IN ATTENDANCE:- Director of Technical & Environmental Services, Client Manager and Assistant Members' Services Officer

APOLOGIES:- Apologies were recorded on behalf of Councillor Drysdale and Councillor Jeffers who would be arriving late to the meeting.

REPORT FROM CLIENT MANAGER

T&ESC/2005/197: TONNAGES

The Client Manager advised Members that during the month of March 2005, 2014.48 tonnes of waste were deposited at Belfast City Council's landfill site, Dargan Road, giving a total of 25,172.19 tonnes for the year 2004/2005.

He outlined that during April, 2113.64 tonnes were deposited.

He indicated that the Tri Cycle Scheme (Phase 3) which was scheduled for introduction in August would increase the amount of tonnage that would be diverted from landfill.

In response to Members' queries regarding potential penalties, the Client Manager reported that if the Council failed to meet European Union targets, the Council could be fined £200 for each tonne that it exceeds the landfill allowance. Furthermore, he indicated that there is likely to be a fine levied on the United Kingdom as a whole, arising from infraction proceedings, and each Council that fails to meet its targets will have to pay a percentage of the fine and he outlined the potential impact that such a measure would create.

In addition, landfill costs will substantially increase.

The Client Manager then referred to a previous faulty batch of brown bins, which had been distributed, but were now being replaced by the supplier free of charge.

Members queried why food waste could not be placed in brown bins, to which the Officer responded that guidance had been received that there was a possibility that foodstuffs may have been contaminated by meat products, and that this waste was therefore not suitable for open windrow composting.

Councillor Hanvey proposed that the Council should be promoting the reasons why waste management is such a serious issue and the financial implications to ratepayers, should the necessary recycling measures not be taken, and this was seconded by Councillor Beattie. However, the Client Manager referred to correspondence, which was being circulated to all households regarding Phase 3 of the Tri-Cycle Scheme, and which would highlight this information.

In response to a query regarding shredded paper, the Client Manager stated that Members could either, take it to the Council Offices for recycling, place it on a bag in the black box scheme, or use for composting.

Noted.

T&ESC/2005/198: INFORMAL OPEN SPACE AT EDGAR AVENUE, CARRYDUFF – ELIM CHURCH

The Client Manager advised that he had received a request from the Pastor of the Elim Church at Carryduff asking that the Council consider the transferring of a portion of the informal open space at Edgar Avenue to the Elim Church to enable the construction of a car park.

A plan of the proposals was then tabled at the meeting for Members consideration.

Members expressed concern that the transfer of this space would encroach on the remaining green space at this site, and referred to complaints they had received in relation to car parking in Council spaces at the church by members of the public unconnected with the church who were using it as a “park and ride” facility.

Following discussion, it was

RESOLVED: - That, further consideration of this matter be deferred to enable Officers to arrange a site visit by the Members of the Technical and Environmental Services Committee at Carryduff Elim Church, at a date and time to be arranged.

T&ESC/2005/199: HOUSEHOLD RECYCLING CENTRE AT CARRYDUFF – BREACH OF DISCHARGE CONSENT LIMITS

The Client Manager referred Members to a letter from the Environment and Heritage Service regarding breach of discharge consent limits from the Household Recycling Centre at Carryduff. He drew Members' attention to the fact that there were two tests referred to, suspended solids and visible oil and grease. He reported that the visible oil and grease tests were satisfactory but the suspended solids were 71 for the 24/03/04 and 125 for 11/10/04 as against the consent limit of up to 50.

He advised Members that it was an offence under Article 9 (4) of The Water Order to contravene the conditions of the Departments consent, the penalty for which following a conviction is, imprisonment for a term not exceeding 3 months or a fine not exceeding £20,000 or both.

The Officer reported that Carryduff HRC had an oil interceptor which was designed to receive dirty water from the site and takes out the oil, grease and suspended solids before allowing the water to continue into the adjacent watercourse.

Prior to receipt of this letter, existing maintenance arrangements included a maintenance contractor emptying the three chambers in the oil interceptor every six months and skimming the oil off the surface of the three chambers every three months between emptying.

Since the letter, the Operational Services Unit had undertaken to maintain the oil interceptor weekly until an optimal maintenance regime was found through experience to keep the oil interceptor discharge within the consent limits. Monthly sampling had also commenced to enable the Council to react to any consent limit contraventions. Since then, results have been within consent limits.

Noted.

T&ESC/2005/200: TRI-CYCLE SCHEME – PHASE 3

The Client Manager reminded Members that Phase 3 of the Tri-Cycle Scheme was to be rolled out this summer. He then provided Members with a detailed summary of the scheme.

