

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 Tuesday 4 November 2008 at 6.00 p.m.

- PRESENT:** Councillor G Robinson
(Chairman)
- ALDERMEN:** J Norris MBE
J White
- COUNCILLORS:** Mrs A M Beattie (from 6.05 p.m.)
J Beattie (from 6.05 p.m.)
D Drysdale
Mrs S Duncan
B Hanvey
T Jeffers
L Walker
- IN ATTENDANCE:** Director of Technical & Environmental Services,
Client Manager, Building Control Manager, Acting
Environmental Health Manager, Operational
Services Manager and Assistant Members'
Services Officer
- APOLOGIES:** An apology was recorded on behalf of Alderman
Rice

REPORT FROM THE BUILDING CONTROL MANAGER (copy previously circulated)

T&ESC/2008/433 : SCHEDULE OF APPLICATIONS

The Building Control Manager referred Members to a schedule of applications approved by the Building Control Service for the period 1 September 2008 to 30 September 2008.

Noted.

T&ESC/2008/434 : 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.

Noted.

T&ES/2008/435 : PERFORMANCE INDICATORS – FULL PLAN APPLICATIONS FOR JULY 2008 TO SEPTEMBER 2008

The Building Control Manager referred to the Business Plan 2008/2009 for the Building Control Service which set the performance indicators which had taken account of Council objectives and customers' views. Actual performance figures for July, August and September 2008 were provided.

Noted.

T&ESC/2008/436 : SURVEYING OF VACANT PROPERTIES WITHIN THE BOROUGH

The Building Control Manager advised Members that the Vacant Property Surveys had commenced on Saturday 27 September 2008 and had been completed on 22 October 2008. He added that this involved a total of 1,288 domestic and 196 non domestic properties.

He also advised that the Council's Finance Department had been provided with all the relevant information in order for an invoice to be forwarded to the Department of Finance & Personnel by way of re-imbusement of costs incurred in completing this extensive survey programme.

On behalf of the Committee, Councillor Robinson congratulated the Officers involved for carrying out this task so quickly.

Noted.

T&ESC/2008/437 : 2008/2009 BUDGET

The Building Control Manager outlined that, in line with the downturn in building and construction activity generally, fee income generated from Property Certificate fees was currently less than that allowed for. He detailed in his report for Members' information the total budget for periods 1 to 6 and the shortfall in income achieved, together with the expected shortfall at the end of the 2008/2009 financial year.

He outlined that these reductions could be attributed to the 80% reduction in domestic house sales within the Borough. He added that all indications suggested that this situation may continue to be the case for the next six periods at least. He indicated that it may therefore be prudent to consider revising downward, the projected income stream from these sources for the remainder of the financial year.

He also noted that this might well have implications for the 2009/10 financial estimates.

Noted.

T&ESC/2008/438 : BUILDING CONTROL SERVICE UNIT WORK LOAD

The Building Control Manager referred to the previous item and outlined that most Building Control Service Units were revising downward their projected overall income streams. He added that it should, however, be noted that this Service had maintained fee income projections to date and there remained a significant workload to be addressed in the short to medium term. He outlined that South Eastern Group Building Control Performance Indicators 2007/2008 had shown that Castlereagh Borough Council's Building Control Service continued to perform well in comparison to comparable Councils within the South Eastern Group.

He continued by stating that it may, however, be prudent to plan for a possible reduction in workload and consequently fee income. He indicated that, with this in mind, he had considered a number of internal and external fee/income generating mechanisms.

Councillors Mrs and J Beattie arrived at 6.05 p.m.

The Building Control Manager reported that he had met with the Client Manager to determine if there were tasks that the Building Control Service could assist with and three main areas that show promise in this regard were as follows:

1. DDA Works
2. Energy Management
3. Assets Register

Following discussion, it was

RESOLVED : That, in order to deal with any potential for a reduction in the workload within the Building Control Service as a result of the downturn in house sales that, the Building Control Manager liaise further with the Client Manager in an effort to explore tasks that Officers within the Building Control Service could assist with, and report back.

T&ESC/2008/439 : SOUTH EASTERN GROUP BUILDING CONTROL PERFORMANCE INDICATORS 2007/2008.

The Building Control Manager attached to his report a copy of the South Eastern Group Building Control Performance Indicators for 2007/2008.

Councillors White and Robinson commented on how well Castlereagh Borough Council was performing in comparison to some of the other Councils within the Group.

Noted.

