

CASTLEREAGH BOROUGH COUNCIL

Minutes of the proceedings of the Technical & Environmental Services Committee held, in committee, in the Committee Room, Civic & Administrative Offices, Bradford Court, Upper Galwally, Castlereagh, BT8 6RB on Tuesday, 3rd June 2008 at 7.30 p.m.

PRESENT:- Alderman J Norris MBE
Councillor Mrs A M Beattie
Councillor J Beattie
Councillor T Jeffers
Councillor L Walker

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

APOLOGIES:- Apologies were recorded on behalf of Councillors
Chambers, Duncan, Drysdale, Hanvey, Henderson
and Alderman Rice.

T&ESC/2008/228 : MINUTES OF THE TECHNICAL & ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD ON 1 APRIL 2008

There were no matters arising from the minutes of the Technical & Environmental Services meeting held on 6 May 2008.

Noted.

REPORT FROM THE BUILDING CONTROL MANAGER

T&ESC/2008/229 : SCHEDULE OF APPLICATIONS

The Building Control Manager referred Members to the Schedule of Applications approved by the Building Control Service for the period 1 April 2008 to 30 April 2008.

Noted.

T&ESC/2008/230 : REPORTS ON APPLICATIONS, INSPECTIONS AND SOLICITORS ENQUIRIES

The Building Control Manager referred Members to the reports on applications received, plan fees raised, inspections undertaken, inspection fees raised and Solicitors' enquiries attached to his report.

Noted.

T&ESC/2008/231 : BUILDING REGULATIONS (NI) 2000 CONSULTATION ON PROPOSED AMENDMENT OF PART D : STRUCTURE & TECHNICAL BOOKLET D

The Building Control Manager reported that the Council had been invited to respond to the Department's proposals for amending Part D (Structure) of the Building Regulations (NI) 2000 together with Technical Booklet D which supports the Part D Regulations and he referred to the proposed changes to the Regulations outlined in his report.

Following discussion, it was

RESOLVED:- That, the Council be recommended to approve the Building Control Manager's response to the proposed amendment to PART D (Structure).

T&ESC/2008/232 : BUILDING REGULATIONS (NI) 2000 CONSULTATION ON PROPOSED AMENDMENT OF PART J : SOLID WASTE IN BUILDINGS

The Building Control Manager reported that the Council had been invited to respond to the Department's proposals for amending Part J (Solid Waste in Buildings) in the Building Regulations (NI) 2000 and he referred to the proposed changes to the Regulations outlined in his report.

RESOLVED:- That, the Council be recommended to approve the Building Control Manager's response to the proposed amendment to PART J (Solid Waste in Buildings).

T&ESC/2008/233 : PROJECTED FEE INCOME 2008/09

The Building Control Manager wished to highlight that the significant slowdown in private house building and house sales within the Borough had impacted initially on the financial performance of the Building Control Service Unit budget. He indicated that the overall cooling of the construction industry would have an

adverse effect on income arising from Building Control fees raised during the next 12 months, should the situation continue.

Noted.

T&ESC/2008/234 : SOUTH EASTERN GROUP BUILDING CONTROL COMMITTEE

Tabled:- Minutes of the South Eastern Group Building Control Committee held in the Slieve Donard Hotel, Newcastle on 10th December 2007 and at Castlereagh Borough Council on 11th February 2008 (copies previously circulated)

Councillor Walker queried why the Council were experiencing delays in receiving minutes of the SE Group Building Control meetings. He stated that during that particular meeting, he had raised queries in relation to an item that had been discussed, but as the minutes were not circulated promptly following the meeting, his comments were now of little relevance.

Following discussion, it was

RESOLVED:- That, at the next meeting of the South Eastern Group Building Control Committee, Councillor Walker will raise the issue of the delay in receipt of minutes by Castlereagh Borough Council.

T&ESC/2008/235 : STREET NAMING AT 83 GILNAHIRK ROAD, GILNAHIRK

Members were informed that Peartree Homes Ltd had proposed the street name of "Mill Gate" for 10 properties on a site at 83 Gilnahirk Road.

Councillor Walker expressed his concern at the ongoing issues with the Developer regarding the right of way at this site.

Councillor Jeffers commented that as the number of housing units had not yet been determined by the Planning Service, there was a possibility that the final number of housing units may be less than 10.

The Operational Services Manager updated Members on the current right of way situation and following discussion, it was

RESOLVED:- that, the Building Control Manager would seek a legal opinion on the matter and table a report at the June Council meeting.

**SUPPLEMENTARY REPORT FROM THE
BUILDING CONTROL OFFICER**

Minute T&ESC/2008/236 was referred back to Committee for further consideration

T&ESC/2008/236 : STREET NAMING AT OLD DUNDONALD ROAD, DUNDONALD

Following consideration, it was

RESOLVED:- That, the street name of “Eastpoint Entertainment Village” be allocated to the Cinema complex and 9 no. commercial units under construction by J H Turkington & Sons Ltd at Old Dundonald Road, Dundonald.

