

## CASTLEREAGH BOROUGH COUNCIL

Minutes of the proceedings of the Technical & Environmental Services Committee meeting, held, in committee, in the Function Suite, Civic & Administrative Offices, Bradford Court, Upper Galwally, Castlereagh, BT8 6RB, on Tuesday, 6 February 2007, at 7.40 p.m.

**PRESENT:** Alderman J Norris MBE (in the chair)

**COUNCILLORS:** Mrs S Duncan  
B Hanvey  
T Jeffers  
J Spratt

**APOLOGIES:** Apologies were received on behalf of Alderman Mrs Rice and Councillors Mrs Beattie, Beattie, Chambers, Hall, Henderson and Stevenson

**IN ATTENDANCE:** Director of Technical & Environmental Services, Client Services Manager, Operational Services Manager, Building Control Manager, Environmental Health Manager and Assistant Members' Services Officer

### **T&ESC/2007/32 : PRESENTATION BY THE SMOKE-FREE ENVIRONMENTS OFFICER RE: SMOKE-FREE LEGISLATION**

The Environmental Health Manager introduced Ms Susan McCleary, the Smoke-Free Environments Officer, to the meeting.

The Smoke-Free Environments Officer outlined the details of the Smoke-Free Legislation, which will take effect from 30 April 2007:

- Defines smoking
- Defines smoke-free premises and vehicles
- Defines the design and erection of smoke-free signs
- Defines offences related to smoking and failure to display signs

Premises and vehicles that will be affected by the new legislation are defined as:

- Premises that are open to the public
- Premises used as a place of work by more than one person
- Premises used as a place where people seek or receive goods or services
- Structures that have a roof or ceiling and, except for doors, windows and passageways, are wholly enclosed, either temporarily or permanently
- Structures that are at least 50% enclosed
- Vehicles that are used by more than one person, even if they do so at different times
- Vehicles that are used to carry members of the public

There must be no-smoking signs displayed in all areas open to the public or places of employment. District Councils will monitor and enforce the new legislation.

Failure to display no-smoking signs will carry a fixed penalty notice of £200 or prosecution with a maximum fine of £1,000. Businesses that fail to comply with the Smoke-Free Legislation will be prosecuted with a maximum fine of £2,500. Individuals who do not adhere to this legislation risk a fixed penalty notice of £50 or prosecution with a maximum fine of £1,000.

Following the presentation, Members were invited to give comments or ask questions.

Councillor Spratt welcomed the new legislation, and he proposed strict enforcement by the Council on all Council premises.

Councillor Hanvey raised concerns regarding the enforcement of the legislation, and he asked whether the Council would be in a position to carry out inspections throughout the year. The Environmental Health Manager stated that the Council would advise all businesses of the requirements of the legislation, and inspections would be carried out, including out-of-hours inspections of premises. The Smoke-Free Environments Officer referred to Scotland and Ireland, where the legislation has been in force for some time with a high level of compliance.

Noted.

## **TABLED : MINUTES OF THE TECHNICAL & ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD ON 2 JANUARY 2007**

### **MATTERS ARISING**

#### **T&ESC/2007/33 : CORRESPONDENCE TO PSNI (Minute T&ESC/2007/09 refers)**

Councillor Spratt informed Members that a letter had been sent to the District Commander of Castlereagh PSNI regarding Lucky Jacks, asking for a copy of the legal opinion sought in this respect as well as an explanation why the matter could not be taken further. The District Commander had replied to the Chief Executive that he was dismayed about the letter. For this reason, Councillor Spratt felt that the Council should support Officers in any issues that might arise.

Noted.

#### **T&ESC/2007/34 : REQUEST FOR WAYLEAVE AT MOAT PARK, DUNDONALD (Minute T&ESC/2007/20 refers)**

Councillor Hanvey enquired whether the Council would now be responsible for payment of legal costs in respect of the wayleave agreement, as it had been his understanding that the developer would be asked to pay any legal costs incurred by the Council.

The Client Manager replied that the matter had been referred to the solicitors for completion. He added that it had been specified that the developer should be responsible for all legal costs incurred.

Noted.

**REPORT FROM BUILDING CONTROL MANAGER  
(copy previously circulated)**

**T&ESC/2007/35 : SCHEDULE OF APPLICATIONS**

The Building Control Manager detailed the schedule of applications approved by the Building Control Service for the period 1 December 2006 to 31 December 2006.

Noted.

**T&ESC/2007/36 : REPORTS ON APPLICATIONS, INSPECTIONS AND SOLICITORS ENQUIRIES**

The Building Control Manager outlined the details in respect of the above.