At the Council meeting held on 27 November 2008, Minute No. T&ESC/2008/440 was referred back to the Committee for further consideration.

T&ESC/2008/440 : STREET NAMING AT DUNLADY ROAD, DUNDONALD.

The Building Control Manager advised Members that McAlister Holdings Ltd had proposed three possible street names for 164 dwellings, townhouses and apartments, on a site at Dunlady Road, Dundonald.

He reported that McAlister Holdings Ltd's preferred name for the new development was 'St. Elizabeth's Gate', with the second preference 'Canberra Quarter' and the third 'Dunlady Reach'.

The Building Control Manager outlined that the requests all met with the requirements of the Council's Street Naming Policy, in that, the name 'St. Elizabeth's' 'Canberra' and 'Dunlady' were all in use in the area.

Councillor Jeffers proposed the street name 'Dunlady Reach' as he felt that out of the three options, it reflected more appropriately the site's location and surrounding area.

Councillor Drysdale seconded the proposal.

Councillor White stated that a sign had already been erected bearing the name 'St. Elizabeth's Gate'.

Councillor Robinson outlined that this was quite a large structure and he sought clarification as to whether planning permission had been obtained.

The Building Control Manager indicated that he would investigate the matter.

RESOLVED : That the Council be recommended to agree that the street name of 'Dunlady Reach' be allocated to the 164 Dwellings, Townhouses and Apartments on a site at Dunlady Road, Dundonald.

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

**T&ESC/2008/441 : UPDATE ON PUBLIC RIGHT OF WAY – BETWEEN
GILNAHIRK ROAD AND GILNAHIRK AVENUE**

The Operational Services Manager outlined that, following the public meeting held on Monday 22 September 2008, a deadline of 14 October 2008 had been agreed for all submissions from the local residents with regard to a suitable alternative to the two diversion options received from the developer. He added that details of the public submissions had been made available to Members at the October meeting of Council.

He outlined that Officers had since requested a final submission from the developer's architect to address the issues raised as a result of the public consultation period. He referred Members to a copy of the amended drawings which had been received from the developer on 16 October 2008.

The Operational Services Manager advised Members that, by way of preliminary consultation, opinion had been sought from the Northern Ireland Environment Agency (NIEA) and the Council's Solicitor to confirm that the application satisfied Council's legal obligations. He added that a response had been received from NIEA which he attached to his report for Members' information.

He then circulated a supplementary report together with a response from the Council's solicitor. He recommended that the Council form an agreement with the developer, as per 4(a) and (b) of Article 15 of the Access to the Countryside (NI) Order 1983, a copy of which he had attached to his supplementary report.

The Operational Services Manager pointed out that the aforementioned agreement would only be implemented in the event that Council confirmed the diversion application under Article 15 of the Order.

He asked Members to note that prior to public consultation of a minimum of 28 days, statutory undertakers, i.e. bodies to be consulted prior to making a public path order, would be advised of the above application. He referred Members to a list of the statutory undertakers and advised that all parties had 21 days in which to make their submissions.

Councillor Robinson emphasised the importance of progressing this matter as quickly as possible in order for the path to be re-opened to residents.

Councillor White proposed that Officers be authorised to carry out consultation with statutory undertakers and that approval be granted for the Council's solicitor to draft an agreement between the Council and the developer for the implementation of the proposed diversion between Gilnahirk Avenue and Gilnahirk Road.

The proposal was seconded by Councillor Jeffers.

The Director of Technical & Environmental Services reminded Members that, at its meeting of 23 October 2008, the Council had granted the Committee executive powers in order to progress the matter of consultation as quickly as possible.

Following discussion, it was

RESOLVED : That, in relation to the Public Right of Way between Gilnahirk Road and Gilnahirk Avenue, the Council be recommended to agree that

- (a) Officers be authorised to carry out consultation with statutory undertakers, i.e. bodies to be consulted prior to making a public path order
- (b) approval be granted for the Council's solicitor to draft an agreement between the Council and the developer for the implementation of the proposed diversion between Gilnahirk Avenue and Gilnahirk Road.

T&ES/2008/442 : COMBER GREENWAY WORKING GROUP

The Operational Services Manager advised Members that the opening of the Comber Greenway was scheduled for the 6 November 2008 at the Billy Neill Soccer Centre of Excellence commencing at 10.00 am.

Noted.

T&ESC/2008/443 : REQUEST FROM TIDY NORTHERN IRELAND

The Operational Services Manager referred Members to a copy of correspondence from Tidy Northern Ireland offering a range of Borough surveys. He asked if Members wished to consider participating in the Tidy Northern Ireland surveys. Members noted the correspondence.