T&ESC/2008/237 : STREET NAMING AT DRUMADOON DRIVE, BALLYBEEN, DUNDONALD

Following consideration, it was

RESOLVED:- That, the street name of “Drumadoon Square” be allocated to the 54 no. properties, under construction by Hagan Homes, at the junctions of Drumadoon Drive, Ballybeen Park and Dungoyne Park, Ballybeen, Dundonald.

REPORT FROM THE OPERATIONAL SERVICES MANAGER

T&ESC/2008/237 : UPDATE ON PUBLIC RIGHT OF WAY – BETWEEN GILNAHIRK ROAD & GILNAHIRK AVENUE

The Operational Services Manager confirmed that the Environment & Heritage Service had received an application for diversion from the developer, which had been lodged under Article 16. However, the EHS had subsequently referred the application to the Council under Article 15 and to-date this has not been received.

Furthermore, he reported that he had received a response from the Equality Commission in relation to whether Asserted Rights of Way were covered under the disability discrimination legislation (DDA). A copy of the response was attached for Members’ information.

Noted.

**T&ESC/2008/238 : CONNSWATER COMMUNITY GREENWAY
STAKEHOLDER FORUM**

The Officer reported that East Belfast Community Development Agency were seeking a representative from the Council to sit on the Connswater Community Greenway Stakeholder Forum on a quarterly basis.

RESOLVED:- That, the Council be recommended to authorise the Access to the Countryside Officer to be appointed to the Connswater Community Greenway Stakeholder Forum and to report back to the Technical & Environmental Services Committee.

T&ESC/2008//239 : QUOTATIONS RECEIVED FOR BEDDING 2009

Following discussion of the 3 quotations received, it was

RESOLVED:- That, the Council be recommended to accept the quotation of £4,250.33 from Pentland Plants as it met the full specification and represented the best value to the Council.

T&ESC/2008/240 : QUOTATIONS RECEIVED FOR BULBS 2009

Following discussion of the 4 quotations received, it was

RESOVLED:- That, the Council be recommended to accept the quotation of £3,303.75 from Cornish King Bulb Growers as it met the full specification and represented the best value to the Council.

**T&ESC/2008/241 : ADDITIONAL COSTS OF PESTICIDES AND
FERTILISERS 2009**

The Operational Services Manager informed Members that correspondence had been received from the Council's main suppliers of fertiliser and pesticides outlining an unexpected increase in manufacturing costs of the base ingredients. He advised that the Council's main suppliers had indicated that the prices were subject to fluctuations and would be priced on a batch-by-batch basis and that, therefore, they could not hold the agreed tender price in their 2008/09 tender submission. The Operational Services Manager outlined his concern regarding the proposed increases and the potential impact this could have on budgets for the Parks Section.

In response to a query, he further advised that the Parks Section had already created some additional storage at the Hamilton Shed to store the additional materials.

Following consideration, it was

RESOLVED:- That, the Council be recommended to authorise Officers to purchase fertiliser and pesticide requirements for 2008/09 as soon as possible to avoid further price increases.

T&ESC/2008/242 : WASTE MANAGEMENT LICENCE APPLICATION FOR CARRYDUFF AND CREGAGH HOUSEHOLD RECYCLING CENTRES

Following a new Waste Management Licence planning application for Carryduff and Cregagh Household Recycling Centres (HRCs), the Operational Services Manager reported that the Council had received correspondence from the Planning Service and the Environment & Heritage Service (EHS) in relation to site layout and waste containment at Carryduff HRC. He advised that, currently, there were parking and bulk waste restrictions at the rear of the site due to the need for hard, non-permeable surfaces. He indicated that this had been recommended by the EHS for the containment and control of waste leachate and to comply with the Waste Management Regulations.

The Operational Services Manager reported that, in order to comply with the EHS recommendations at Carryduff HRC, a new non-permeable hard standing would be required at the rear of the HRC and repairs made to the existing hard standing. He indicated that this was required to comply with the new Waste Management Licence application and to allow the safe containment and storage of bulk waste receptacles from both HRCs. He stated that, in turn, this would ensure increased storage, containment and effectiveness of both HRC sites.

The Operational Services Manager further commented that it had come to light from the Planning Officer that the area at the rear of the HRC might be subject to a potential land sale. He advised that, in light of the correspondence received from the EHS in relation to the Council's Waste Management Licence application, the potential land sale should be put on hold to allow the development of the Carryduff HRC in line with the EHS recommendations.

Councillor Beattie commented that the Carryduff site looked extremely well and asked if the works would affect the use of the site by members of the public.

The Operational Services Manager stated that the additional ground would be for Council use only and to allow the safe containment and storage of bulk waste receptacles from both HRCs. He stated that this would increase the efficiency of both HRC sites and would also facilitate the centralisation of Council vehicles on one site.

The Director of Technical & Environmental Services stated that the Council was forced to comply with relevant waste regulations as part of the stringent requirements under Waste Management licensing.

Following discussion, it was therefore

RESOLVED:- That, in light of the recommendations received from the EHS in relation to the Waste Management Licence application, the Council be recommended to put on hold the potential land sale at the rear of the Carryduff HRC site and approve the extension to the Carryduff Household Recycling Centre to comply with the new Waste Management Licence application.

