

CASTLEREAGH BOROUGH COUNCIL

Minutes of the proceedings of the Technical & Environmental Services Committee held, in committee, in the Function Suite, Civic & Administrative Offices, Bradford Court, Upper Galwally, Castlereagh, BT8 6RB on 3rd April 2007 at 7.30 p.m.

PRESENT:-

Alderman J Norris MBE

Councillor Mrs A M Beattie

Councillor J Beattie

Councillor C Hall

Councillor B Harvey

Councillor M Henderson

Councillor T Jeffers (until 8.05 p.m.)

Councillor J Spratt (from 7.55 p.m.)

IN ATTENDANCE:-

Councillors G Robinson and M Long, Client Manager, Operational Services Manager, Acting Environmental Health Manager, Building Control Manager and Assistant Members' Services Officer

APOLOGIES:-

Apologies were recorded on behalf of Councillors Mrs Chambers and Mrs Duncan and the Director of Technical & Environmental Services

T&ESC/2007/137 : MINUTES OF THE TECHNICAL & ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD ON 6 MARCH 2007 (copy previously circulated).

Noted.

REPORT FROM THE BUILDING CONTROL MANAGER

(copy previously circulated)

T&ESC/2007/138 : SCHEDULE OF APPLICATIONS

The Building Control Manager outlined the schedule of applications approved by the Building Control Service for the period 1/2/2007 to 28/2/2007.

Noted.

T&ES/2007/139 : REPORTS ON APPLICATIONS, INSPECTIONS AND SOLICITORS' ENQUIRIES

Noted.

T&ES/2007/140 : STREET NAMING AT 16-20- GRAHAMSBIDGE DUNDONALD

RESOLVED:- That, the street name of "Old Church Square" be allocated to the 6 no. town houses and 29 no. apartments, under construction by Beshouse Residential Properties, at 16-20 Grahamsbridge Road, Dundonald.

T&ES/2007/141 : BUILDING CONTROL SERVICE BUDGET

In response to a query from Councillor Beattie, the Building Control Manager confirmed that the Building Control Service had exceeded their budget income level and had ended the financial year with a surplus. At this point, Members congratulated the Officer for his financial control of the budget.

The Officer then informed Members that he would be tabling a Summary of Expenditure for the next meeting of the Committee.

Noted.

REPORT FROM THE OPERATIONAL SERVICES MANAGER
(copy previously circulated)

T&ES/2007/142 : UPDATE ON PATHWAY BETWEEN GILNAHIRK ROAD & GILNAHIRK AVENUE

The Officer referred Members to his report, which outlined that the pathway continued to remain open and free from obstruction. The Developer had been contacted following the last Committee meeting, and the temporary closure notice was due to go up within the next few weeks. Subsequently, the developer had applied to the EHS for a path diversion order.

Noted.

T&ES/2007/143 : COMPLIMENTS RECEIVED BY THE OPERATIONAL SERVICES UNIT

The Operational Services Manager indicated that a number of compliments had been received by the Operational Services Unit and a sample had been attached to his report.

The Members of the Committee wished to congratulate the Officer and his Staff for their hard work.

Noted.

T&ES/2007/144 : UPDATE ON SHARING PITCH 5 - BILLY NEILL CENTRE

The Operational Services Manager reported that the Council had been in regular contact with Donard Hospital and Dundonald Football Club regarding this matter and further meetings were being scheduled.

Councillor Robinson stated that he had originally been of the view that communication between both Clubs had taken place and they were both satisfied with this proposal. However, he indicated that he had since received correspondence from Dundonald Football Club, outlining their objections to pitch sharing.

At this point in the meeting, Councillor Spratt arrived at 7.55 p.m.

Councillor Hanvey explained that Donard Hospital already leased a pitch at Knockbracken Healthcare Park.

Councillor Robinson suggested that another meeting between Donard Hospital and Dundonald Football Club be scheduled as soon as possible, in light of this recent correspondence and to clarify the situation.

Members then discussed the fact that, unlike Donard Football Club, the vast majority of players in Dundonald Football Club were Castlereagh Borough ratepayers. Furthermore, Councillor Robinson stated that at the time of the construction of the Billy Neill Centre, it had been his understanding that Dundonald Football Club would be given full use of the pitch.