Noted.

T&ESC/2008/444 : VISIT BY FIRST MINISTER

Councillor Jeffers referred to the recent visit by the First Minister to Dundonald Credit Union and he expressed his appreciation to the Operational Services Manager and his staff for their hard work in tidying up of the village, prior to the ministerial visit.

Noted.

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

**T&ESC/2008/445 : STATUTORY NOTICES – PUBLIC HEALTH (IRELAND)
ACTS 1878 TO 1907 :**

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

Noted.

**T&ESC/2008/446 : REPORT FROM THE CHARTERED INSTITUTE OF
ENVIRONMENTAL HEALTH – “GOOD HOUSING LEADS TO GOOD
HEALTH”**

The Acting Environmental Health Manager advised that the above report acted as a tool kit for Environmental Health Officers and had been designed to revise standards of public health.

He outlined that a copy of the report was available in the Environmental Health Service Unit, should Members wish to peruse its contents.

Noted.

T&ESC/2008/447 : BRIEFING PAPER – “HEALTHY LIVING CENTRES – A MODEL FOR THE DELIVERY OF NEIGHBOURHOOD HEALTH”

The Acting Environmental Health Manager advised Members that the above briefing paper provided information on how Healthy Living Centres delivered their work in implementing health policy at local level and what they delivered in terms of services.

He indicated that a copy of the Briefing Paper was available in the Environmental Health Service Unit, should Members wish to peruse its content.

Noted.

T&ESC/2008/448 : CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES

The Acting Environmental Health Manager referred Members to the rolling table of offences for drinking in designated areas.

Councillor Jeffers sought clarification as to whether the Council was dealing with contraventions, or whether the PSNI was dealing with them through the Youth Diversion Scheme.

The Acting Environmental Health Manager confirmed that legal opinion had been obtained, and as it was a Council Bye Law, the Council could progress contraventions while the police also progressed them through the Youth Diversion Scheme.

Following a query from Alderman White, the Acting Environmental Health Manager advised Members that two contraventions had been progressed during the week for offences which had occurred in July 2008. He added that the delay was due to the fact that the witness statements had just recently been received from the PSNI.

Councillor Robinson proposed that the Officer writes to the PSNI reminding them of the criteria set down, and highlighting that if the police did not provide the Council with the relevant information in time, the Council could not progress the necessary action as they would be statute barred. He suggested that the Officer make reference in the letter to the two particular incidents as

detailed by the Acting Environmental Health Manager in respect of the witness statements.

He asked that he be furnished with a copy of the correspondence.

Councillor Drysdale seconded the proposal.

RESOLVED : That the Acting Environmental Health Manager writes to the PSNI in relation to consumption of intoxicating liquor in designated places, outlining concerns at the delay in the Council being able to progress contraventions due to the late arrival of the relevant information from the PSNI. The letter to highlight the incidents of such delays as outlined by the Acting Environmental Health Manager in relation to witness statements.

T&ESC/2008/449 : THE CINEMAS (NORTHERN IRELAND) ORDER 1991

1. Proposed Cinema Licence Fees

The Acting Environmental Health Manager outlined that, as Members would be aware, a multi-screen cinema complex was currently under construction in the Dundonald area and at a later stage this would require the granting of a Cinema Licence under the above legislation.

He outlined that this was the first such premise in the Borough to require a licence and as the Licensing Authority, the Council needed to agree the application fee.

He continued by stating that the legislation indicated that fees should be paid in respect of the grant, renewal or transfer of a licence as may be fixed by the district council and not exceeding:

- (a) in the case of a grant or renewal of a licence for one year £600
- (b) in the case of a grant or renewal of a licence for any less period £200 for each month for which the licence is granted or renewed but so that the aggregate of the fees payable in any year does not exceed £600
- (c) in the case of a transfer of a licence £120

The Acting Environmental Health Manager advised that the Council needed to adopt a formal fee structure, in line with the above legislation. He referred Members to his report detailing various suggested fees to be applied within the Castlereagh Borough Council area, as follows:

- Grant/Renewal of a Cinema Licence for one year – suggested fee £150.00 per screen
- Grant/Renewal of a Cinema Licence for a period of less than one year - suggested fee £50 per month per screen

- Transfer of a Cinema Licence - suggested fee £120

(2) Proposed Cinematographic Licence Terms and Conditions

The Acting Environmental Health Manager outlined that the provisions regarding public safety in cinemas was legislated for through regulations known as the Cinematographic (Safety) Regulations (NI) 1965. He referred Members to his report and he sought approval of the relevant terms and conditions contained therein.