T&ESC/2008/243 : PURCHASE OF 17 TONNE GVW NARROW COMPACTION 4 X 2 REFUSE COLLECTION VEHICLE

The Operational Services Manager reported that the purchase of a 17 tonne Refuse Collection Vehicle (RCV) will allow increased manoeuvrability in residential areas that a 26 tonne RCV cannot access. He also indicated that budget provision had been made in the 2008/09 financial year to account for this purchase.

RESOLVED:- that, the Council be recommended to approve the purchase of a new 17 tonne GVW Narrow Compaction 4 x 2 Refuse Collection Vehicle, with low level lift at a purchase price of £103,888.65 from the Belfast City Council tender lists as this represented the best value to the Council.

T&ESC/2008/244 : OPERATIONAL SERVICES UNIT DRIVING POLICY

The Operational Services Manager advised Members that this policy had been initially raised through Management Team as it was felt that all vehicle and driving operations required a concise operating policy for compliance with the Operational Services Unit.

RESOLVED:- that, the Council be recommended to approve the Operational Services Unit Driving Policy.

T&ESC/2008/245 : PRE-PAYMENT FOR SPECIAL COLLECTIONS

The Operational Services Manager reported that, following a review of the operational processes, procedures and payments in general, it was recommended that all special collections be paid in advance, effective from 1 July 2008 in accordance with the Council's terms and conditions for special

collections. He hoped that online payments could be facilitated in the near future via the Council's website, thus streamlining the services offered to ratepayers.

RESOLVED:- That, the Council be recommended to approve the pre-payment for special collections in line with the Council's terms and conditions from 1 July 2008.

T&ESC/2008/246 : PROPOSED EXCHANGE OF PORTABLE HRC COMPACTOR

The Operational Services Manager reported that one redundant portable HRC compactor was taken to auction on 10 May 2008, in accordance with the Council's disposal procedure. The compactor received an offer of £3,600 which was well below the reserve price of £4,100. The reserve price reflected an offer received from Nu-Mac Waste Systems in exchange for an additional 40-cubic yard compactor container which would offer additional capacity to cover extended holiday periods and reduce the number of trips to landfill.

RESOLVED:- That, having complied with the disposal procedure, the Council be recommended to approve the exchange of the redundant Portable HRC Compactor for an additional 40-cubic yard compactor container as it represented the best value to Council.

T&ESC/2008/247 : THE MOAT PARK PUMPING STATION

The Operational Services Manager informed Members that, due to redevelopment of the old fountain area in the centre of Moat Park, the old pumping station was now redundant. It was recommended that, as Moat Park was undergoing refurbishment work, the pumping station be removed. The Manager advised that the cost of this work would be covered within the existing 2008/09 budget.

Councillor Jeffers commented that there was a table inside the station belonging to a community centre and asked that officers ensure that it was returned.

Following agreement, it was

RESOLVED:- That, the Council be recommended to approve the demolition and removal of the redundant Moat Park pumping station.

T&ESC/2008/248 : REQUEST FROM DRD ROADS SERVICE TO ACCESS THE COMBER GREENWAY FROM THE BILLY NEILL SOCCER CENTRE OF EXCELLENCE (BNSCE) PRIVATE ROAD

Members were informed that the Roads Service had requested access to the Comber Greenway from the main BNSCE private road.

Councillor Mrs Beattie asked Officers to ensure that the DRD Roads Service properly reinstated the roads.

The Operational Services Manager responded that Roads Service had supplied the Council with details of the vehicle and machinery that would require access. He advised that the area concerned would be inspected by staff before and after the work to ensure no damage had occurred. He indicated that Roads Service had supplied written confirmation regarding any repairs that might be required as a result of their activities. He stated that the private road at BNSCE would also be receiving some resurfacing and traffic management work as part of the Comber Greenway project.

RESOLVED:- That, the Council be recommended to approve the request from Roads Service to access the Comber Greenway from the BNSCE private road in order to complete the final stage of the Greenway surface and the access link across the private road.

T&ESC/2008/249 : PLAY AREA – MOAT PARK

In response to a query from Councillor Jeffers, the Operational Services Manager updated Members on the refurbishment work currently under way within Moat Park. He advised that the fencing at the old playground was necessary for health and safety and security reasons. He stated that the temporary fencing would be removed when the refurbishment work was complete.

Noted.

T&ESC/2008/250 : MOAT PARK - DISPLAYED SIGNS

Councillor Jeffers referred to the signs that were usually on display in Moat Park and asked where they were being stored whilst works were carried out.

The Operational Services Manager responded that the signs were being stored during the refurbishment work currently under way within the park. He advised that the signs would be remounted, including an interpretation panel at the new Moat Park stone, on completion of the refurbishment work.

Noted.

REPORT FROM THE ACTING ENVIRONMENTAL HEALTH MANAGER

T&ESC/2008/251 : THIRD PARTY PROSECUTIONS TO THE COURTS (THE CAUSEWAY PROGRAMME)

The Acting Environmental Health Manager reported that following the introduction of The Causeway Programme, which connects the NI Court Service and Prisons to the existing structure, there is now the requirement of an Unique Reference Number (URN) being attached to all third party prosecutions.