Following discussion, it was

RESOLVED:- That, the Council recommends that,

- (a) the Operational Services Unit would arrange a meeting for both football Clubs to take place as soon as possible, and Councillor Robinson to be notified of the date and time.
- (b) the Operational Services Unit arranges for the goalposts at the Billy Neill Centre to be re-painted as soon as possible.

**SUPPLEMENTARY REPORT FROM THE OPERATIONAL SERVICES
MANAGER**

(copy circulated at meeting)

T&ES/2007/145 : PULL OUT SERVICE

Following consideration, it was

RESOLVED:- That, the Council be recommended to approve the distribution of the pullout letter attached to the Operational Services Manager's Supplementary report for distribution in May 2007.

T&ES/2007/146 : MOAT PARK OLD PAVILION

The Operational Services Manager referred to the content of his supplementary report and pointed out that a full Health & Safety audit had been carried out by the Council's Health & Safety Officer. The Manager continued to read out his report, highlighting the list of essential works that needed to be addressed:

Fire appliances, eg fire extinguishers, signs etc	£500
Lighting inside and out	£2,000
Electrical wiring	£6,000
Plumbing	£3,000
Total (approximately)	£11,500

In addition, it was felt that gas heating should be installed, and the building should be painted at a cost of approximately £5,800

A survey by the Minor Works section had shown that the windows and doors were rotten, and the roof had problems. The total cost of these works was estimated to be £14,000
Overall cost (approximately) £31,300

Following agreement, it was

RESOLVED:- That, the Council be recommended to meet with representatives of the Club with a view to agreeing possible funding options.

**T&ES/2007/147 : ERECTION OF SMOKING SHELTER AT BELVOIR
BOWLING GREEN**

The Operational Services Manager stated that it had come to his attention that Balmoral Bowling Club had erected a smoking shelter at the side of the pavilion, on ground belonging to the Council, without seeking prior approval.

Members expressed their concerns in relation to health & safety, insurance and encroachment of land issues.

Following discussion, Members agreed that the Officer should write to the Bowling Club requesting that they urgently remove the shelter and wait for the response from the Club.

RESOLVED:- That, Council be recommended to authorise the Operational Services Manager to draft a letter to Balmoral Bowling Club requesting that they remove the smoking shelter as soon as possible and reinstate the ground to its original condition.

T&ES/2007/148 : DIZZYLAND FUN FAIR REQUEST

The Operational Services Manager drew Members' attention to a request from Dizzyland Fun Fair, which had been forwarded to the Committee, through Alderman Mrs Robinson, for the usual annual fun fair event in the Borough.

Members discussed the request in detail with regard to potential sites for the fun fair, and subsequent noise implications, but following a proposal from Councillor Spratt, which was seconded by Councillor Mrs Beattie, it was

RESOLVED:- That, the Council be recommended to instruct the Operational Services Manager to respond to Dizzyland Fun Fair stating that, unfortunately, the Council did not have any suitable sites in the Borough to host their event in May 2007.

T&ES/2007/149 : BELVOIR GARDEN OF PEACE

The Operational Services Manager confirmed that he had spoken with the Director of Administration & Civic Services and, although there was a limited amount of funding available in the civic budget, the Department was currently under-manned and had no available Officer to co-ordinate this civic event.

Following discussion, it was

RESOLVED:- That, the official opening of the Belvoir Garden of Peace would be restricted to include the Mayor, Chairman of the Committee and Councillors for the Area and would be held in Belvoir Activity Centre with only light refreshments being served.

T&ES/2007/150 : RESIGNATION OF THE OPERATIONAL SERVICES MANAGER

At this point in the meeting, the Operational Services Manager wished to thank the Chairman and Members of the Committee for their kind letter, following his resignation.

Councillor Norris thanked the Officer for his assistance during his time with the Council and wished him well in his future post.

Councillor Spratt wished to echo the Chairman's sentiments, as Mayor of Castlereagh.

Noted.

T&ES/2007/151 : PRESENTATION BY EAST BELFAST PARTNERSHIP RE: CONNSWATER COMMUNITY GREENWAY

The Client Manager updated Members on the background of this project and indicated that this evening's presentation was to keep the Committee informed of its progress to date.