Following discussion, it was

RESOLVED : That the Council be recommended to

- (a) approve the fees for the licensing of cinemas to be applied within the Borough of Castlereagh, as follows:
 - (i) Grant/Renewal of a Cinema Licence for one year – fee £150.00 per screen
 - (ii) Grant/Renewal of a Cinema Licence for a period of less than one year - fee £50 per month per screen
 - (iii) Transfer of a Cinema Licence - fee £120
- (b) approve the Terms and Conditions for the licensing of cinemas to be applied within the Borough of Castlereagh

T&ESC/2008/450 : PETROLEUM CONSOLIDATION ACT (NI) 1929 - RENEWAL OF PETROLEUM LICENCES

The Acting Environmental Health Manager advised Members of various applications that had been received for the renewal of licences to store petroleum within the Borough.

Noted.

T&ESC/2008/451 : THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) NI ORDER 1985 - ARTICLE 3 – LICENSING OF PLACES OF ENTERTAINMENT – TRANSFER OF A LICENCE

The Acting Environmental Health Manager advised Members of the details of an application to transfer the Entertainment Licence in respect of the Auld House, 27 Church Road Moneyreagh. He added that all required safety certification was still in place from the previous grant of licence and new public liability insurance cover was also in place. He indicated that a public notice had been placed and consultations were taking place with the PSNI, as required by the legislation.

Following discussion, it was

RESOLVED : That the Council be recommended to approve the transfer of an Entertainments Licence in respect of the Auld House, 27 Church Road, Moneyreagh, subject to the publication of the public notice and there being no objections from the PSNI.

T&ESC/2008/452 : THE DOGS (NI) ORDER 1983 - DOGS KEPT WITHOUT A VALID LICENCE

The Acting Environmental Health Manager outlined that the under-mentioned persons were keeping dogs without valid licences in contravention of the above legislation. Fixed Penalty Notices were issued for the offences and these were subsequently returned unpaid by the Clerk of Petty Sessions Office.

Following discussion, it was

RESOLVED : That, in line with the Dogs (NI) Order 1983 - Dogs Kept without a Valid Licence, the Council be recommended to agree that legal proceedings be instigated in respect of the following for non-payment of Fixed Penalty Notices:

- Fixed Penalty Notice No. 1233 – Lady from Dundonald area.
- Fixed Penalty Notice No. 1235 and 1236 – Man from Belvoir area.
- Fixed Penalty Notice No. 1237 and 1238 – Man from Dundonald area.

T&ESC/2008/453 : THE DANGEROUS DOGS (NI) ORDER 1991

The Acting Environmental Health Manager referred to an incident on 28 July 2008 when a Pit Bull Terrier type dog was seized from a house in the Windermere area. He added that it had been agreed at the Technical & Environmental Services Committee held on 5 August 2008 to instigate legal action under the Dangerous Dogs (NI) Order 1991 against the owner who was contesting the breed of the dog.

He reported that, on advice from his own legal representative, the dog owner had now accepted the opinion of the Council's veterinary expert as regards the breed of the dog and he had now formally signed it over to the Council and the dog had been humanely destroyed. He added that it therefore obviated the requirement to instigate legal action in this matter thus saving the Council a considerable amount of time and legal expense.

Councillor Hanvey expressed the view that it was important for Council Officers to continue to recognise these type of dangerous dogs, and where appropriate, rigorously enforce the legislation.

Noted.

T&ESC/2008/454 : LITTER (NI) ORDER 1994 - LITTERING FROM A VEHICLE

The Acting Environmental Health Manager advised Members of the details of an incident which occurred on 28 August 2008 where an enforcement officer had witnessed the male driver of a car throwing a cigarette end from the vehicle, contrary to the above legislation. He reported that, having traced the driver through the Driver and Vehicle Agency who admitted to the offence, a Fixed Penalty Notice had been issued. He added that the offender had, however, failed to take this opportunity to settle the matter out of court and the Notice remained unpaid.

Following discussion, it was

RESOLVED : That the Council be recommended to agree that legal action be instigated against the individual who had been witnessed throwing a cigarette from his car, as outlined in the Acting Environmental Officer's report.