Noted.

**T&ESC/2007/37 : STAFF ISSUES**

The Building Control Manager advised that Damian McMurray had been appointed to the post of Senior Building Control Officer and would commence work on 1 March 2007.

Noted.

**T&ESC/2007/38 : STAFF ISSUES**

The Building Control Manager advised that David Millar had resigned from the post of Building Control Officer with effect of 28 February 2007.

Noted.

**T&ESC/2007/39 : RPS (CONSULTING CIVIL AND STRUCTURAL ENGINEERS) RATES**

The Building Control Manager informed Members that RPS had increased their fees for structural consultancy from £60 per hour plus VAT to £70 per hour plus VAT with effect of 1 January 2007. He was currently seeking quotations from other consultants in order to achieve the most advantageous cost to the Council. Members raised concerns regarding this recent increase in fees by RPS.

Noted.

**T&ESC/2007/40 : LAND & PROPERTY SERVICES AGENCY (LSPA) / BUILDING CONTROL MEETING AT OXFORD ISLAND, CRAIGAVON – PARTNERSHIP WORKING**

The Building Control Manager outlined details of a meeting with representatives from the Valuation & Lands Agency on 18 January 2007. At the meeting, the speakers had highlighted areas in the current rating system which could be made more efficient with input from the Building Control staff. The Project Manager had also confirmed his intention to arrange a meeting with Officers from Castlereagh, Ards and North Down Boroughs to discuss Partnership Working in more detail.

The Director of Technical & Environmental Services stated that a business case should be prepared in this respect, setting out the Council's requirements, which would then need to be considered by Council.

Noted.

**SUPPLEMENTARY REPORT FROM THE BUILDING CONTROL MANAGER**

**T&ESC/2007/41 : LOCAL AUTHORITY/VLA PARTNERSHIP**

(Please note that, at the Council meeting on 22<sup>nd</sup> February 2007 minute no T&ES/2007/41 was referred back to the Committee for further consideration)

The Building Control Manager confirmed that he had met with Donal Rogan, Project Manager, VLA, and David Ross, VLA, to discuss the advantages of closer co-operation between the VLA and Building Control. Furthermore, the VLA had requested domestic completion information from September 2002 to present in order to determine the extent of incorrect rates being paid for dwellings. Mr Rogan confirmed that:

- Any Council resources used in this exercise would be charged to the VLA, therefore there would be no cost to the Council;
- Additional income generated would create financial benefits for ratepayers in the Borough;
- The exercise would be completed by the end of March 2007.

During the ensuing discussion, Members felt that this matter required consideration at a full Council meeting, and it was

RESOLVED: That Officers prepare a business case in respect of closer co-operation between the VLA and Building Control in order to determine the extent of incorrect rates being paid for dwellings, to be tabled at a Council meeting for consideration.

**REPORT FROM THE OPERATIONAL SERVICES MANAGER  
(copy previously circulated)**

**T&ESC/2007/42 : BELVOIR GREENWAY**

The Operational Services Manager outlined details of an application from Sustrans to the Living Landmarks People's Millions fund for Connect 2, a nation-wide project to establish high-quality pedestrian and cycling links. Negotiations regarding Belvoir Greenway, which would link Newtownbreda and Belvoir to the River Lagan at Annadale and the existing National Cycle Network through Belfast, were still ongoing.

Sustrans intends to put ten projects forward to a national selection in May 2007, five of these in Northern Ireland, and if successful, Connect 2 will provide up to 50% of the approximate cost of £800,000 for the project.

Noted.

### **T&ESC/2007/43 : REVIEW OF PULL-OUT SERVICE**

The Operational Services Manager outlined details of the criteria currently used to assess entitlement of the pull-out service of wheeled bins. He proposed to put in place a more formal procedure, ie submission of a letter confirming entitlement every two years, in order to make the service more efficient.

Following some discussion, it was

RESOLVED: That Council be recommended to grant approval to put in place a more formal procedure in respect of entitlement of the pull-out service of wheeled bins, ie submission of a letter confirming entitlement every two years.

### **SUPPLEMENTARY REPORT FROM THE OPERATIONAL SERVICES MANAGER**

#### **T&ESC/2007/44 : UNAUTHORISED SPORTING ACTIVITIES IN OPEN SPACES / SITES (Minute T&ESC/2006/329 refers)**

The Operational Services Manager referred to previously reported incidents of youths playing golf in Tullycarnet Park without authorisation, and in particular correspondence from a resident who had complained that golf balls were hitting her house. Legal advice had been sought by the Parks Manager regarding the best way to deal with this issue, and under the Occupiers Liability Act 1957, Section 2(2) 'The common duty of care is a duty to take such care as in all of the circumstances of the case is reasonable to see that the visitor will be reasonably safe in using the premises for the purposes for which he is invited or permitted by the occupier to be there'.