He informed Members that he had a letter to be signed by the Chairman in relation to Phase 3 of the Tri-cycle scheme, which had similar wording as the letter circulated regarding Phase 2 and would be sent to every appropriate household in the scheme (phase 3) advising ratepayers of the Council's statutory obligations.

Members then discussed the Bryson House scheme, which would continue to be collected weekly, however they felt that in some instances there was a lack of consistency with regard to collection times, and, at times, untidy operation of the collection. With regard to inadequate fastenings of the kerbie box, the Client Manager concurred that this matter would be reviewed but referred to the use of velcro by some residents which appeared to alleviate the problem.

In response to a query from Councillor Rice, the Client Manager indicated that neither Castlereagh, nor any other Council, were obliged to provide new developments with bins and it remained the responsibility of householders in new developments to purchase their own bins.

RESOLVED:- That, the Client Manager would raise the problems highlighted by Members with regard to the Bryson House Kerbie scheme, namely the inconsistency in collection times, and, at times, untidy operation of the scheme resulting in debris scattered along residential roadways.

T&ESC/2005/201: BILLY NEILL MBE SOCCER CENTRE OF EXCELLENCE

The Client Manager advised Members that Officers from the Council and Glentoran Football Club have had discussions regarding the possibility of the development of a third generation soccer pitch at Billy Neill.

He reported that at a previous meeting of the Technical & Environmental Services Committee, he had been instructed to seek the views of the regular users. As a result, a questionnaire was sent to each of the regular users, only two of which objected to the proposal.

He then referred Members to a drawing, which showed how existing changing rooms could be adapted together with a costing. He also advised that the costing exercise indicated that the Council would not have to put any funds to the scheme. However, the Council would lose the use of a grass pitch. Also, two existing changing rooms would be halved in size, this would allow two extra changing rooms to be provided within the existing building envelope, but obviously the four new rooms would be much smaller in size.

The Client Manager, at this point circulated a sample of the third generation “grass” for Members’ information.

Members raised a number of questions in relation to the proposal with regard to:-

- Ownership of the soccer pitch
- Priority of pitch use
- Partnership contracts
- Costs to the Council

The Client Manager responded that it was anticipated that Glentoran would want the use of the pitch at specific times via a long-term licensing arrangement. He concurred that Members had expressed some valid concerns but indicated that the slight loss of control of the third generation soccer pitch should be weighed up against the benefits of the construction of a pitch of this nature, at no cash outflow cost to the Council.

He stated that he anticipated a lot of interest from 7-a-side and 5-a-side clubs, but reiterated that the project was still in a tentative preliminary stage of costings and the scheme would be subject to tender.

The Client Manager referred to maintenance costs and informed Members that the next stage of discussions would ascertain what Glentoran Football Club would expect from the proposal.

The Director of Technical & Environmental Services outlined that there will be legal issues to be resolved, although at this stage, the nature of these matters were unclear.

Following a proposal from Councillor Beattie, which was seconded by Councillor Chambers, it was

RESOLVED:- That, the Members recommend that the Council proceed with discussions with Glentoran Football Club with regard to the development of a third generation soccer pitch at Billy Neill, on the basis that the project will proceed at no cost to the Council.

T&ESC/2005/202: OPEN SPACE AT CREGAGH/KICKABOUT PITCH

The Client Manager advised that an informal kick about pitch was being constructed at Cregagh open space. Work was suspended over the winter months, he then provided Members with a financial update regarding the contract, outlining the details behind the additional costs incurred.

Item	Omission	Addition
Misc remeasurement	£1,547.73	
Omit contingency	£3,000.00	
Removing existing manhole		£75.00
Excavate additional hardcore under playground		£777.60
Disposal of additional hardcore off site		£5,508.00
Breaking out of concrete slab under play equipment		£917.60

Additional costs due to inclement weather and fencing		Not Known
		£7278.20
Nett Increases		£2730.47

The Officer reminded Members that the amount estimated for the construction of the pitch were greater than that tendered. Surplus funds were therefore available and set aside for the future construction of a playground adjacent to the site. Total additional costs, estimated at approximately £9000.00 would therefore reduce the funds available for the construction of the playground.

The Client Manager referred to the initial fence around the pitch which had been taken out of the contract because of the concerns raised by the NIHE, however the NIHE had since accepted that the legal elements of their contract were not being contravened as turnstiles were being made available through the fence. Subsequently, the Consultant had now approached the contractor to enquire if the contractor stood over the original price of £22,000.