T&ESC/2008/455 : STAFF TRAINING - ADVANCED DIPLOMA IN HEALTH PROMOTION

The Acting Environmental Health Manager advised Members that the Committee had previously granted approval for an officer within the Environmental Health Service Unit to undertake the above qualification. He reported that the Institute facilitating the Diploma had withdrawn the course due to lack of interest.

Noted.

SUPPLEMENTARY REPORT FROM THE ACTING ENVIRONMENTAL HEALTH MANAGER (copy circulated at the meeting)

T&ESC/2008/456 : THE LITTER (NI) ORDER 1994

The Acting Environmental Health Manager referred to his report detailing three incidents whereby cigarette ends had been thrown from vehicles. He advised that one of these incidents had now been resolved.

He reported on the other two incidents, one that occurred on 18 September 2008 at the Ballyhanwood Road and the other on 3 October 2008 on the Saintfield Road. He explained the circumstances surrounding each of the incidents and advised that the registered keeper of each vehicle had been traced through the Driver and Vehicle Agency.

The Acting Environmental Health Manager reported that the owners of the vehicles had been written to and the individual involved in the first incident had initially replied giving a vague unsatisfactory response. He indicated that Officers had written again to the individual requesting further information and the letter also reminded the owner of the vehicle that failure to provide the details was an offence which could result in legal action being instigated. He outlined that no further information had been received from the registered keeper of the vehicle.

With regard to the second incident, the Acting Environmental Health Manager reported that the registered keeper of the vehicle had provided vague information but failed to say who was driving at the time because it was a company vehicle. He reported that the Council's legal representative had advised that such a vague response was not acceptable and that the keeper had a duty to inform the Council of details of the driver. The registered keeper was written to again and asked to provide additional information, but to date there had been no response from him.

The Acting Environmental Health Manager recommended that Members approve the instigation of legal action against the registered keepers of the two vehicles for failure to provide information as required under Article 20 of the Litter (NI) Order 1994.

Following discussion, it was

RESOLVED : That the Council be recommended to grant approval to instigate legal action against the registered keepers of two vehicles for failure to provide information, as required under Article 20 of the Litter (NI) Order 1994, in respect of the throwing of cigarette ends from vehicles in relation to the following two incidents:

- (i) 18 September 2008 at the Ballyhanwood Road
- (ii) 3 October 2008 at the Saintfield Road

T&ESC/2008/457 : CONSULTATION ON THE DETERMINATION OF FEES FOR ENTERTAINMENT LICENCES

The Acting Environmental Health Manager advised Members that the above consultation exercise was in relation to the determination of fees to accompany applications to district councils for grant, renewal, transfer or variation of entertainments licences. He added that the last time the Department of the Environment had determined the fees was back in October 1995.

Following consideration of the detail within the Officer's report, it was

RESOLVED : That the Council be recommended to approve the proposed determination of fees for entertainments licences, as outlined in the consultation document from the Department of the Environment.

T&ESC/2008/458 : CORRESPONDENCE FROM DARD RE: MEMORANDUM OF UNDERSTANDING ON THE ENFORCEMENT OF THE DOGS LEGISLATION

The Acting Environmental Health Manager outlined that at the October Council meeting, the above correspondence had been referred to the Committees for consideration. He indicated that, given the details contained within the Memorandum of Understanding, it may be beneficial for the

Borough Inspector, Acting Environmental Health Manager and the Chairman of the Committee to meet to discuss the implications of this correspondence.

He added that a further report would be tabled in December to allow the Committee to approve or amend any outcomes from this meeting.

Following discussion, it was agreed that Alderman White should also attend the meeting.

RESOLVED : That the Borough Inspector, Acting Environmental Health Manager, Councillor Robinson and Alderman White meet to consider the correspondence from DARD in relation to the Memorandum of Understanding on the Enforcement of the Dogs Legislation. The matter to be considered further at the December Committee meeting.

**T&ESC/2008/459 : PETROLEUM CONSOLIDATION ACT (NI) 1929
RENEWAL OF A PETROLEUM LICENCE**

The Acting Environmental Health Manager outlined the details of an application received for the storing of petroleum at a service station within the Borough.

RESOLVED : That the Council be recommended to approve the renewal of a licence for the storing of petroleum at a service station at 758 Upper Newtownards Road, subject to receipt of all necessary documentation and compliance with the terms and conditions of the licence.