The Officer then outlined the new procedures but highlighted that his only concern about this proposed amendment was that the Environmental Health Service, in engaging the Solicitor's assistance for the progressing of an URN, would incur marginal costs prior to Members' approval. However, he went on to report that once approval for the instigation of legal proceedings had been granted, this nominal cost would be included in the final bill.

RESOLVED:- That the Council be recommended to note and approve this amended procedure to ensure compliance with The Causeway Programme.

Furthermore, that this report be tabled at the Senior Management Team meeting for their consideration.

T&ESC/2008/252 : SERVICE UNIT BUSINESS PLAN

Members referred to the copy of the Environmental Health Service's Business Plan for 2008/09 which had been reviewed to take into consideration the Council's strategic aims. This plan sets out the Environmental Health Service Unit's objectives and performance standards to be monitored throughout the year and also reviews performance over 2007/2008.

Councillor Walker referred to the fact that the plan was a lengthy document and suggested that Officers prepare an Executive Summary presentation of the Business Plan which would highlight the key tasks of the Service Unit.

He then stated that, in his view, the content of these plans were so detailed and time-consuming, that Members could not approve a document they did not understand.

The Environmental Health Manager advised Members that his Service Unit were continually asked to task their performance as it allowed staff to measure against statutory obligations and against their own Service level agreement.

Councillor Walker indicated that his views applied across all Council Departmental Plans and were not directed specifically at the Technical & Environmental Services Department's business plans.

The Director clarified that Corporate and Departmental Plans reflected the Council's expectations of Departments. He advised that such business plans required Council ownership and that it was important for Members to peruse their contents and satisfy themselves that they meet Members' expectations for the period specified by the plan. He commented that this report was prepared in order that the Council had a Service Agreement in a format that was satisfactory to the Council and provided staff with a direction over the plan period.

Councillor Walker stated that as Corporate plans were updated throughout the term, it may be a matter for Senior Management Team to look at the whole issue from a holistic view.

He went on to state that he envisaged that each Council Department would present a 15 minute Executive Summary of their Corporate plan outlining their main areas and including their plans/objectives and cost implications.

Following discussion, it was

RESOLVED:- That the Council be recommended to note and accept the content of this report.

However, the issue of an Executive Summary from each Council Department in which they would provide a 15 minutes presentation outlining their plans/objectives and cost implications should be considered by the Senior Management Team.

T&ESC/2008/253 : FOOD SERVICE PLAN

The Acting Environmental Health Manager referred Members to a copy of the Food Service Plan for the Environmental Health Service Unit for 2008/09. This Plan reviews the performance of the food control function over the year 2007/08 and also presents the proposed service delivery for 2008/09. This Plan is the Council's commitment to delivering a food control service in accordance with the relevant legislation and associated guidance.

RESOLVED:- that, the Council be recommended to note and accept the content of the Plan in terms of the service to be provided.

T&ESC/2008/254 : STATE OF THE ENVIRONMENT REPORT – “OUR ENVIRONMENT, OUR HERITAGE, OUR FUTURE”

Members were informed that the above report which was prepared by the Environment & Heritage Service is available in the Environmental Health Service Unit for Members' perusal.

Noted.

T&ESC/2008/255 : POISONS (NI) ORDER 1976 - REGISTRATION OF PREMISES

RESOLVED:- That, the Council be recommended to approve the registration of the Homebase Galwally, Unit 3 Drumkeen Complex, Saintfield Road, Belfast, BT8 4TY for the selling of poisons, as required under the Poisons (NI) Order 1976, for 2008.

T&ESC/2008/256 : CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES - DRINKING IN DESIGNATED AREAS

The Acting Environmental Health Manager referred Members to the rolling table of offences attached to his report, in relation to the Consumption of Intoxicating Liquor in Designated places – Drinking in Designated Areas.

Noted.

T&ESC/2008/257 : THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985 – ARTICLE 3 : LICENSING OF PLACES OF ENTERTAINMENT – GRANT OF A LICENCE

Members were informed that an application for the grant of an Entertainment Licence had been received and consultations were taking place with the PSNI and the NI Fire & Rescue Service. Furthermore, all required safety certification documentation had been received.

RESOLVED:- That, the Council be recommended to approve an Entertainment Licence to be granted for “the Lonely Poet” (formerly the Queens Inn) Kings Square, Tullycarnet, BT5, subject to no objections arising from the consultations.

T&ESC/2008/258 : THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985 - ARTICLE 3 – LICENSING OF PLACES OF ENTERTAINMENT – TRANSFER OF A LICENCE

The Acting Environmental Health Manager outlined that an application for the transfer of an Entertainment Licence had been received for the premises detailed

below and consultations were taking place with the PSNI and the NI Fire & Rescue Service. All required safety certification is still in place from the previous grant of licence.

RESOLVED:- that, the Council be recommended to approve the transfer of an Entertainment Licence for the Rosetta Bar, 73-75 Rosetta Road, Belfast BT6 0LR from Mr Roy Sloan to Mr Neil Stewart, subject to no objections arising from the consultations.