Councillor Henderson wished to highlight that the Committee had previously promised to locate a “kickabout” area in Carryduff and other areas and asked that these be considered in future.

Following discussion, it was

RESOLVED:- That, Members recommend to Council that the Contractor be instructed to erect a fence and turnstile, on the provision that it costs the original tendered price of £22,000.

T&ESC/2005/203: BONFIRES – ELEVENTH NIGHT CELEBRATIONS

The Officer advised that the bonfires to celebrate the 11th July had been under construction for some time, with those at Milltown, Woodbreda, Bests Hill and the open space at Cregagh causing significant levels of complaint.

He reported that the Council had particular responsibilities in respect of the bonfires at Woodbreda and Cregagh as these were constructed on Council lands.

Discussions had been held with local bonfire builders to encourage the construction of these bonfires in a safe and environmentally responsible way. Some success has been achieved at Milltown with bonfire materials having recently been cleaned from the roads and footways. The bonfire builders at

Bests Hill/Purdysburn Road have also recently moved their material. The bonfire builders at Woodbreda had recently dismantled their structure and moved it away from the houses. Some initial success was achieved at Cregagh when local residents loaded a skip with unsuitable material but the site has since degenerated again, becoming very untidy.

The Chief Executive was particularly concerned about the site at Woodbreda as damage was caused to adjacent properties last year and he feels the damage may occur again this year.

The Client Manager advised that he had been instructed to raise this matter at the Technical & Environmental Services Committee and seek the support of the Committee on moving the bonfire at Woodbreda should it be felt that it posed a threat to adjacent property.

Councillor Beattie felt that the Officers working directly with the bonfire builders should be commended, especially in dealing with the Milltown bonfire, as he concurred that these issues were of a highly sensitive and emotive nature.

He suggested that there might be merit in involving the Environment and Heritage Department in negotiations, which may remove some of the responsibility from the Council's Officers.

The Client Manager agreed that the Council's main responsibility was for fly tipping, whereas the illegal disposal of tyres lay with the Environment & Heritage Service.

Members discussed each of the individual bonfire sites and acknowledged their concerns with regard to those constituents, especially elderly residents, who lived in close proximity to the bonfires and whose properties sustained damaged as a result.

Councillor Mrs Duncan referred to the Woodbreda bonfire and stated that a tarmaced site had been designated specifically for their bonfire in the past. She felt that, by relocating it, the bonfire builders were breaking a bylaw, in addition to the fact that they were not erecting it on the traditional site and suggested that there might be merit in liaison, based on those facts.

Councillor Henderson proposed that the Council write to the Environment & Heritage Service requesting that they take responsibility for the removal of tyres from bonfire sites.

Councillor Beattie wished to support this proposal on the basis that negotiations with the Bonfire Committee remained ongoing.

Councillor Mrs Rice further suggested that the Council should write to the NIHE and Roads Service to come to some agreement with regard to the toxicity of the fumes and should meet with the Bonfire Committee. However, the Client Manager advised Members that both these bodies were already represented on the Bonfire Committee.

RESOLVED: -

- (a) Members recommended that Council approve the removal of the bonfire from the location at the top of the hill at Woodbreda should it appear to pose a risk to adjacent properties.
- (b) The Officers be instructed to write to the Environment & Heritage Department with a view to their taking responsibility for the disposal of tyres on bonfire sites.

T&ESC/2005/204: TENDER FOR UPLIFT. DISTRIBUTION AND DELIVERY OF WHEELED BINS

The Client Manager reported that following a public advertisement; two tenders were received for the supply of uplift, distribution and delivery of wheeled bins.

Following consideration it was

RESOLVED: - Members recommended that the Council accept the lowest tender from Avenue Recycling, 28 Tates Avenue, Belfast, BT12 6ND in the sum of £1.00 per bin be accepted, provided the references prove to be satisfactory.

T&ESC/2005/205: DUNDONALD CULTURAL SOCIETY

The Client Manager advised that he had received a covering letter with a petition (approximately 220 signatures) asking for the Council's help in providing temporary fencing for the traditional bonfire site at Davaar Avenue. The letter and petition had also been sent to Northern Ireland Housing Executive who owns the site.

Since then, however, the Client Manager advised Members that the Dundonald Cultural Society had obtained a fence.

Noted.

T&ESC/2005/206: ABANDONED VEHICLES CONTRACT – NEW BURDENS FUND

The Client Manager advised Members that central government was providing full funding for an abandoned vehicles contract for all of Northern Ireland. This contract would provide for the uplift, removal and disposal of abandoned vehicles in accordance with all legislation at no cost to the Council. He then highlighted the main points of the contract.