The Chairman welcomed Ms Wendy Langham and Mr Andy Hailey to the meeting.

At this point in the proceedings, Councillor Long entered the meeting at 8.20 p.m.

Ms Langham commenced her presentation by stating that the last time she had met with Council, the project had been shortlisted by the Lottery Fund. She circulated a concept map and informed Members that the East Belfast Partnership was seeking Council support for the proposed scheme.

Mr Hailey then gave a comprehensive overview of the Greenway project and outlined that it was trying to address areas of existing need.

Members agreed that the project was an excellent one, although they raised a number of concerns in relation to the following issues:-

- Funding for staffing
- Was the project aimed at local people or promotion of tourism to the area
- Was the project incorporated into the BMAP

Following a lengthy question and answer session, the Chairman thanked the two representatives for their presentation and wished them every success with their project.

REPORT FROM THE ACTING ENVIRONMENTAL HEALTH MANAGER
(copy previously circulated)

T&ES/2007/152 : STATUTORY NOTICES - PUBLIC HEALTH (IRELAND) ACTS 1878 – 1907

Noted.

T&ES/2007/153 : ANTI-SOCIAL BEHAVIOUR ORDER 2004

Following discussion, it was

RESOLVED:- That, the Council be recommended to grant approval for the Acting Environmental Health Manager and Borough Inspector to represent the Council on Anti-Social Behaviour Orders.

T&ES/2007/154 : THE LITTER (NI) ORDER 1994

RESOLVED:- That, the Council be recommended to grant authorisation to those Officers, as listed in the Acting Environmental Health Manager's report, in accordance with the Litter (NI) Order 1994 legislation.

T&ES/2007/155 : PRIVATE TENANCIES (NI) ORDER 2006

The Acting Environmental Health Manager referred Members to his report in which new legislation to be introduced on the 1st April 2007 would provide a new structure for the rental sector in Northern Ireland.

Councillor J Beattie referred to the Officer's comments and the likely need for additional resources to operate this legislation and stated that if such a requirement is needed, that the request comes back before Committee as there may not be a need for a full-time member of staff to implement the legislation.

Noted.

T&ES/2007/156 : ENFORCEMENT POLICY – SMOKING (NI) ORDER 2006

Noted.

T&ES/2007/157 : THE SMOKING (NI) ORDER 2006 – AUTHORISATION OF OFFICERS

The Acting Environmental Health Manager referred to his report, which detailed those Officers required to be authorised in accordance with article 11 of the above legislation.

In response to a query from Councillor Spratt, the Officer confirmed that a risk assessment had been carried out as per the lone working procedures, but also advised that additional personal protective equipment (ppe) may be required.

RESOLVED:- That, the Council be recommended to grant approval for the authorisation of those Officers detailed in the Acting Environmental Health Manager's report in accordance with Article 11 of the Smoking (NI) Order 2006.

T&ES/2007/158 : REGULATION OF INVESTIGATORY POWERS (NI) 2002

Following agreement, it was

RESOLVED:- That, the Council be recommended to give approval for the Director of Technical & Environmental Services, together with the Acting Environmental Health Manager, to be considered as "Chief Officers" for the purpose of the above matter, thereby permitting the authorisation of the Officers.

T&ES/2007/159 : CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES

Noted.

T&ES/2007/160 : THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985 - ARTICLE 3 : LICENSING OF PLACES OF ENTERTAINMENT - RENEWAL OF A LICENCE

The Acting Environmental Health Manager advised Members that applications for the renewal of Entertainment Licences had been received for the premises detailed in his report. He confirmed that all necessary inspections would be carried out.

RESOLVED:- That, the Council be recommended to authorise that the Entertainments' Licences, as detailed in the Acting 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&ES/2007/161 : PETROLEUM CONSOLIDATION ACT (NI) 1929 - RENEWAL OF A PETROLEUM LICENCE

RESOLVED:- That, the Council be recommended, as required by the above legislation, the renewal of the application to store petroleum, as detailed in the Acting Environmental Health Manager's report.