The solicitor had advised that the Council had a legal obligation, as Officers were aware of these unauthorised activities, and fencing or signage would be an insufficient measure.

During the ensuing discussion, Councillor Hanvey suggested that grounds maintenance staff could be asked to remind people that playing games was prohibited in the park, and they could keep a record of incidents on their timesheets.

Following some further discussion, it was

RESOLVED:

- (a) That grounds maintenance staff be asked to remind people that playing games was prohibited in the park and record incidents of unauthorised sporting activities on their timesheets;
- (b) That one sign be erected.

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

**T&ESC/2007/45 : STATUTORY NOTICES – PUBLIC HEALTH (IRELAND) ACTS 1878 TO 1907**

The Acting Environmental Health Manager outlined details of Statutory Notices that had been served regarding the abatement of public health nuisances/conditions prejudicial to health.

Noted.

**T&ESC/2007/46 : SERVICE LEVEL AGREEMENT BETWEEN THE NIO AND DISTRICT COUNCILS FOR ENVIRONMENTAL HEALTH OFFICERS TO ENFORCE THE MANUFACTURE AND STORAGE OF EXPLOSIVES REGULATIONS (NORTHERN IRELAND) 2006 IN RESPECT OF PERSONS REGISTERED TO STORE HAZARD TYPE 4 POWER DEVICE CARTRIDGES**

The Environmental Health Manager sought approval for the above Service Level Agreement between the NIO and District Councils regarding the enforcement of the Manufacture and Storage of Explosives Regulations (NI) 2006. It was not considered that the proposal would have significant implications on the workload of the Environmental Health Unit, and the Council would be reimbursed for any duties.

Following some discussion, it was

RESOLVED: That the Council be recommended to grant approval of the Service Level Agreement between the NIO and District Councils for Environmental Health Officers to enforce the Manufacture and Storage of Explosives Regulations (NI) 2006 in respect of persons registered to store Hazard Type 4 power device cartridges.

**T&ESC/2007/47 : THE MANUFACTURE AND STORAGE OF EXPLOSIVES REGULATIONS**

The Environmental Health Manager explained that the above regulations provided necessary controls for the storage of fireworks for sale in retail shops and premises storing explosive components for vehicle airbags and seatbelt tensioners. Environmental Health Officers would be required to carry out inspections of premises to ensure that they complied with the relevant standards set out in the legislation.

Training will be provided for Terence McCullough and John Slane to enable them to carry out these inspections, although the impact on their workload is expected to be minimal.

Noted.

**T&ESC/2007/48 : IMPACT OF SMOKE-FREE LEGISLATION**

The Environmental Health Manager stated that a significant amount of preparatory inspection work of Council premises was required under the new smoke-free legislation. This would have an impact on work commitments in that planned inspections and certain monitoring work would have to be rescheduled, and only reactive work would continue to be a priority.

Noted.

**T&ESC/2007/49 : RATS AND MICE (DESTRUCTION) ACT 1919**

The Environmental Health Manager sought approval to instigate legal proceedings against the persons responsible for a property in the Downshire Park area, which was infested with rodents. A notice had been issued on 29 November 2006, but no action had been taken, and the infestation was still present.

Following some discussion, it was

RESOLVED: That Council be recommended to grant approval that legal proceedings be instigated against the persons responsible for a property in the Downshire Park area, which was infested with rodents.

**T&ES /2007/50 : CONSULTATION ON THE CODE OF GOOD AGRICULTURAL PRACTICE FOR THE PREVENTION OF POLLUTION OF WATER, AIR AND OIL**

The Environmental Health Manager advised that a copy of the above report was available in the Environmental Health Unit for Members' perusal.

Noted.

**T&ESC/2007/51 : TRAFFIC AND TRAVEL INFORMATION 2005, INCORPORATING ANNUAL TRAFFIC CENSUS AND VEHICLE KILOMETRES OF TRAVEL**

The Environmental Health Manager advised that a copy of the above report was available in the Environmental Health Unit for Members' perusal.

Noted.

**T&ESC/2007/52 : CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES – DRINKING IN DESIGNATED AREAS**

The Environmental Health Manager provided details of incidents of consumption of intoxicating liquor in designated areas in the Borough and actions taken.

Noted.