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

T&ESC/2008/460 : TONNAGES DEPOSITED AT LANDFILL

The Client Manager reported that during the month of September 1552.02 tonnes had been deposited at landfill compared to 1541.42 tonnes in September 2007. He asked Members to note that this was an increase (deterioration) of approximately 10.62 tonnes.

Noted.

**T&ESC/2008/461 : ILLEGAL WASTE ACTIVITY – CORRESPONDENCE
FROM THE DEPARTMENT OF THE ENVIRONMENT DATED 15 OCTOBER
2008**

The Client Manager attached to his report a copy of the above correspondence in relation to a consultation process that had taken place between NILGA representatives and the Department to consider a range of issues, including illegal waste disposal. He added that the Department had outlined its proposals at the meeting to provide District Councils with full investigation of enforcement powers and to provide the Department with

powers to clean up large scale deposits of illegal waste. He reported that the letter also referred to the possible introduction of the Flycapture database.

Noted.

T&ESC/2008/462 : ARC 21 – SUPPLEMENTAL AGREEMENT

The Client Manager outlined that preliminary consideration had been given to the above matter by the Joint Committee at its meeting on 31 July 2008. He added that it had subsequently been raised by the Director of Technical & Environmental Services in his report at the meeting of the Committee on Tuesday 2 September 2008.

He reported that the purpose of the Supplementary Agreement was to put more robust contractual arrangements in place for future major waste infrastructure contracts. He added that these arrangements would deal with both the internal relationships between Councils and Arc 21, and contractors funders.

The Client Manager outlined that the proposals had been prepared by Arc 21's legal advisers. He added that a copy of the report which had been approved by the Joint Committee was attached to his report, together with the final Supplemental Agreement

He recommended that the Committee approve the following:

1. Approves the final Supplemental Agreement.
2. Becomes a signatory to the final Supplemental Agreement.

Following discussion, it was

RESOLVED : That the Council be recommended to grant approval of the final Arc 21 Supplemental Agreement and that the Council become a signatory to the final Supplemental Agreement.

T&ESC/2008/463 : CONSTRUCTION SKILLS REGISTER

The Client Manager reported that Buildsafe-NI was a safety initiative for the construction industry which was organised under the auspices of the Construction Industry Forum and the Health and Safety Executive for Northern Ireland. He advised that the Construction Industry Forum was made up of representatives from government, the various sectors of the local industry and the trade unions. He indicated that each of the groups involved was developing an action plan aimed at improving safety and reducing accidents on construction sites.

He continued by stating that since December 2004 all visitors to public sector building sites, including architects and other constructional professionals were required to possess evidence of appropriate health and safety training. The CSR card was the most widely recognised and acceptable form of proof of

training. He explained that the training must be repeated and cards renewed every four years.

The Capital Projects Officer obviously had a requirement to visit construction sites and his card would expire at the end December 2008. He reported that an appropriate course had been sourced to update his training and this was being run on behalf of the Royal Society of Ulster Architects at a cost of £105.00 plus VAT. He advised Members that this was a one day course running from 8:30 a.m. until 5.00 p.m.

Following a query from Councillor Robinson, the Client Manager advised that the training would be required by those who had to visit sites whilst development was in progress.

Following discussion, it was

RESOLVED : That the Council be recommended to grant approval for the Capital Projects Officer to attend the one day training course to enable him to update his CRS card, at a cost of £105.00 plus VAT.

T&ESC/2008/464 : THE CHARTERED INSTITUTE OF WASTE MANAGEMENT (CIWM)

The Client Manager explained the aims and objectives of the above organisation. He reported that, upon successfully passing their entrance examinations and interviews, the Waste Management & Environment Officer and the Recycling & Environment Officer had recently been transferred to the class of Full Member (Corporate Membership, Chartered Waste Manager).

On behalf of the Committee, Councillor Robinson passed on his congratulations to the two Officers.

Noted.

T&ESC/2008/465 : BELVOIR PLAYGROUND

The Client Manager reported that tenders had been invited for the above project by means of a public advertisement on 24 October 2008, with a submission date of 14 November 2008. He added that a tender report would be presented to the Committee meeting being held on 2 December, with the work due to commence on site in January 2009, with completion by Easter 2009.

He outlined that the Council had previously consulted with the local community when developing other playgrounds. He added that this had been a very successful and worthwhile exercise, and he sought Members' views as to whether consultation should be carried out in relation to the Belvoir Playground.

Councillor Hanvey expressed the view that it was important to seek the views of the local community and to give them a sense of ownership.

Following a query from Councillor Duncan, the Client Manager confirmed that the Principal of Belvoir Primary School would be consulted.