T&ES/2007/162 : RENEWAL OF STREET TRADING LICENCE

RESOLVED:- That, the Council be recommended to approve the application for the renewal of the Mobile Trader's licence, as detailed in the Acting Environmental Health Manager's report, subject to no objections received from the PSNI, as the applicant has paid the required licence fee and provided proof of public liability insurance cover, as required by the Licence Conditions.

REPORT FROM THE CLIENT MANAGER

T&ES/2007/163 : TONNAGES DEPOSITED AT LANDFILL

The Client Manager reported an improvement in the figures for February but reiterated that the figures for the last three months emphasized the need to keep working to improve participation and capture rates.

Noted.

T&ES/2007/164 : PARK AT RODDENS CRESCENT

The Client Manager referred Members to his report in relation to this issue.

Councillor Spratt stated that local opinion from correspondence received on the matter, had seemed to signify that this would set a precedent in the Borough. He stated that he had raised the matter at DPP meetings and had argued that it was the responsibility of the PSNI, and not the Council.

Councillor Beattie supported Councillor Spratt's comments and agreed that the matter could only be sorted out through Community Safety policing and he concurred that the PSNI were abdicating their responsibility.

Councillor Long wished to state that a number of constituents had approached him in relation to the fact that the recurring problems were still not being addressed by the PSNI and they felt that the Council bore some responsibility for the situation. He welcomed the PSNI's recommendations but referred to the fact that the open space was Council-owned land and the Council should perhaps look at installing a fence similar to the fences erected at Braniel, Ballybeen and Colby Park. However, he disagreed with the PSNI's recommendation of lighting installation, on the grounds that many of the residents were opposed to this measure. He suggested that the Members of the Technical & Environmental Services Committee, local Councillors for the area and Technical & Environmental Services Officers should meet with representatives from the PSNI with regard to the removal of the slide and installation of fencing for the area, as this would prevent access for incidents of anti-social behaviour.

Councillor Spratt referred to the PSNI's statistics for prosecutions relating to anti-social behaviour in the area and noted that there had been none, which was part

of the overall problem. He stated that Members had continually raised this issue at DPP meetings, but to no avail and the PSNI were therefore not carrying out the work they were supposed to, thereby thrusting the financial burden on the ratepayers.

Councillor Beattie concurred that the PSNI recommendations shifted responsibility to the Council. However he suggested that if the PSNI were of the view that the cutting/removal of Council-owned existing shrubbery and landscaping would alleviate the situation, Members should ensure that this was carried out.

The Chairman agreed with Councillors Beattie and Spratt that this issue was a policing matter, although Councillor Long wished to express his disappointment that the Council did not feel it had some responsibility towards resolving the problems.

Councillor Spratt, at this point, again reiterated that he had raised this matter on numerous occasions at DPP meetings, in addition to anti-social behavioural problems in other areas within the Borough, but to date the PSNI had not resolved any of the situations.

Councillor Hanvey indicated that there were a number of agencies interlocking with regard to safety aspects and he sympathised with Councillor Long's concerns. He also commented that as a past member of the DPP, he was aware that statutory agencies had been given the responsibility to act out and bring a resolution to these problems. Therefore, he felt that it would be more beneficial if the various statutory agencies could come together and work out a strategy to resolve these antisocial activities.

RESOLVED:- That, the majority of Members felt that the anti-social behaviour at Roddens Crescent was a policing matter, which despite being raised by the Council at several DPP meetings, had not resolved the matter. However, Members were of the view that if the cutting back or removal of existing Council-owned landscaping/shrubbery would alleviate the problem, they would be willing to consider this measure.

T&ES/2007/165 : LITTER (NI) ORDER 1994 - AUTHORIZATION OF OFFICERS

Following discussion, it was

RESOLVED:- That, under the above legislation, the Council be recommended to authorise those Officers listed in the Acting Environmental Manager's report to take formal action for contraventions including dog fouling and general littering.

TSC/2007/166 : LEGIONELLA AWARENESS AND SYSTEM MONITORING REQUIREMENTS

RESOLVED:- That, the Council be recommended to grant permission for two Officers to attend the Legionella Awareness and System Monitoring Requirements Seminar being organised by Chemical Treatment Services at a cost of £300 + vat each.