T&ESC/2008/259 : THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985 - REGISTRATION OF A PERSON TO CARRY OUT ACUPUNCTURE

Members were informed that an application for registration had been received from the following person to carry on the business of acupuncture under Article 13 of the above legislation. The premises that the person will be operating from have been inspected and found to comply with the Bye-Laws made under the above Order.

RESOLVED:- That, the Council be recommended to grant a certificate of registration to Ms Sharon Campbell to carry on the business of acupuncture at Belfast Synergy, 300 Cregagh Road, Belfast BT6 9EW.

T&ESC/2008/260 : PETROLEUM CONSOLIDATION ACT (NI) 1929 – RENEWAL OF A PETROLEUM LICENCE

Members were informed that an application for the renewal of a licence to store petroleum, under the above legislation, had been received for Gilnahirk Filling Station, 109-123 Gilnahirk Road, Gilnahirk BT5.

RESOLVED:- That, the Council be recommended to renew the above petroleum licence.

T&ESC/2008/261 : THE LITTER (NI) ORDER 1994 - FAILURE TO PROVIDE INFORMATION UNDER ARTICLE 20 OF THE ABOVE LEGISLATION

The Acting Environmental Health Manager reported that on Thursday, 10th April 2008, a woman from Crumlin had witnessed a female throwing litter from a car as she was driving along the Saintfield Road. The female registered owner of the vehicle was traced through the DVA and sent a "Notice to obtain information" under Article 20. She failed to respond to this information request and was sent

a final reminder, which she also did not respond to. Failure to supply information required is an offence under the above legislation.

Members discussed the legal costs involved. Members agreed that it be

RESOLVED:- That, the Council be recommended to approve the instigation of legal action against the aforementioned person for failing to provide information contrary to Article 20 of the Litter (NI) Order 1994.

T&ESC/2008/262 : THE LITTER (NI) ORDER 1994 - LITTERING OFFENCE

The Acting Environmental Health Manager outlined details of a case in which a female member of the public had witnessed a male learner driver dropping a piece of chewing gum out of the car window onto the roadway at Milltown Road, Belvoir. She subsequently contacted the Council and made a formal complaint, providing a witness statement. Under the legislation, as the incident was not witnessed by an authorised Council Officer, it was not permissible to issue a Fixed Penalty Notice for the offence. The witness is adamant that action should be taken through legal action in the Magistrate's Court and is prepared to attend as the Council witness.

Councillor Mrs Beattie stated that it was important to follow this complaint through to gain the support of the public in relation to matters of this nature.

RESOLVED:- That, the Council be recommended to approve the instigation of legal action against the aforementioned person under the Litter (NI) Order 1994 for the detected littering offence.

SUPPLEMENTARY REPORT OF THE ENVIRONMENTAL HEALTH MANAGER

T&ESC/2008/263 : CLIMATE CHANGE

The Acting Environmental Health Manager referred to a new duty placed on Council under the umbrella of Sustainable Development, namely Climate Change and Energy.

He reported that he had received correspondence from NILGA asking the Council to sign up "in principle" to a Climate Change Declaration for Northern Ireland. It is intended that the Declaration will be a useful tool for District Councils working for a sustainable future, and he referred Members to the copy of the declaration attached to his report.

RESOLVED:- That, the Council be recommended to approve the signing of the Declaration as a commitment to delivering sustainable development.

**T&ESC/2008/264 : THE DANGEROUS DOGS (NI) ORDER 1991 –
CASTLEREAGH BOROUGH COUNCIL –v- MR JONATHON HAMILTON**

The Acting Environmental Health Manager referred Members to a case in which the Council, accompanied by the PSNI, had seized a dog from a house in Carryduff under the above Order believing the dog to be a Pit Bull Terrier type.

Legal action was approved to be instigated against the owner. However this was no longer necessary as the owner had accepted that the dog involved was a Pit Bull Terrier and handed it over to the Council officially where it had since been humanely destroyed.

Noted.

**T&ESC/2008/265 : THE DANGEROUS DOGS (NI) ORDER 1991 -
CASTLEREAGH BOROUGH COUNCIL –v- MR GARY ROBINSON**

The Acting Environmental Health Manager informed Members that on 8 October 2007, a dog was impounded by the Council for straying in Orby Close. The dog was suspected as being a Pit Bull Terrier and the owner was advised that the dog could therefore not be returned to him, under the Dangerous Dogs (NI) Order 1991.

The owner contested the Council's opinion in Court, but he was found guilty of possession of a Pit Bull Terrier by the Magistrates Court, which was successfully upheld by the Court of Appeal. The owner has since pleaded guilty on 30th May 2008 and fined £100.00, whilst being ordered to pay £200.00 costs to the Council. Furthermore, the Magistrate ordered that the dog be humanely destroyed.

Noted.

REPORT FROM THE CLIENT MANAGER

T&ESC/2008/266 : TONNAGES DEPOSITED AT LANDFILL

The Client Manager reported that 1630.2 tonnes were sent to Landfill in April 2008 ,which was a decrease of 111.1 tonnes over the same period last year (April 2007). Although the figures for May were not yet available, it was his

understanding that there would be a reduction of approx 80 tonnes in comparison to May 2007 figures.

Noted.