Councillor Robinson asked that Officers liaise with Members when drawing up the list of community groups and organisations to be consulted.

Following discussion, it was

RESOLVED : That the Council be recommended to grant approval for Officers to carry out a consultation exercise in respect of the Belvoir Playground and that they liaise with Members of the Committee representing that particular Ward when drawing up the list of the community groups and organisations to be consulted.

T&ESC/2008/466 : ENERGY REPORT

The Client Manager outlined that, as Members would be aware, energy costs had increased dramatically over the last few years. He added that if the consumption was the same in 2009/2010 as it had been in 2007/2008, the Council's energy spends would be approximately £930 000 compared with approximately £530 000 in 2007/2008 financial year. He indicated that this was due to a combination of the conclusion of some very advantageous prices which the Council had obtained, together with the regular price increases.

He reported that the recent rise in electricity costs had been approximately 30% and Phoenix Natural Gas tariffs had been steadily raising the cost of gas over the years. He then referred Members to a table of the ongoing approximate cost increases in gas from 1997 to October 2008.

The Client Manager outlined that this would have significant implications for the 2009/10 estimates and that he would continue to monitor the on-going situation.

Noted.

T&ESC/2008/467 : BRYSON RECYLING – RECYCLATE PRICES

The Client Manager attached to his report an electronic memo received from Bryson Recycling. He asked Members to note that the memo referred to unprecedented market patterns that had led to the near collapse of prices for almost all materials that Bryson Recycling trade in.

He indicated that the implications of this were serious, in that, it could lead to either Bryson House being unable to find an outlet for the materials or a significant increase in costs to the Council. Again it was highlighted that this uncertainty might well have significant implications for the 2009/10 estimates.

Following discussion, the Client Manager reported that he would keep Members updated on the situation.

Noted.

ANY OTHER BUSINESS

T&ESC/2008/468 : REQUEST TO TRADE IN COUNCIL CAR PARK ADJACENT TO BALMORAL BOWLING CLUB, BELVOIR

The Client Manager reported that he had received a number of telephone calls from members of the public complaining about the siting of the mobile chip van at the above location, and as requested at the last Committee meeting, he had contacted the various organisations to seek their views.

Following discussion, it was

RESOLVED : That, upon receipt of responses from the various organisations, the Client Manager to prepare a report on the views of the residents and local community groups on the siting of a mobile chip van in the Council car park adjacent to Balmoral Bowling Club, and report back to the next Committee meeting.

T&ESC/2008/469 : FLY POSTING AT THE TOP OF CREGAGH ROAD/UPPER KNOCKBREDA ROAD

The Client Manager reminded Members that the fly posting at the above location had removed. He reported that the cost of removing fly posting was approximately £50.00 which was likely to be a lot less than taking legal action.

Following discussion, it was

RESOLVED : That the Council be recommended to agree that legal action would not be instigated in respect of fly posting at the top of the Cregagh Road/Upper Knockbreda Road.

REPORT FROM DIRECTOR OF TECHNICAL AND ENVIRONMENTAL SERVICES (copy previously circulated)

T&ESC/2008/470 : REPORTS AVAILABLE

The Director of Technical & Environmental Services advised that the following information was available for Members' information.

- Conservation Planner. Autumn 2008. Issue 29. RSPB
- Annual Report 2008. NILGA

Noted.

T&ESC/2008/471 : NIEA – INVITATION TO YOUR LOCAL CATCHMENT GROUP

The Director of Technical & Environmental Services attached to his report copy correspondence from the Northern Ireland Environment Agency (NIEA) regarding the above, together with Terms of Reference for the Catchment Stakeholder Groups.

He asked Members to note that the Belfast Lough & Lagan Catchment Stakeholder Group (CSG) was the most relevant group within the Castlereagh Borough Council Area. He outlined that the correspondence set out the purpose of the forum.

The Director reported that an invitation had been extended to the Council seeking appropriate representation to the local CSG meetings. Members noted receipt of the above correspondence.

Noted.

T&ESC/2008/472 : DRAFT MINUTES OF THE ARC 21 JOINT COMMITTEE MEETING HELD IN LARNE ON 9 OCTOBER 2008

The Director of Technical & Environmental Services referred to the above meeting and advised that it was anticipated that the Minutes would be ratified at the meeting of the Joint Committee held on Thursday 30 October 2008.