T&ES/2007/167 : NATIONAL FALLEN STOCK SCHEME

The Acting Environmental Health Manager referred to correspondence received from NILGA regarding the National Fallen Stock Scheme.

Following discussion, it was

RESOLVED:- That, Members note the information, and pass on any comments they have in relation to the above Scheme to the Client Manager.

T&ES/2007/168 : UNDER ACHIEVEMENT OF INCOME – HIRE OF SKIPS

The Client Manager informed Members that the anticipated income from the hire of skips was expected to fall short by approx £1600 in the financial year 2006/07, but he would endeavour to make savings in other areas.

He added that once the skip hire lorry had reached the end of its life, the Council would no longer be providing this service.

Noted.

T&ES/2007/169 : LAND AT AND ADJACENT TO 92 COMBER ROAD, DUNDONALD

The Client Manager referred Members to his report in relation to the background surrounding this matter and he circulated photographs of the plot of land in question.

He commented that the landowner had responded to the Council offering £10,000 to purchase the land in question.

He added that the Council's Solicitor had now written to the landowner seeking proof of ownership, but it was up to the Council to prove that the land had been taken over by the landowner within the last 12 years in compliance with abandonment of land legislation.

In response to a query from Councillor Hanvey, he confirmed that the land in question would account for approx 1/5 of the whole site, but the site lines were only relevant to the site beside him at no. 94

The Client Manager informed Members that the Council had further received legal advice stating that the landowner could not take over the registered piece of land and he outlined the current position.

Councillor Spratt expressed his anger that the landowner had “stolen” Council owned land at the expense of the ratepayers and Members agreed that the Council should get the whole potential development land valued as such, and proportion the site accordingly.

Following agreement, it was

RESOLVED:- That, the Council be recommended to have this portion of land valued in the context that it was part of an overall development site and apportioned accordingly. Furthermore, that the Officers be instructed to initially check with the Council's Planning Officer to ascertain if it would be better to use the valuation services of the Valuation & Lands Agency or to use an independent Commercial Valuer.

T&ES/2007/170 : CARRYDUFF COMMUNITY PLAYGROUND – PROGRESS REPORT

The Client Manager reported that work had commenced on site on Monday, 12th March 2007 and outlined the works carried out to date.

He went on to state that it was proposed that subsequent to handover, there would be an induction week with access to the playground restricted to the local primary schools, crèches and toddler groups, so that play activity can be supervised.

Councillor Hanvey commented that he had visited the site and stated that the project was progressing exceptionally well.

RESOLVED:- That, the Council be recommended to approve that subsequent to the handover of the Carryduff Community Playground, there will be induction week with usage restricted to the local primary schools, crèches and toddler groups.

REPORT FROM THE DIRECTOR OF TECHNICAL & ENVIRONMENTAL SERVICES

(copy previously circulated)

T&ES/2007/171 : REPORTS AVAILABLE

In the absence of the Director, the Client Manager stated that “OSNI in Focus” – Customer Newsletter March 2007 was available for Members’ attention.

Noted.

T&ES/2007172 : LANDFILL ALLOWANCE SCHEME REGULATIONS (2004) NORTHERN IRELAND – 2005/06 ANNUAL REPORT; AND THE LANDFILL ALLOWANCE SCHEME (NORTHERN IRELAND) REGULATIONS 2004 - MONITORING GUIDANCE FOR DISTRICT COUNCILS (VERSION 2 – FEBRUARY 2007)

The Client Manager referred Members to the Director’s report and the content therein.

Noted.

T&ES/2007/173 : EFW CAPACITY BUILDING VISIT - 16-18 MAY 2007

Following discussion, it was

RESOLVED:- That, the Council be recommended to grant approval to Councillors Norris and Jack Beattie, the Council’s two Arc 21 Joint Committee representatives, and one Officer, to attend this capacity building visit, with Councillor Mrs Beattie being permitted approval to travel to assist Councillor Jack Beattie.