### **T&ESC/2007/53 : BETTING AND GAMING LAW CONSULTATION – PROPOSED CHANGES, INCLUDING RELAXATION OF SUNDAY RESTRICTIONS**

The Environmental Health Manager informed Members that the following changes to the Betting and Gaming law had been proposed:

#### **Sunday Opening of Bookmaking Offices**

- It is proposed to remove the current prohibition on bookmaking offices opening on Sundays (other than Christmas Day). The current prohibition on opening on Christmas Day and Good Friday is to be retained.
- The new proposed Sunday opening will be restricted to opening between 10.30 am and 6.30 pm.
- Provision of employment protection rights for betting workers in bookmaking offices will be provided in line with similar workers in Great Britain.

#### **Sunday Hours for Bingo and other Gaming in Licensed Bingo Clubs**

- The current prohibition on the provision of bingo, gaming for prizes and gaming by way of gaming machines in licensed bingo clubs on Sundays (other than Christmas Day) is to be removed. The current closure on Christmas Day and Good Friday is to be retained.
- The permitted hours on Sunday are proposed to be from 2.00 pm to 11.00 pm (midnight where the Sunday is New Year's Eve).
- Provision of employment protection rights in licensed bingo clubs will be provided as currently available to on-course betting workers in Northern Ireland.

#### **Payment Methods for Certain Gaming Machines**

- Jackpot gaming machines (used mainly in registered clubs) are to be allowed to accept bank notes and payments by means other than cash (ie Smartcards, but bank debit or credit cards are not to be used). This is in addition to coin payments. Prizes may be given out in coins, bank notes and in non-cash forms (eg Smartcards credits, or credit notes exchangeable for cash or cheques).
- New rules will enable a player's winnings on Jackpot machines only to be retained for further play if the player wishes, without having to insert money into the machine.
- Higher value AWP machines (as in adult amusement arcades) to be allowed to accept payment and give out prizes in bank notes as well as coins (but not by any other means).
- For both Jackpot and higher-value AWP machines dispense with the requirement that they should be able to accept payment for a single play.

Members were dismayed at these proposed changes to the Betting and Gaming law. Councillor Spratt stated that the Council should note its displeasure at any increase of gambling in the Borough. The Council was not in a position to change the legislation, but from a moral standpoint Members should object. Unfortunately,

some people were addicted to gambling, and this addiction would be encouraged by these proposed legislation changes.

Following some further discussion, it was

RESOLVED: That the comments as prepared by the Environmental Health Manager be submitted to the Department with the additional comment that the Council formally opposes any extension in the hours available for such an activity because of the detrimental effect such activities have on society.

**T&ESC/2007/54 : CONSULTATION ON THE DRAFT LICENSING AND REGISTRATION OF CLUBS (AMENDMENT) (NI) ORDER 2007**

The Environmental Health Manager outlined details of proposals put forward in the Draft Licensing and Registration of Clubs (Amendment) (NI) Order 2007, which had arisen from a previous consultation document, entitled 'Liquor Licensing – The Way Forward'.

Members felt that these proposals were equally as damaging as the proposals relating to the Betting and Gaming law, as they provided more time for people to consume alcohol on licensed premises. This carried a risk of increased street violence and additional work for hospital staff through alcohol consumption and related incidents.

Following some further discussion, it was

RESOLVED: That the Council be recommended to oppose the proposals as outlined in the Draft Licensing and Registration of Clubs (Amendment) (NI) Order 2007.

**T&ESC/2007/55 : STAFF TRAINING – APEA DSEAR TRAINING COURSE, 7 FEBRUARY 2007, MANCHESTER**

The Environmental Health Manager sought approval for Terry McCullough to attend the DSEAR course, designed to explain the application of the Dangerous Substances and Explosive Atmospheres Regulations 2002 (DSEAR) in Manchester on 6 and 7 February 2007, at a cost of approximately £400.

RESOLVED: That Council be recommended to grant approval for Terry McCullough to attend the DSEAR course in Manchester on 6 and 7 February 2007, at a cost of approximately £400.

**T&ESC/2007/56: STAFF TRAINING – TRAINING ON THE PRIVATE TENANCIES (NI) ORDER 2006**

The Environmental Health Manager sought approval for the Technical Officer to attend a three-day course relating to the Private Tenancies (NI) Order 2006, which replaced much of the Rent (NI) Order 1978. The cost for this course was £70.

RESOLVED: That the Council be recommended to grant approval for the Technical Officer to attend a three-day course in respect of the Private Tenancies (NI) Order 2006, at a cost of £70.