The Officer reported that the Council had already agreed, in principle, to the contract and the Chief Executive had signed it on behalf of the Council to allow the contract to be initiated and minimise potential costs to the Council, therefore retrospective approval was being sought.

RESOLVED: - Members recommended that retrospective approval be granted for the signing of the Northern Ireland Abandoned Vehicles Contract for the collection, treatment and disposal of abandoned vehicles in Northern Ireland with PPP Salvage.

T&ESC/2005/207: LANEWAY AT BACK OF CARRYDUFF SHOPPING CENTRE

The Client Manager advised that Alderman Mrs Rice had raised the issue of a laneway to the rear of Carryduff Shopping Centre which was currently overgrown and impeding the PSNI in tackling an anti-social behaviour problem at the site.

The Officer advised that the site was not owned by Castlereagh Borough Council and Operational Services were currently trying to ascertain who owned it. He then reported the estimated costs associated with tidying the area.

Several of the Councillors feared that, as the site did not belong to the Council, that by cutting away some of the undergrowth, the Council would be assuming responsibility for the area.

Councillor Spratt expressed his anger that the PSNI were trying to put the onus on other agencies, as there was no reason that they could not deal with these offenders. Subsequently, he agreed that the Council should not be spending ratepayers' money on land, which was owned by another party, and therefore his responsibility to maintain it, as such.

Councillor Chambers suggested that the Council contact the Roads Services asking them to cut down trees and bill the owner of the land on their behalf.

The Chairman also urged Members on the DPP to raise this matter strenuously with the District Commander at their next meeting.

Following discussion, it was

RESOLVED:- That, the Members recommend to Council that the Officers liaise with the Department of Regional Development with regard to clearing the area and ascertaining if they can cut overhanging trees.

T&ESC/2005/208: DUNDONALD VILLAGE RE-GENERATION GROUP

The Client Manager advised that he had received correspondence from the Chairman of the Dundonald Village Re-Generation Group seeking permission to hold the Motte Fest on Saturday 10 September 2005 from 11.00am until 5.00pm.

RESOLVED:- Members recommended that Dundonald Village Re-Generation Group be granted approval to hold an annual Motte Fest in Moat Park, Dundonald on Saturday 10 September 2005 from 11.00am – 5.00pm, under the terms and conditions previously granted.

T&ESC/2005/209: PLAYGROUND RISK ASSESSMENTS

The Client Manager informed Members that RoSPA (The Royal Society for the Prevention of Accidents) had been commissioned to carry out risk assessments for the Council's playgrounds. Three playgrounds were highlighted by RoSPA that showed a high-risk level. These were Tullycarnet, Lough Moss and Belvoir Playgrounds.

He referred Members to the risk assessments, which reported that each item at Belvoir Playground and Lough Moss Playground were found to be "at the end of its useful working life".

The Officer advised that each item that had a Risk Score of 13 or above (High Risk) has had immediate action, as per the reports recommendations, in order to lower its Risk Score.

Members were asked to consider the future of these 3 playgrounds. The options available being as follows:

1. Removing existing equipment and surfaces and installing new equipment: approximately £50,000 to £60,000 based upon equipment for each site;

2. Replace existing equipment with new: approximately £30,000 to £40,000 for each site;
3. Cost to rip out and leave safe: approximately £3,000 to £4,000 for each site.

Although each Risk Assessment recommends the replacement of each of these playgrounds, it also states that the life expectancy at the date of the Risk Assessment is 1-3 years. In the interim, the Council's Health & Safety Officer was informed and was satisfied that no immediate action other than routine maintenance was necessary at present.

Councillor Henderson referred to the Central Committee's discussion to support a decision to relocate the decommissioned playground at Lough Moss beside the Activity Centre, which could be overseen by Council staff.

The Director of Technical and Environmental Services responded that the previous Finance & Leisure Committee had given a commitment to carry out a feasibility study which tied in with the Parents Playground Committee's request to make a presentation to the Committee in light of the fact that Carryduff was a growing town with limited children's facilities.

Councillor Beattie proposed that the Council should look at the playgrounds on a collective basis, and in particular, to source robust playground equipment, which could sustain vandalism and would be easily maintained, which was seconded by Councillor Rice.

Councillor Mrs Duncan indicated that, in her view, the Council should be prioritising funding for children's playgrounds, as facilities at Castlereagh West were extremely limited and she felt that children in this area were deprived as a result.