T&ESC/2008/267 : CARRYDUFF HYDRAULIC SCHEMES PROPOSALS – CONSULTATION WITH COUNCIL/LOCAL REPRESENTATION

The Client Manager referred Members to correspondence received from Atkins Ltd, Consultants to Northern Ireland Water for the above scheme.

He advised that the Consultants were requesting assistance in communicating with and notifying the local representatives for the Carryduff area. He indicated that he had already forwarded a copy of this letter to each of the Members for Castlereagh South and Castlereagh West for their information.

Noted.

T&ESC/2008/268 : FUEL PRICES

The Client Manager referred to the significant increase in fuel prices over the past few months and detailed the prices per litre that had been paid in May 2008, compared to the prices per litre for the same period last year.

He outlined that the available budget assigned for this financial year had included a fuel reserve budget, totalling a budget of £275,430.00, but that unless diesel prices started to fall, it would appear that the budget value, including the reserve for fuel, would be exceeded.

The Client Manager advised that the Council were looking at ways to reduce usage and Officers were actively pursuing a number of measures to ensure the most efficient use of vehicles, as well as the training of drivers. Furthermore, he commented that Officers were now purchasing more energy efficient vehicles.

Noted.

T&ESC/2008/269 : CARRYDUFF COLTS FOOTBALL CLUB

The Client Manager referred to a letter addressed to the Chief Executive from Mr. Eamonn Deaney, Chairman of Carryduff Colts Football Club advising that whilst they had significant membership, they were having difficulty in accessing sufficient suitable facilities within the Carryduff area.

Councillor Walker asked that Officers liaise with Belfast City Council prior to the meeting to ascertain their experience in relation to pitch sharing and leasing arrangements.

Following discussion, it was

RESOLVED:- That, representatives from Carryduff Colts Football Club be invited to make a presentation at the September Technical and Environmental Services Committee members to outline their activities, plans and objectives to explore how they can work together with the Council to bring a 3G approach to Loughmoss.

T&ESC/2008/270 : M.U.G.A TYPE FACILITY REQUEST FOR LONGSTONE, BALLYBEEN

The Client Manager reported that he had attended a meeting, at the request of Councillor Robinson, at Longstone, Ballybeen. The meeting was attended by local residents, the Housing Executive, Officers from Castlereagh Borough Council along with Councillor Robinson to discuss a request from local residents that an M.U.G.A. type facility be provided in the area.

He informed Members that the ground was currently owned by the Northern Ireland Housing Executive.

Councillor Beattie asked that Officers contact the Council's Grants Officer to ascertain if there would be any grant funding that could be accessed for this project.

Noted.

T&ESC/2008/271 : REQUEST FOR PLAYGROUND, CLONDUFF - PETITION

The Client Manager stated that he had recently received a petition, believed to be a request for a playground in the Clonduff area. The petition contained approximately 400 signatures from both the Clonduff area and the greater community such as Orby Drive and Kensington Park.

He advised that he had made contact with the individual who had submitted the petition , who confirmed that it was a petition in support of a children's playground.

Alderman Norris referred to the lack of facilities in the Clonduff area and asked that he and Councillor Walker be involved in any communications with the petition writer.

Following discussion, it was

RESOLVED:- That, the Client Manager be instructed to write to the petitioner commenting that this matter had been tabled at the June Technical & Environmental Services Committee meeting and inviting him to speak to Elected Representatives from Castlereagh Central.

T&ESC/2008/272 : LAND AT EAST LINK

The Client Manager referred to land at East Link and stated that Councillor Robinson had raised the matter of vesting this ground at the May Council Meeting. He advised that the Council's Solicitor had requested that Officers submit some sort of rationale to vest this land as a playground.

Following a suggestion from Councillor Beattie, it was

RESOLVED:- That, consideration of this matter be deferred to enable Councillor Beattie to liaise with Councillor Robinson.

T&ESC/2008/273 : LAND BESIDE GARAGE AT MILLTOWN

Councillor Beattie referred to the portion of land beside the garage at Milltown.

The Client Manager stated that he had been approached by Community Services staff about this matter and ascertained that it was not owned by the Council, but perhaps the NI Housing Executive or the adjacent petrol filling station owners. He went on to add that a suggestion had been put forward that this land could be used as a potential site for a playground.

Noted.

T&ESC/2008/274 : LAND VACANT AT LADAS DRIVE

Alderman Norris referred to the portion of land which was lying vacant at Ladas Drive and had been used as a kickaround pitch in the past.

Councillor Beattie commented that it was his understanding that Castlereagh College were eventually hoping to house enterprise units on this land. However,

Alderman Norris again reiterated that this large area of land was lying idle and could therefore be utilised in the interim.

Noted.

T&ESC/2008/275 : CEMETERY SITE SELECTION

The Client Manager reported that he had been instructed to bring back a list of criteria that could be used to assess sites being offered to the Council following Public Advertisement, and he suggested the following criteria:

- 1) Must be within Castlereagh Borough Council area
- 2) Approximately 10 acres (4 hectares)
- 3) Suitable topography
- 4) Appropriate Access
- 5) No restricting Planning designations are in place

Following this set of criteria being used to assess sites, he suggested that a second tier is also used:

- a) Willingness of site owner to enter into a contract, guaranteeing sale to Castlereagh Borough Council at a pre agreed price provided planning and technical criteria are fulfilled.
- b) An agreement on price
- c) Technical suitability
- d) Planning permission being obtained

He went on to state that the price of the land would have to be agreed through the Valuation & Lands Agency.