## **SUPPLEMENTARY REPORT FROM THE ENVIRONMENTAL HEALTH MANAGER**

### **T&ESC/2007/57 : THE DOGS (NI) ORDER 1983 – DOG ATTACK**

The Environmental Health Manager outlined details of two attacks, involving two mongrel Doberman-type dogs, on 22 November 2006 and 1 December 2006 respectively.

The first attack took place on Mill Road, Ballygowan. The dogs attacked a female pedestrian, who was frightened by the incident but did not sustain any physical injuries.

The second attack also took place on Mill Road. The dogs entered a property and bit the female householder on the hands. She also sustained claw marks on her body.

The dogs were impounded by Council Enforcement Officers on both occasions. At the time, the dogs were unlicensed, although the owner subsequently paid Fixed Penalty Notices for the licensing and straying offences. However, he failed to cooperate with Officers regarding the investigation of the dog attacks. The Environmental Health Manager therefore sought approval to instigate legal proceedings against the owner.

RESOLVED: That the Council be recommended to grant approval that legal proceedings be instigated in accordance with the Dogs (NI) Order 1983 against the owner of two mongrel Doberman-type dogs for permitting them to attack persons contrary to the above legislation.

### **T&ESC/2007/58 : THE DOGS (NI) ORDER 1983 – DOG KEPT WITHOUT A VALID LICENCE**

The Environmental Health Manager reported that this matter had now been attended to and was to be withdrawn from the report. The Fixed Penalty Notice had been paid.

Noted.

### **T&ESC/2007/59 : THE DOGS (NI) ORDER 1983 – WITHDRAWAL OF LEGAL PROCEEDINGS**

At the September Committee meeting, approval had been granted to instigate legal proceedings against a lady from Dundonald for keeping two dogs without valid licences. However, it was subsequently found that this lady has been suffering from mental health problems, therefore it might not be in the Council's interest to pursue this matter. The Environmental Health Manager added that licences have now been

obtained for the two dogs, and the family has agreed to pay the Council's legal costs to date.

In light of this information, the Environmental Health Manager sought approval to withdraw the proposed legal action.

RESOLVED: That the Council be recommended to grant approval to withdraw proposed legal action against a lady from Dundonald for keeping two dogs without valid licences.

**T&ESC/2007/60 : CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES – PROPOSED PROSECUTION OF A JUVENILE**

A witness statement had been received from the PSNI regarding a 17-year old juvenile found to be drinking alcohol in the Newton Park area on 16 December 2006, contrary to the Council's bye-laws. This juvenile had previously received a formal caution for a similar offence, which occurred in the same area on 28 October 2006.

As this was a second offence, the Environmental Health Manager sought approval to instigate legal proceedings.

RESOLVED: That the Council be recommended to grant approval that legal proceedings be instigated against a 17-year old juvenile found consuming alcohol on Mill Road, in accordance with the Council's bye-laws.

**T&ESC/2007/61 : LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985 – ARTICLE 3 – LICENSING OF PLACES OF ENTERTAINMENT – RENEWAL OF A LICENCE**

The Environmental Health Manager advised Members that applications for the renewal of Entertainment Licences had been received for the premises detailed in his report.

RESOLVED: That the Council be recommended to agree to the renewal of licences in respect of the Local Government (NI) Order 1985 – Licensing of Places of Entertainment, as outlined in the Environmental Health Manager's report.

**ANY OTHER BUSINESS**

**T&ESC/2007/62 : REQUEST FOR TEMPORARY APPROVAL FOR THE MANUFACTURE OF ICE CREAM**

The Environmental Health Manager advised that Streamvale Farm had applied for temporary approval for the manufacture of ice cream.

RESOLVED: That the Council be recommended to grant temporary approval to Streamvale Farm for the manufacture of ice cream.

**T&ESC/2007/63 : MINUTE CHANGE (Minute T&ESC/2006/447 refers)**

The Environmental Health Manager requested that the following be added to the resolution of Minute T&ESC/2006/447:

- (c) That the permit be granted in accordance with the original conditions, with the exception of Condition 1, which referred to the days and hours of opening.

RESOLVED: That the following be added to the resolution of Minute T&ESC/2006/447: '(c) That the permit be granted in accordance with the original conditions, with the exception of Condition 1, which referred to the days and hours of opening'.

#### **T&ESC/2007/64 : STAFFING MATTER**

The Environmental Health Manager sought approval for the temporary acting up to Office Supervisor of one member of administration staff to cover maternity leave and due to the resignation of another Officer. She explained that the cost would be covered by the vacant salary that arose from the resignation.

RESOLVED: That the Council be recommended to grant approval for the temporary acting up to Office Supervisor of one member of administration staff to cover maternity leave and a vacancy arisen from the resignation of another Officer, with funding available from the vacant salary.