Following discussion, it was

RESOLVED:- That, in light of RoSPA Risk Assessments carried out on Tullycarnet, Lough Moss and Belvoir Playgrounds that a site visit be convened.

T&ESC/2005/210: PARENTS PLAYGROUND COMMITTEE

The Client Manager advised that he had received a request from the Chairman of the Parents Playground Committee, which was based at Carryduff. Representatives from this Group were seeking permission to address the September meeting of the Technical & Environmental Services Committee.

RESOLVED: - Members recommended that the Parents Playground Committee be invited to address the September meeting of the Technical & Environmental Services Committee.

T&ESC/2005/211: ARC 21 – AMENDMENT TO CLAUSE 5.1 – ESTABLISHMENT AND OPERATING COST

The Client Manager referred to a report recommending an amendment of clause 5.1 relating to the establishment and operating costs of ARC 21.

RESOLVED:- Members recommended that Council approve the recommendations therein, 1 and 2.

T&ESC/2005/212: CLELAND MAUSOLEUM – DUNDONALD

The Client Manager advised that he had received a request from Dr P Morton representing the Select Vestry of St Elizabeth's Parish Church, Dundonald who are seeking Council support for the repair and maintenance of the Cleland Mausoleum.

RESOLVED:- Members recommended that Dr P Morton be invited to the October meeting of the Technical & Environmental Services Committee to make a brief presentation.

T&ESC/2005/213: LIGHTING AT COUNCIL GARAGE, PRINCE REGENT ROAD

The Client Manager advised that an inspection of the mechanics garage at Prince Regent Road revealed that the light levels were low for the tasks undertaken.

A lighting scheme was designed and quotations had been sought from three contractors, which he detailed for Members. He reported that there were sufficient funds in the estimates to cover the cost of this work

RESOLVED:- Members recommended that the lowest quotation received from Martin Electrics, in the sum of £5600.00 be accepted for the proposed lighting installation at Prince Regent Road.

T&ESC/2005/214: TENDER FOR THE COLLECTION, REMOVAL AND RECYCLING OF PAPER AND CARDBOARD FROM COUNCIL HOUSEHOLD RECYCLING CENTRES

RESOLVED: - Members recommended

- (a) Paper: Based on historical data containers averaged around 3.5 tonnes per load, therefore the lowest tender from Glasdon Recycling in the sum of £15.00 per tonne be accepted.
- (b) Cardboard: Based on historical data containers averaged around 3.1 tonnes per load, therefore it is recommended that the lowest tender, from Glasdon Recycling in the sum of £12.50 per tonne be accepted, with contamination over 5% being charged at the landfill rate.

T&ESC/2005/215: 2005 ANNUAL TENDER FOR SUPPLY & DELIVERY OF 240 LITRE WHEELED BINS

RESOLVED:- Members recommended that the lowest tender price of £16.50 from Manvik Plant & Hire Limited, for quantities of less than 1000-wheeled bins, be accepted.

SUPPLEMENTARY REPORT FROM THE CLIENT MANAGER

T&ESC/2005/216 : QUOTATIONS FOR BIN LIFT

The Client Manager referred to the bin lift on the refuse collection vehicle which was due for removal from service later on this year. In light of the costs involved in repairing it, the Officer felt it was appropriate to seek quotations for a new bin lift, which could be fitted temporarily to an old lorry and then transferred to the new lorry when it arrived.

RESOLVED:- That, the Council be recommended to accept the lowest quotation from Castlereagh Motors Limited for the supply of 1 No. Zoeller automatic binlift for the sum of £11,000 (excl VAT).

T&ESC/2005/217 : ILLEGAL DUMPING AT GILNAHIRK ROAD

Following notification by the Client Manager regarding illegal dumping at the Gilnahirk Road, it was

RESOLVED:- That, the Council be recommended to grant authority to instigate legal proceedings against the individual named in the witness statement forwarded by the PSNI.

T&ESC/2005/218 : CAPITAL PROJECTS OFFICER

The Client Manager detailed that, since the departure of the Capital Projects Officer, three separate recruitment exercises had been carried out, none of which had been successful.

At present, the Council have engaged a temporary officer through an agency who works three days per week, which means that there is a backlog of projects awaiting progression.

In view of the problems, the Officer, in liaison with the Human Resources Manager and the Chief Executive felt that a market supplement of £2000 would generate a greater response and it was hoped to readvertise the post towards the end of June.