The Director of Technical & Environmental Services enquired if there were any additions or omissions that Members wished to make.

The Client Manager also indicated that the Council had been offered , through an estate agent , a portion of land close to Roselawn for cemetery use, however the Council was not in a position to enter into a quick arrangement , as the owner of the land wished to proceed with the sale as soon as possible.

He added that he had replied to the Estate Agency indicating that the Council would be advertising for suitable land inviting expressions of interest ..

RESOLVED:- That, the Council be recommended to approve the above criteria as outlined above.

T&ESC/2008/276 : ARC 21 ASSETS BORROWING POLICY

The Client Manager referred to the proposed assets borrowing policy which had been passed through the Arc 21 Finance Sub Committee and approved by Arc 21 Joint Committee. The Director of Finance will be taking it through the Finance and General Purposes Committee for their approval also.

RESOLVED:- That, the Assets Borrowing Policy is approved for use by Arc 21, subject also to the approval of the Finance and General Purposes Committee.

T&ESC/2008/277 : ENERGY REPORT

The Client Manager drew Members' attention to the Annual Energy Report for Council premises which was now available from the Technical and Environmental Services Department and covered the following items:

- 1) Total electricity consumption for the whole Council
- 2) Total electricity consumption charge for whole Council
- 3) Total associated electrical CO2 emissions for whole Council
- 4) Total climate change levy for whole Council
- 5) Total fossil fuel consumption for whole Council
- 6) Total fossil fuel consumption charge for whole Council
- 7) Total associated fossil fuel CO2 emissions for whole Council together with figures for individual buildings.

He went on to state that mixed fuels and electricity only reports are also included showing energy consumption breakdown, energy costs breakdown, fossil fuel consumption versus degree days, electricity versus degree days, fossil fuel regression analysis and electricity regression analysis.

RESOLVED:- That, Members contact the Client Manager if they require any further information on this matter.

T&ESC/2008/278 : NORTHERN IRELAND LANDFILL ALLOWANCE SCHEME REVIEW

The Client Manager informed Members that a report from the Department covering a review of the Northern Ireland Landfill allowance scheme had been received.

He advised that the reviews terms of reference were to review:

- Published Guidance
- The Reporting of Waste Information
- The Implementation Group
- The issue of allowance trading
- Defra LATS Review
- The review of Public Administration in Northern Ireland
- Waste Compositional Study

The report describes the engagement process, provides a summary, and recommendations.

Noted.

T&ESC/2008/279 : TRADING OF LANDFILL ALLOWANCES

The Client Manager recalled that there was no facility for the trading of landfill allowances in Northern Ireland. The previously mentioned report recommends that these existing arrangements remain unchanged and that internal trading of landfill allowances should not be introduced to Northern Ireland. The report also recommended that the Department should consider bringing forward amending regulations, following the first target due of the scheme, to introduce trading between Northern Ireland and other regions within the U.K. The Department should also consider introducing banking as part of these amended regulations.

RESOLVED:- That,

- (a) It is recommended that the Council agree that the existing arrangements concerning the transfer of landfill allowances should remain unchanged.
- (b) Internal trading of landfill allowances within Northern Ireland should not be introduced.
- (c) The Department should consider bringing forward amending regulations, following the first target due of the scheme, to introduce trading within Northern Ireland and other regions of the U.K. Members should also consider the position of banking as part of these amending regulations.

T&ESC/2008/280 : CLEAN NEIGHBOURHOODS AGENDA

The Client Manager advised that the Council had delegated authority for the Technical and Environmental Committee to make a response to this consultation, at its meeting held on Thursday 22nd May 2008.

He referred to the covering letter, consultation brief and response document attached to his report.

He went on to report that Members may recall that the Minister is seeking Council's views as to whether they wish to progress the full Clean Neighbourhoods Agenda, which would take some time, or whether Council's would prefer her to progress three individual items more quickly.

Following discussion, it was

RESOLVED:- that, the Council be recommended to respond requesting that the Council wishes the Minister to progress the following three items from the full Clean Neighbourhoods Agenda in order that it be progressed more quickly, namely:-

- 1 Litter (to include plastic bags)
- 2 Graffiti and Fly-posting
- 3 Dogs; dog byelaws; dog fouling

T&ESC/2008/281 : ARENA SURVEY 2008

The Client Manager reiterated that Arena Network carries out an environmental survey each year. The survey results rate organizations according to environmental performance and the results are advertised and promulgated in the local press.

He advised that this year, the survey questionnaire had grown to over thirty pages long with some of the individual questions requiring time to collate, gather and present information. Whilst he felt that the survey would be of use and benefit, he indicated that the time spent completing it would take Officers away from other tasks, which were currently more essential and he therefore reported that his intention was not to complete this annual survey.

