

CASTLEREAGH BOROUGH COUNCIL

Minutes of the proceedings of the Technical & Environmental Services Committee Meeting, held in committee, in the Council Chamber, Civic & Administrative Offices, Bradford Court, Upper Galwally, Castlereagh, BT8 6RB, on Thursday, 2 December 2010, at 6.00 pm

PRESENT: Councillor G Robinson
(in the chair)

ALDERMEN: M Henderson MBE
J Norris MBE
Mrs G Rice MBE
J White

COUNCILLORS: Ms J Bunting (from 6.35 p.m.)
M Copeland
D Drysdale
Miss R Hughes MBE
T Jeffers
S Skillen
J Spratt MLA (from 6.30 p.m.)

IN ATTENDANCE: Client Manager, Operational Services Manager,
Environmental Health Manager, Building Control
Manager and Members' Services Officer

APOLOGIES: Apologies were received on behalf of Councillors
Cochrane, McCoy, Duncan, Long and Tosh

T&ESC/2010/459 : OFFICERS' REPORTS

Councillor Robinson advised that the Operational Services Manager's report would be heard as the first item of business.

Noted.

REPORT FROM THE OPERATIONAL SERVICES MANAGER (copy previously circulated)

T&ESC/2010/460 : UPDATE ON DRAINAGE AND PATHWAY WORKS WITHIN TULLYCARNET PARK

The Operational Services Manager reported that the work in relation to the main drainage infrastructure, kerbing and pathway resurfacing had been completed. He added that due to weather constraints, it had not been possible to complete the painting of the park gates but that this work would commence as soon as weather conditions permitted.

Councillor Skillen advised that residents had approached her expressing their appreciation for the work carried out and had stated that it had significantly improved the park.

Noted.

T&ESC/2010/461 : UPDATE ON THE PROPOSAL TO TRANSFER DUNGOYNE COMMUNITY CENTRE FROM ADMINISTRATION & COMMUNITY SERVICES TO TECHNICAL & ENVIRONMENTAL HEALTH

The Operational Services Manager reported that, following a meeting between Officers from each of the above Departments, matters relating to the interim licence agreement, insurance, user funding contract and key holder training were now being pursued by staff within the Administration & Community Services Department. He asked Members to note that a meeting between Council Officers and representatives from the various stakeholder groups was scheduled to take place on 13 December 2010. He added that, at this stage, there was no definitive date set for the transfer of the building, but he would keep Members updated.

Noted.

T&ESC/2010/462 : BRANIEL BOWLING GREEN

The Operational Services Manager outlined that, as Braniel Bowling Club no longer existed, Officers were considering options on how the bowling green could be used for the benefit of the local community. He therefore sought approval for a Working Group to be established comprising Officers from Community Services, IFA Grass Roots Soccer, Sports Development and the Parks Section to explore viable alternatives. He added that he would provide the Committee with regular updates in this respect.

Councillor Robinson indicated that the Mayor had been very proactive in working with the local community in moving this matter forward and he hoped that Members would be supportive of her in her attempts to ensure that the area would be used for the benefit of the local community.

Councillor Drysdale outlined that, given that the bowling club had confirmed that it no longer required the bowling green, he was fully supportive of it being retained as a facility for the local community.

Following discussion, it was

RESOLVED : That the Council be recommended to grant approval for a Working Group to be established comprising Officers from Community Services, IFA Grass Roots Soccer, Sports Development and the Parks Section, to consider options on how Braniel Bowling Green could be used for the benefit of the local community. The Operational Services Manager to keep the Committee updated in this respect.

T&ESC/2010/463 : QUOTATIONS RECEIVED FOR SUMMER BEDDING 2011

The Operational Services Manager outlined that, following public advertisement, two quotations had been received in respect of the above, one of which had been received after the closing submission date of 9 November 2010. He referred Members to a quotation from Pentland Nurseries and advised that the price quoted was exclusive of carriage.