He also advised that the Council had experienced difficulty in filling the Drawing Office Assistant post and the costs of employing an agency worker in the post were costing greater than the sums set aside in the estimates. Therefore, he stated that if additional funds could not be identified, it would be necessary to leave this post vacant at some point in the future.

RESOLVED:- That, the Members recommend that the Council support the payment of a market supplement of £2000 to the Capital Project Officer's post with the supplement being personal to the holder, subject to the agreement of the Finance & General Purposes Committee.

The Client Manager will bring a report to a future meeting of the Committee regarding the Drawing Office Assistant post.

T&ESC/2005/219 : PRESENTATION BY ROADS SERVICE

The Director of Technical & Environmental Services advised Members that, the Client Manager was not present at the Roads Service's presentation at the commencement of the Technical & Environmental Services Committee meeting of the 7th June 2005..

He outlined that, although the presentation had been made, no conclusion had been reached before the meeting had been adjourned.

Following a brief discussion, it was

RESOLVED:- That, the Members recommend that the Council authorise the transferral of the narrow strip of land to Roads Service which will allow the road improvement scheme works to proceed, subject to the Council's legal and valuation procedures being undertaken and satisfactorily completed.

Noted.

T&ESC/2005/220 : DISPOSAL OF FRIDGES & FREEZERS

The Client Manager informed Members that as the next set of regulations relating to the disposal of fridges and freezers were not due to commence until December/January 2006, the Department were undertaking to bear any costs in the interim from now, until Christmas until the new contract.

RESOLVED:- Members recommended that the Council agrees in principle to proceed with the disposal of waste fridges/freezers through the new contract being developed by the Department of the Environment.

At this point of the proceedings, Councillor Rice left the meeting at 9.45 p.m.

REPORT FROM DIRECTOR OF TECHNICAL AND ENVIRONMENTAL SERVICES

T&ESC/2005/221: REPORTS AVAILABLE

The Director of Technical and Environmental Services advised Members of the reports that were available for Members' information and perusal.

Noted.

T&ESC/2005/222: BPEO SEMINAR – RESPONSE FROM NILGA

The Director of Technical and Environmental Services referred Members to correspondence received regarding the above matter.

The Director advised that the response from NILGA related to concerns raised in his correspondence of 22 December 2004.

Noted.

T&ESC/2005/223: CORRESPONDENCE FROM THE DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT – GANGMASTERS LICENSING ACT

The Director of Technical and Environmental Services drew Members' attention to the above correspondence.

He stated that this Act makes provision for the establishment of a new Non Departmental Public Body, which would produce and maintain a register of licensed gang masters, which farmers and other labour users may access. This authority would come into operation on 1 April 2005 and would operate on a UK wide basis. A separate register would be held for licensed gang masters operating in Northern Ireland.

Noted.

T&ESC/2005/224: FOLLOW UP TO “SHAPING THE STRATEGY” MEETING HELD ON 21 JANUARY 2005 AT GALGORM MANOR, BALLYMENA

The Director of Technical and Environmental Services drew Members' attention to correspondence received from the Environment and Heritage Service of the Department of the Environment (NI). He stated that two important factors emerged at that meeting, namely:

1. the new strategy would closely follow the direction of Waste Strategy 2000;
2. progress had been made in developing a sound BPEO for Northern Ireland with its emphasis on recycling.

The Director stressed that it was important that Members familiarise themselves with the contents of the correspondence.

Members expressed disappointment that the seminar at Galgorm Manor had lacked engagement and it was agreed that the Council would write to the Department highlighting this fact.

Councillor Jack Beattie referred to a presentation that Mr Tim Walker made to a NILGA Conference and he thought it would be of benefit to all Councillors, not just the new Members.

Following discussion, Members agreed that it be

RESOLVED:- That,

- (a) the Members recommend that the Council write to the Environment & Heritage Service expressing the Council's disappointment at the seminar structure with regard to its lack of Member participation and the fact that

the “lecture” content of the presentation seemed to prohibit any discussion or debate.

- (b) the Officers arrange for a Special Meeting to be called for the benefit of all Councillors, in light of the financial implications and legal requirements of the Council, to update them on waste management issues and to present relevant information.

T&ESC/2005/225: LANDFILL TAX – HM CUSTOMS AND EXCISE

The Director of Technical and Environmental Services drew Members attention to correspondence from HM Customs and Excise regarding, “Information for Businesses Registered for Landfill Tax”.

Noted.

T&ESC/2005/226: HOUSE OF COMMONS – NORTHERN IRELAND AFFAIRS COMMITTEE

The Director of Technical and Environmental Services advised that the House of Commons – Northern Ireland Affairs Committee, undertook a detailed review of the Waste Management Strategy in Northern Ireland.