#### **REPORT FROM THE CLIENT MANAGER (copy previously circulated)**

#### **T&ESC/2007/65 : TONNAGES DEPOSITED AT LANDFILL**

The Client Manager reported that 1952.36 tonnes had been deposited at landfill during December 2006, an increase of approximately 41 tonnes compared to December 2005. This was also the first time since the introduction of the recycling schemes that there had been an increase in tonnages deposited at landfill when compared to the previous year. This underlined the need to continue with education and information programmes to encourage participation and capture dates.

The Client Manager further advised that the figures for January 2007 were not available at the time of the meeting and would be tabled at the next Committee meeting.

Noted.

#### **T&ESC/2007/66 : FLY-POSTING**

The Client Manager informed Members of occurrences of fly-posting in the Borough, mainly for taxi companies, nightclubs or bars. The Council did have the right to remove the posters and try to recover the cost from the relevant companies, but this process tended to be long drawn out. The Client Manager, therefore, sought approval to write to these vendors in future incidents, threatening prosecution if they failed to desist, and then report to Committee.

Following some discussion, it was

RESOLVED: That the Council be recommended to grant approval to the Client Manager to write to vendors who display fly-posters throughout the Borough, threatening them with prosecution if they failed to desist from fly-posting.

**T&ESC/2007/67 : APPLICATION FOR A NEW ROAD SERVICE LICENCE – KUDOS COACH TRAVEL LTD**

The Client Manager stated that he had received a letter from the Driver & Vehicle Licensing Agency regarding an application for a new road service licence. The application was for the operation of a 16-seater minibus and a 29-seater coach from Lowes Industrial Estate, and it intended to provide the following services;

- Occasion private hire
- Regular contract carriage
- Excursions on tours

However, the Client Manager advised that it had not possible to comply with the given timescale of 29 January 2007 for comments.

Following some discussion, it was

RESOLVED: That Members should forward any comments relating to the application for a new road service licence from Kudos Coach Travel Ltd to the Client Manager.

**T&ESC/2007/68 : BILLY NEILL MBE SOCCER CENTRE OF EXCELLENCE – PROPOSED SYNTHETIC PITCH**

The Client Manager listed several options for support for the construction of a synthetic pitch open to the Council, as recent discussions with Glentoran Football Club had come to a halt:

- (a) Do nothing in the short term;
- (b) Continue to make applications from organisations such as the Lottery and IFA to try and source funding for a synthetic pitch;
- (c) Develop a natural grass pitch at a cost of approximately £50,000;
- (d) Develop a synthetic surface, similar to that used at Lough Moss, at a cost of approximately £200,000 (this would obviously be dependent on the level of specification, floodlighting and tender prices etc);
- (e) Develop a fourth-generation synthetic pitch, to be funded by the Council at a cost of £500,000 plus;
- (f) Advertise for expressions of interest for the development of a synthetic pitch on the site which could be used for five-a-side and/or seven-a-side and/or 11-a-side, on the basis that the Council would provide the land and changing facilities, but their partner would provide and maintain the pitches with an arrangement being entered into for profit share. There is a possibility also for the option to develop an indoor training arrangement at the pavilion.

Following some discussion, it was

RESOLVED: That Option (f) be chosen as the most advantageous option for the Council.

**T&ESC/2007/69 : LETTER FROM COMMUNITY ASSOCIATION FOR BELVOIR, MILLTOWN AND NEWTOWNBRED A, REGARDING PLAY PARK AT BRED A TERRACE**

The Client Manager outlined a request received from Community Association for Belvoir, Milltown and Newtownbreda for a copy of any surveys the Council had carried out relating to previous proposals for a play park at Breda Terrace. The Association had also proposed to give a presentation to the Council.

The Client Manager stated that he had forwarded the results of a survey that had been carried out approximately six years ago. He had also informed the Association that the Council intended to carry out a survey seeking residents' views about the construction of a play park on the site, therefore he had suggested to defer the presentation until the survey had been completed.

Following some discussion, it was

RESOLVED: That consideration of the request from Community Association for Belvoir, Milltown and Newtownbreda to give a presentation regarding a play park being constructed at Breda Terrace be deferred until the planned survey in this respect had been considered by the Council.

**T&ESC/2007/70 : LAND AT REAR OF 92 COMBER ROAD (DOUGHERTY)**

The Client Manager referred to a letter from the Council's solicitor, outlining the Council's position regarding the claim from the resident of 92 Comber Road to part of Moat Park. The resident claimed that he had reached an agreement with a Council Officer in 1991, giving permission to fence in this land, although there is no record of this agreement.