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

- Contracts Updates
- Organics Tender Report
- Residual Waste Report
- Arc21 Resource Assessment
- Supplemental Agreement
- Draft Landfill Allowances Scheme (Amendment) Regulations (NI) 2008
- NILAS 2007/08
- Consultation – Proposals to amend the Waste Management Licensing Exemptions Relating to Hazardous Waste
- Residual Waste Project – Stakeholder Engagement
- Revenue Estimates 2009/10
- AOB

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

Noted.

T&ESC/2008/473 : ARC 21 JOINT COMMITTEE MEETING OF 30 OCTOBER 2008 – MEMBERS' BULLETIN

The Director of Technical & Environmental Services advised that the bulletin for the above meeting had not been issued at the time of writing his report. However, at the meeting, he circulated for Members' information, a copy of the above Members' bulletin, which had subsequently been received and provided information on the above Arc 21 Joint Committee meeting.

Noted.

T&ESC/2008/474 : WASTE MANAGEMENT WORKING GROUP MEETING HELD ON TUESDAY 14 OCTOBER 2008

The Director of Technical & Environmental Services advised that the above Minutes had been tabled for adoption.

He outlined that a number of matters had been addressed, including the following:

- The Landfill Allowance Scheme (NI) Regulations 2004 Scheme Year 2007/08 – Draft Reconciliation
- Collection of Household Asbestos Wastes
- Cost for the supply of Wheeled Bins
- Home Composting Review and Information Evening
- Residual Waste Project – Outline Business Case
- Issuing of Kerbie Boxes, Blue Recycling and Brown Composting Bins
- Rollout of Recycling to High Rise Properties
- Educational Talks and Visits
- Tender for Kerbside Collection of Multi-Material Recycling 2006-2009, Bryson Recycling.

He expressed the importance of Members acquainting themselves with the current waste management issues under consideration and current waste management developments.

The Client Manager then addressed Members' queries in relation to the company that had supplied the Council with wheeled bins and he updated the Committee with regard to the bins that were out on loan to Ards Borough Council.

RESOLVED : That the Minutes of the Waste Management Working Group meeting held on Tuesday 14 October 2008 be adopted as a true and accurate record of the meeting.

T&ESC/2008/475 : RISK MANAGEMENT

The Director of Technical & Environmental Services advised Members that at a meeting of the Audit Sub Committee held on 27 October 2008, although

inquorate, it had been recommended that each directorate should progress Business Risk through their respective Committees. He added that the Department of Technical & Environmental Services' business risks register was to be approved prior to the Council's corporate risk register being taken to December's Finance and General Purposes Committee meeting.

He referred Members to a paper prepared by the Council's Risk Manager detailing what risk was, the reasons for managing risk and the purpose and aim of the Council's Risk Management Strategy. He also attached to his report a copy of the Technical & Environmental Services Department's risk register for Members' consideration and approval.

Following a query from Councillor Hanvey, the Director of Technical & Environmental Services advised that the Council must have measures in place to ensure risk was appropriately managed, and he understood that this risk register would be reviewed annually.

Following discussion on the content of the Director's report, it was

RESOLVED : That the Council be recommended to approve the Technical & Environmental Services Department's risk register.

ANY OTHER BUSINESS

T&ESC/2008/476 : CAR PARKING AT HENRY JONES PLAYING FIELDS

Councillor Drysdale detailed for Members the problems being experienced in respect of parking at Henry Jones. He suggested that some form of management was required within the car park itself as drivers were not parking properly. He added that when the car park was full, cars were parking on the grass verge outside Loughview School and he had concerns that this could have health and safety implications. He referred to another small school quite close to the playing fields and asked if Officers could ascertain if this could be used for parking.

Following discussion, it was

RESOLVED : That the Client Manager investigate the parking problems within the Henry Jones car park and ascertain the possibility of having use of the car park within the Nursery School closeby.

T&ESC/2008/477 : RIGHT OF WAYS WITHIN THE BOROUGH

Councillor Robinson asked if Officers could prepare a report detailing all the Rights of Ways within the Borough, together with a map.

The Operational Services Manager outlined that a lot of the information was currently held on hard copy but that a grid system had recently been set up and Officers were going through each grid highlighting Council land and indicating whether it related to a park or a right of way.

He added that he would keep Members updated on progress.

Noted.

There being no further business, the meeting ended at 7.05 p.m.

CHAIRMAN

CHIEF EXECUTIVE

Adopted by the Council this _____ day of

_____ **2008 with the exception of**

Minute Nos. _____

MAYOR