He referred Members to the “Conclusions and recommendations” to the above Sixth Report of Session 2004-05, and stressed the need for Members to peruse the contents of the above 39 conclusions and recommendations and acquaint themselves with the waste management issues outlined.

Noted.

T&ESC/2005/227: DEPARTMENT OF THE ENVIRONMENT (NI) – NEWS RELEASE

The Director of Technical and Environmental Services drew Members’ attention to the above-mentioned News Release of 24 March 2005 relating to the approval of three major landfill applications.

Noted.

T&ESC/2005/228: COMMENCEMENT OF NORTHERN IRELAND LANDFILL ALLOWANCES SCHEME (NILAS) NOTIFICATION OF ALLOCATION OF ALLOWANCES

The Director of Technical and Environmental Services referred Members to correspondence relating to the above matter.

He stated that the allocation of landfill allowances for each district council had been undertaken under Section 4 of the Waste and Emissions Trading (WET) Act 2003. At this stage, the landfill allowances had only been advised. The Department had decided to delay allocations for further years beyond 2005/2006, to allow for further consideration with councils of the issues surrounding compliance with the targets. Consequently, further consultation on these matters by the Department is anticipated in the near future.

Noted.

T&ESC/2005/229: THE WASTE MANAGEMENT REGULATIONS (NORTHERN IRELAND) 2005

The Director referred Members to correspondence from the Environmental Policy Division of the Department of the Environment.

He advised that the main purpose of the proposed Regulations was to apply to agricultural waste and non-mineral waste from mines and quarries the existing management controls that are already in place to comply with the EC Waste Framework Directive and the Landfill Directive. The purpose of these controls was to ensure that waste is managed in ways, which protect the environment and human health. The proposed Regulations also contain provisions concerning the disposal of household waste.

He drew Members' attention to a paper prepared by Arc 21 in response to the above consultation, which seeks further comments, and also to a further paper, prepared by the Council's Waste and Environment Officer.

RESOLVED: - Members recommended that the comments prepared by the Council's Waste and Environment Officer form the basis of the Council's response to this consultation.

T&ESC/2005/230: REVIEW OF SPECIAL WASTE REGULATIONS (NI) 1998

The Director drew Members' attention to a report in response to the consultation paper on the above-mentioned matter.

He advised that this report had been prepared by the Waste and Policy Manager of Arc 21, and was concerned with the background to the above review, with relevant comments on the proposals.

Noted.

T&ESC/2005/231: ARC 21 JOINT COMMITTEE MEETING 24 FEBRUARY 2005

The Director referred Members to the minutes of the Joint Committee meeting held on Thursday 24 February 2005 at the offices of North Down Borough Council.

He highlighted some of the business addressed at that meeting as follows:

- Materials Recovery Facility
- Other Contracts Update
- NI Strategic Governmental Waste Partnership Meeting on 21 February 2005
- Investment Strategy for NI 2005-2015. Draft ARC 21 Corporate Response
- The Waste Management Best Practice Study Tour
- Terms of Agreement – Amendment to Clause 5.1 – Establishment and Operating Costs
- Policy Statement on Employer's Pensions
- Review of Special Waste Regulations (NI) 1998
- Recent Consultation Responses
- ARC 21 Website
- Future Meetings

He advised that these minutes had been ratified by the Joint Committee at its meeting held on Thursday 24 March 2005 at Belfast Castle. Members' attention was drawn to the need to peruse the contents of the above meeting and acquaint themselves with the waste management issues under consideration.

Noted.

T&ESC/2005/232: ARC 21 JOINT COMMITTEE MEETING. 24 MARCH 2005

The Director referred Members to the minutes of the Joint Committee meeting held on 24 March 2005 at the Belfast City Council venue of Belfast Castle.

He highlighted some of the business addressed at that meeting as follows:

- Materials Recovery Facility Contract.
- Contracts Update

- Draft Investment Strategy for NI 2005-2015. Arc 21 Corporate Response.
- Members' Allowances
- Northern Ireland Affairs Committee
- Northern Ireland Strategic Governmental Partnership – Strategic Support.
- Review of Waste Management Plan
- Youthspeak 2005
- Arc 21 Website
- Meetings Schedule

He advised that these minutes had been ratified by the Joint Committee at its meeting held on Thursday 28 April 2005 at the offices of Lisburn City Council. Members' attention was drawn to the need to peruse the contents of the above meeting and acquaint themselves with the waste management issues under consideration.