The Council's solicitor had advised that the Council would find it difficult to avoid the claim for adverse possession of any unregistered land. However, as part of this land is registered, the Council would be in a strong position to defend the claim for this portion.

Following some discussion, it was

RESOLVED: That consideration of the letter from the Council's solicitor regarding land at the rear of 92 Comber Road be referred to Council.

**T&ESC/2007/71 : PROJECT MANAGEMENT TRAINING – PRINCE 2**

The Client Manager sought approval to send one Officer to be trained for Prince 2, a well-established, process-based approach to project management at a cost of

approximately £1,300. He added that, if the cost could be spread across the four Service Units, it could be met from existing budgets.

RESOLVED: That the Council be recommended to grant approval to send one Officer to be trained for Prince 2, at a cost of approximately £1,300, to be spread across the four Service Units.

**T&ESC/2007/72 : CARRYDUFF COMMUNITY PLAYGROUND ADJACENT TO LOUGH MOSS LEISURE CENTRE**

The Client Manager advised that a pre-contract meeting had taken place with Play & Leisure Services Ltd, and it was envisaged that work on the playground would commence on 5 March 2007. However, should Lough Moss be required as a polling station for the elections on 7 March 2007, all site work would be suspended or deferred until after the elections.

It was envisaged that the handover and opening ceremony would take place after Easter. Furthermore, the Carryduff Playground Committee had requested that one of the seats should have a plaque in memory of baby Carrie, whose remains had been found nearby.

Following some discussion, it was

RESOLVED: That

- (a) The playground be officially known as Carryduff Community Playground, to reflect the assistance of the Playground Committee, primary schools and the people of Carryduff in securing the largest telephone poll vote in securing Big Lottery funding for this project, and that permission is granted to place a plaque on a seat in memory of baby Carrie;
- (b) The remaining equipment at Lough Moss playground be dismantled and the playground removed from the Council's asset and insurance schedules;
- (c) Subject to agreement by the Leisure Services Committee, Carryduff Community Playground become the departmental responsibility of the Department of Technical & Environmental Services.

**ANY OTHER BUSINESS**

**T&ESC/2007/73 : CREGAGH COMMUNITY PLAYGROUND ADJACENT TO CREGAGH YOUTH & COMMUNITY CENTRE**

The Client Manager informed Members that, following an advertisement on 1 December 2006 in the Belfast Telegraph for the design and construction of a playground adjacent to Cregagh Youth & Community Centre. Five tenders were returned, with Crawford Contracts Ltd achieving the highest score, therefore the Client Manager recommended that the tender be accepted. He further recommended that the playground be known as Cregagh Community Playground to reflect the assistance of the community association in this project as well as the community spirit within the area.

Following some discussion, it was

RESOLVED: That the Council be recommended to grant approval that

- (a) The tender submitted by Crawford Contracts Ltd for the construction of a playground adjacent to Cregagh Youth & Community Centre be accepted by the Council;
- (b) That the playground be known as Cregagh Community Playground to reflect the assistance of the community association and the spirit within the area.

### **REPORT FROM THE CLIENT MANAGER (continued)**

#### **T&ESC/2007/74 : ANNUAL CHARGES**

The Client Manager provided for Members' information a list of charges for chargeable goods, services and facilities for 2007-2008. He further proposed to charge a rate of approximately 10% below the standard rate for the disposal of waste from Council facilities.

The Client Manager then sought approval for the purchase of wheeled and other containers as tendered by ARC 21, should this be advantageous to the Council.

The Director of Environmental & Technical Services recommended carrying out an environmental audit of all Council premises

Following some discussion, it was

RESOLVED: That the Council be recommended to grant approval that

- (a) A charge of approximately 10% below the standard rate be levied for the disposal of waste from Council facilities;
- (b) Wheeled and other containers be purchased from the ARC 21 tender, should this prove advantageous to the Council;
- (c) That an environmental audit of all Council premises be carried out.

#### **T&ESC/2007/75 : CAPITAL PROJECTS LIST**

The Client Manager advised that the proposed Belvoir playground had now been added to the Capital Projects List, and projects from each department had been identified.

Noted.

### **ANY OTHER BUSINESS**

#### **T&ESC/2007/76 : 50 MILE LIMIT ON ROUTE 55, BELVOIR ROAD**

The Client Manager advised that the Roads Service had proposed to introduce a permanent 50 mph speed limit on Route A55, Belvoir Road, Castlereagh, from the junction with Milltown Road to a distance of approximately 35 metres south-west of its junction with Newtownbreda Road.