Members concurred with the Client Manager's comments and following discussion, it was

RESOLVED:- That, the Council be recommended to instruct the Client Manager to respond to Arena Network indicating that Castlreagh Borough Council had participated in this environmental survey in the past. However, that the response highlights that because of the lengthy nature of the document, and the time

implications for Officers completing the survey, the Council will be unable to complete the 2008 survey .

T&ESC/2008/282 : GRAFFITI AND FLY-POSTING

The Client Manager advised Members that he had received correspondence from a Cregagh Road resident who had expressed concern about graffiti and fly-posting in the area.

He advised that he sought permission to write to the offenders requesting that if the posters are not removed, the Council will arrange for their removal and will issue Court proceedings to recover costs.

RESOLVED:- That, the Council be recommended to instruct the Client Manager to write to the offenders of fly-posting asking that they arrange for their removal, failing which the Council will organise their removal and will issue Court proceedings to recover the costs.

T&ESC/2008/283 : MEMBERSHIP OF SUB-COMMITTEE TO DISCUSS THE DEVELOPMENT OF SYNTHETIC PITCHES

Following consideration, it was

RESOLVED:- That, further consideration of the membership of this Sub-Committee to discuss the development of synthetic pitches to incorporate representatives from the Technical & Environmental Services and Leisure Services Committees, will be deferred until after the Annual General Meeting.

T&ESC/2008/284 : PLANNING APPLICATION – CEMETARY AT GREENGRAVES ROAD

The Client Manager advised that this planning application had now been withdrawn.

Noted.

REPORT FROM THE DIRECTOR OF TECHNICAL & ENVIRONMENTAL SERVICES

T&ESC/2008/285 : REPORTS AVAILABLE

The Director advised Members that the following information was available for their attention.

- Enviro Lines. Issue 5. April 2008. White Young Green
- Cl:AIRE Technical Bulletin. TB3. April 2008.
- CL:AIRE. TDP Bulletin.TB26. April 2008
- CL:AIRE, SUBR:IM BULLETIN. SUBIO. April 2008
- Our Environment, Our Heritage, Our Future. State of the Environment Report for Northern Ireland. EHS. March 2008.
- Sixth Annual Sustainable Development in Government Report. Summary 2007. Issued by the Sustainable Development Commission.
- Conservation Planner, Spring 2008. Issue 20. RSPB.
- Sustrans, Annual Review 2007.

Noted.

T&ESC/2008/286 : ARC 21 JOINT COMMITTEE MEETING OF 24 APRIL 2008

The Director referred to the draft minutes of the Joint Committee Meeting held on Thursday 24th April 2008 at the Council Offices, Ballymena hosted by Ballymena Borough Council. These draft minutes were anticipated to be ratified at the next meeting of the Joint Committee to be held on Thursday 29th May 2008.

He outlined some of the business that had been addressed at the last meeting, namely:-

- Contracts Update
- Residual Waste Project
- Modal Policy on Enforcement of Contaminated Bins
- Education Vehicle
- General 3R's Marketing – Media Strategy.
- Centra of Procurement Excellence (COPE)
- Consultation: Part J of the Building Regulations.
- A.O.B

Members' attention was then drawn to the need to peruse the contents of the above draft minutes and acquaint themselves with the current waste management issues under consideration.

Noted.

T&ESC/2008/287 : ARC21 JOINT COMMITTEE MEETING OF 29th MAY 2008

Members were informed that the next meeting of the Arc 21 Joint Committee will be held on Thursday 29th May 2008 at the offices of Newtownabbey Borough Council.

The Director indicated that he had included a copy of the Members Bulletin for that meeting within his report. This bulletin provides Members with notice of the business to be conducted and summary details of that business.

Noted.

T&ESC/2008/288 : WASTE MANAGEMENT WORKING GROUP MEETING HELD ON TUESDAY 13TH MAY 2008

The Director of Technical & Environmental Services asked Members to consider the Minutes of the Waste Management Working Group meeting held on 13th May 2008 for adoption.

He indicated that a number of matters were addressed at the meeting, including the following:

- Tonnages deposited at landfill
- Treatment and disposal of Street Sweeping Residues
- Bryson Recycling Kerbie Box Service –Inclusion of card/cardboard.
- Temporary removal of Green Skip at Cregagh Road Household Recycling Centre
- Annual Tenders – 2008/09 – Collection and Removal of Compostable Garden Waste from Council Household Recycling Centre, Comber Road, Carryduff to composting facility in the Belfast area
- Commencement of Article 10 of the Waste (Amendment) (Northern Ireland) Order 2007.
- Arc 21 Enforcement Policy – Separation and Presentation of Waste Materials in the Proper Receptacles for Collection

- Recycling of Commercial Cardboard at Council Household Recycling Centre
- Any Other Business

RESOLVED:- That the minutes of the Council's Waste Management Working Group Meeting held on Tuesday 13th May 2008, be adopted as a true and accurate record of the Meeting.

T&ESC/2008/289 : STAFFING MATTERS

As there was no further business, the meeting concluded at 9.40 p.m.

CHAIRMAN

CHIEF EXECUTIVE

Adopted by the Council this _____ day of
_____ 2008 with the exception of

Minute Nos. _____

MAYOR