Noted.

T&ESC/2005/233: ARC 21 CONTRACTS FOR ORGANIC WASTE AND TRANSFER STATIONS

The Director referred Members to details of two Arc 21 contracts, namely the contracts for Organic Waste and Transfer Stations. The information relating to each of the contracts includes the relevant contract assumptions and evaluation criteria.

The Director stated that the Terms of Reference of the Joint Committee require the Committee to approve the outline specifications and evaluation criteria for all contracts initiated by Arc 21. It further requires these elements of the procurement process to be considered and approved by each Member Council thereafter.

He advised Members that the details relating to each of these two contracts was approved by the Joint Committee at its meeting of 28 April 2005 held at the offices of Lisburn City Council. It is now recommended that the contract assumptions and evaluation criteria for each of these two contracts be approved.

Following a proposal from Councillor Henderson, which was seconded by Councillor Beattie, it was

RESOLVED: - Members recommended that Council approve the contract assumptions and evaluation criteria for the Organic Waste and Transfer Stations Contracts.

T&ESC/2005/234: WASTE MANAGEMENT WORKING GROUP MEETING OF 18 MARCH 2005

The Director referred Members to the above minutes for adoption by the Committee.

RESOLVED: - Members recommended that the Minutes of the Council's Waste Management Working Group Meeting held on Friday 18 March 2005 be adopted as a true and accurate record of the meeting.

T&ESC/2005/235: WASTE MANAGEMENT WORKING GROUP MEMBERSHIP

The Director of Technical and Environmental Services advised that arising from the outcome of the Council's AGM of 19 May 2005, and the recent Local Government elections, three members of the former Waste Management Working Group were no longer available to the Working Group from the Technical and Environmental Services Committee.

RESOLVED:- That,

- (a) the Waste Management Working Group comprise of the following Members:- Councillor Jack Beattie, Councillor Mrs Beattie, Councillor Chambers, Alderman Norris, Councillor Henderson, Councillor Mrs Duncan and Councillor Hanvey.
- (b) The next meeting of the Waste Management Working Group will be scheduled for Friday, 17th June 2005 at 3.00 p.m.

T&ESC/2005/236: DEPARTMENTAL MANAGEMENT PLAN 2005/2006

The Director of Technical and Environmental Services drew Members' attention to a copy of the Departmental Management Plan for 2005/2006 for the Technical & Environmental Services Department.

This Management Plan for the Technical & Environmental Services Department has now been prepared to the stage of draft copy. As has been previously highlighted, the preparation of the Departmental Plan, and the associated on-going quarterly reviews are important tasks.

The Technical & Environmental Services Department Plan for 2005/2006 addresses a number of issues, which he outlined as follows:

- An overview of the services provided to the Department's customers.
- The locations from which such services are delivered.
- Methods of service delivery.
- An overview of the four Service Units (i.e. Building Control Service, Environmental Health Service, Client Services and Operational Services), which together constitute the Technical and Environmental Services Department.
- The purpose, management and reporting arrangements, and responsibilities of each Service Unit.
- The objectives and key tasks, outputs and indicators for each of the four Service Units.

The discussion accompanying each Service Unit concludes with the identification of Departmental objectives, key tasks and time scales.

The Director stated that Member's comments, arising from the perusal of this Management Plan, by way of guidance and direction is clearly recognised as being important. Furthermore, the Management Plan tasks that have been outlined are important in that they provide the basis for meeting Departmental and Council objectives.

However, he stressed that these important tasks did place new and additional demands on existing scarce staff resources and consequently, there was an impact on Department service provision.

From a financial viewpoint, the Department's estimated total net expenditure for 2005/2006 (see Castlereagh Borough Council Allocation Codes 2005/2006 document) is £5,479,568. This represents 48.1% of the Council's estimated total net expenditure.

RESOLVED: - Members recommended that the Technical and Environmental Services Management Plan for 2005/2006 be adopted.

T&ESC/2005/237: BEST VALUE PERFORMANCE INDICATORS 2003/04

The Director of Technical and Environmental Services referred Members to correspondence from the Local Government Division of the Department of the Environment (NI) relating to the above-mentioned matter.

He drew Members' attention to several matters relating to these BVPI's, and set out in the accompanying correspondence.

Noted.

As there was no further business, the meeting concluded at 10.15 p.m.

CHAIRMAN

CHIEF EXECUTIVE

Adopted by the Council this _____ day of

_____ 2005 with the exception of

Minute Nos: _____

MAYOR

CHIEF EXECUTIVE