Noted.

**T&ESC/2007/77 : RODDENS CRESCENT**

The Client Manager stated that youths were still causing annoyance to residents of Roddens Crescent. He reminded Members that there had been requests for a fence to be erected around the park, with gates at the entrance which could be locked and unlocked. The Client Manager added that the PSNI would be writing to the Council regarding this matter.

Noted.

**T&ESC/2007/78 : CONNSWATER COMMUNITY GREENWAY**

The Client Manager advised that the Connswater Community Greenway Initiative intended to contact the Council regarding a second presentation, as they were keen to have the Council's support for the Connswater Community Greenway project.

Noted.

**REPORT FROM THE DIRECTOR OF TECHNICAL & ENVIRONMENTAL SERVICES  
(copy previously circulated)**

**T&ESC/2007/79 : REPORTS AVAILABLE**

The Director of Technical & Environmental Services outlined that the following information was available for Members' perusal:

- CL:AIRE (Contaminated Land: Applications in Real Environments), Technical Bulletin, TBS, January 2007
- Entec Bulletin 28, The Challenge of Meeting the UK's Energy Needs
- Water Demand Management Bulletin, issue 80, December 2006, Environment Agency
- Annual Report 2005-2006, Chartered Institute of Architectural Technologists
- Regulation of Water Services Discharges Report 2005, Environment & Heritage Service, December 2006
- Energy Saving Trust, issue 22, Practical Help News

Noted.

**T&ESC/2007/80 : CONSULTATION ON THE DRAFT CHARGES SCHEME FOR NORTHERN IRELAND WATER LTD 2007-2008**

The Director of Technical & Environmental Services advised that the Chief Executive's office had received a document entitled 'Draft Charges Scheme for Northern Ireland Water Ltd 2007-2008 – A Consultation Document January 2007', which outlined proposals for the comprehensive water and sewerage charging regime and how it would operate.

Noted.

**T&ESC/2007/81 : CONSULTATION ON THE REVIEW OF THE TRANSFRONTIER SHIPMENT OF WASTE REGULATIONS AND THE UK MANAGEMENT PLAN FOR EXPORTS AND IMPORTS OF WASTE**

The Director of Technical & Environmental Services advised that correspondence had been received from the Environmental Policy Division of the Department of the Environment, inviting Members' comments on the UK Management Plan for Exports and Imports of Waste before the closing date of 12 March 2007.

Noted.

**T&ESC/2007/82 : DETERMINATION OF THE ARC 21 WASTE MANAGEMENT PLAN**

The ARC 21 Waste Management Plan had been discussed at the Committee meeting of 25 January 2007. The Director of Technical & Environmental Services drew Members' attention to significant features in the Plan, and he further advised that the Department of the Environment had stated that the Council should now proceed to adopt the draft Plan following agreed revisions.

Following some discussion, it was

RESOLVED: That the Council be recommended to formally adopt the ARC 21 Waste Management Plan.

**T&ESC/2007/83 : ARC 21 JOINT COMMITTEE MEETING OF 30 NOVEMBER 2006**

Topics for discussion included the following:

- Contracts Update
- Proposal Relating to Residual Waste Procurement Process
- Issues Relating to Future Funding
- Issue Paper on Waste Disposal Authority as Requested by NI Strategic Governmental Waste Partnership
- Communication Plan
- Bin/Box ID Chips
- Media Protocol
- Revenue Estimates 2007-2008
- 'Waste Line', Issue 2
- Schedule of Meetings 2007
- Next Meeting

Noted.

**T&ESC/2007/84 : ARC 21 JOINT COMMITTEE MEETING OF 14 DECEMBER 2006**

Topics for discussion included the following:

- Northern Ireland Waste Communication Campaign
- Contracts Update
- Response to DEFRA on Waste Framework Directive
- WEEE Consultation
- Any Other Business

Noted.

**T&ESC/2007/85 : ARC 21 JOINT COMMITTEE – 25 JANUARY 2007 – MEMBERS' BULLETIN**

Noted.

**T&ESC/2007/86 : WASTE MANAGEMENT WORKING GROUP MEETING HELD ON TUESDAY, 9 JANUARY 2007**

RESOLVED: That the Minutes of the Waste Management Working Group meeting of 9 January 2007 be adopted as a true and accurate record.

There being no further business, the meeting ended at 10.45 p.m.

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
CHIEF EXECUTIVE

Adopted by the Council this \_\_\_\_\_ day of

\_\_\_\_\_ 2007 with the exception of

Minute Nos: \_\_\_\_\_

\_\_\_\_\_  
MAYOR