T&ES/2007/174 : ARC 21 JOINT COMMITTEE OF 22 FEBRUARY 2007

The Client Manager provided details of the business discussed at the Joint Committee meeting of 22 February 2007, and he outlined some of the business addressed, as follows:

- Contracts Update
- Thames Water Organisational Structure
- Organic Waste Service Treatment Contract – Legal Challenge
- Wheeled Refuse Containers – Tender Report
- Strategic Outline Case
- Compositional Analysis of Household Waste Collected at the Kerbside
- Provision of Professional PR Services to support the Implementation of a Waste Management Communication Plan
- Annual Performance Report 2005/2006
- WEEE
- Abandoned Vehicles (AV) and End of Life Vehicles (ELV)
- EFW Capacity Building Visit

- Northern Ireland Bi-annual CIWM Conference & Exhibition
- Recent meetings – Strategic Waste Board, 4UK Waste Strategy Meeting, Strategic Investment Board (SIB) Conference and NILGA Conference

The Client Manager drew Members' attention to the need to peruse the contents of the above Minutes and acquaint themselves with the waste management issues under consideration.

Noted.

T&ES/2007/175 : ARC 21 JOINT COMMITTEE – MEMBERS' BULLETIN FOR MEETING OF 29 MARCH 2007

Noted.

T&ES/2007/176 : WASTE MANAGEMENT WORKING GROUP MEETING HELD ON TUESDAY 13 MARCH 2007

RESOLVED:- That, the minutes of the Waste Management Working Group meeting held on Tuesday, 13th March 2007 be adopted as a true and accurate record of the proceedings.

T&ES/2007/177 : SUMMARY OF TECHNICAL & ENVIRONMENTAL SERVICES DEPARTMENT – CURRENT POSTHOLDER CHANGES

The Client Manager drew Members' attention to the Director's report and the number of current postholder changes affecting all four Service Units of the Department.

Attention was also drawn to the ongoing difficulties associated with IT within the Department, previously reported last month. It was highlighted that these difficulties had financial, as well as operational implications for the Department, as some aspects of work were back logging.

Noted.

ANY OTHER BUSINESS

T&ES/2007/178 : TERMINATION OF GREEN WASTE CONTRACT

The Client Manager informed Members that the green waste contract had now terminated and was going out to tender.

He stated that Officers were currently seeking legal advice in relation to the correct procedures for tendering, as each Council was going out to tender separately.

Noted.

T&ES/2007/179 : PUBLIC MEETING RE: DUNDONALD RECYCLING CENTRE

The Client Manager advised that a public meeting had been held the previous night to discuss the proposed Dundonald Recycling Centre and although 104 letters had been sent to local residents, only 17 people had been in attendance, and 4 of those were strongly opposed to it.

He expressed concern that, in the event that the Council did not proceed with the proposal, they would lose the £500k waste management grant and although he had been informed last year that there was a possibility that it could be rolled over. He therefore felt that the Council needed to look at alternative options if they did not wish to proceed with the Dundonald Recycling Centre, and these were currently being investigated.

Members were concerned that the area had not been adequately represented at the meeting and should be informed that this facility would environmentally improve the Borough.

Councillor Beattie suggested that the Officers talk to the 5 people who attended the meeting and were in opposition to the project, to allay their fears and outline the proposed scheme.

Following discussion, it was

RESOLVED:- That, the Council be recommended to authorise Officers to urgently post out a questionnaire, enclosing a stamped addressed envelope, to local residents seeking their views on the proposed Recycling Centre. The Questionnaire should also seek suggestions for an alternative site and enclosed the Client Manager's contact number should local residents have any queries.

In addition, that Officers include a letter with the questionnaire outlining that at the recent Public Meeting, several concerns were raised in relation to the proposed Recycling Centre, which were subsequently addressed and listing those measures which will be implemented. Furthermore, that it details the recycling figures achieved at the Council's other centres and highlights the financial implications to ratepayers if the Council fails to deliver the EU recycling targets.

Finally, that Officers report back to the Council, once feedback from the questionnaire has been obtained.

T&ES/2007/180 : SOUTH EASTERN BUILDING CONTROL MEETING

Councillor Hall updated Members on the discussion arising from the last South Eastern Building Control meeting.

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
_____ 2007 with the exception of
Minute Nos: _____

MAYOR