Following discussion, it was

RESOLVED : That the Council be recommended to agree that the quotation from Pentland Nurseries be accepted for the supply of summer bedding for 2011, at a cost as outlined in the Operational Services Manager's report, which was exclusive of carriage. The quotation met the required specification and represented best value to the Council.

T&ESC/2010/464 : REQUEST FROM GEOLOGICAL SURVEY NI (GSNI) RE: EXPANSION OF THE NORTHERN IRELAND GROUNDWATER MONITORING NETWORK

The Operational Services Manager reported that correspondence had been received from the Department of Enterprise, Trade and Investment Geological Survey NI (GSNI) regarding the expansion of their groundwater monitoring network within lands on the boundary of the Enler Valley.

He explained that the request was to site two monitoring bore holes on an upper section of land to the rear of the Billy Neill Soccer Centre of Excellence. He attached to his report details of the proposed site for Members' information. He added that it was proposed that the works would commence in January 2011, weather permitting, with the drilling taking approximately three days to complete. He asked Members to note that no form of compensation had been offered for the siting of the monitoring holes, but should Council grant permission, full reinstatement of the land would be undertaken by GSNI.

The Operational Services Manager reported that the expansion of the groundwater monitoring network was necessary to enable the monitoring of the quality and quantity of the groundwater present in the Enler Valley area and the suitability of the prevailing groundwater for a wide range of uses, such as drinking water, environmental rivers and wetlands. He indicated that the area of groundwater that runs along the Enler Valley, adjacent to the Billy Neill Soccer Centre of Excellence, was a regionally important aquifer which was a crucial source of drinking water for many people in the Dundonald area.

Following discussion, Alderman White indicated that NI Water had attended a Planning Committee meeting earlier that day and had not been aware of this proposal.

Alderman Henderson suggested that Officers place a timescale on when the work should be completed and for NI Water to vacate the site.

RESOLVED : That the Council be recommended to

- (a) grant approval for Geological Survey NI to install two groundwater monitoring bore holes at the Billy Neill Soccer Centre of Excellence, commencing in January 2011, in order to monitor the quality and quantity of the groundwater present in the Enler Valley area of Dundonald
- (b) the above approval was subject to a suitable timescale being put in place for GSNI to complete the work and vacate the site

T&ESC/2010/465 : CONTROL OF NOXIOUS WEEDS ON COUNCIL LAND

The Operational Services Manager reported that, following a recent land survey by the Parks Section, an area of land between the rear of the Billy Neill Soccer Centre of Excellence and the Greengraves Road had been identified as containing noxious weeds.

He asked Members to note that, under the Noxious Weeds (NI) Order 1997, the Council was obliged to prevent the spread of such weeds, and plans had been put in place to clear the land over the winter months.

In response to a request from Alderman White in relation to an area of land in Ballyhanwood, the Operational Services Manager confirmed that he would arrange for an inspection to be carried out, and if necessary, this area would also be cleared and controlled.

RESOLVED : That the Council be recommended to agree

- (a) that approval be granted for the area of Council land contaminated with noxious weed and located to the rear of the Billy Neill Soccer Centre of Excellence and the Greengraves Road to be cleared and controlled
- (b) that the Operational Services Manager arrange for an inspection to be carried out on an area of land in Ballyhanwood, to identify if it contained noxious weeds, and if necessary, the Parks Section arrange to have it cleared.

T&ESC/2010/466 : CHRISTMAS HOLIDAY ARRANGEMENTS – REFUSE, STREET CLEANSING AND HOUSEHOLD RECYCLING CENTRES

The Operational Services Manager outlined that, due to the Christmas holiday on Monday 27 December, grey bins would be emptied between 28 and 31 December along with the collection of up to 4 extra bags. Bins would be collected as normal on Tuesday 28 December.

He advised that Household Recycling Centres would be closed on Monday 27 December and normal service would resume on 28 December. The Household Recycling Centres and Refuse Collection Service would be operating as normal on the 3 January.

The Operational Services Manager outlined that the Council's Refuse Collection calendars already reflected these arrangements and the Council's website would be updated as necessary.

Noted.

T&ESC/2010/467 : DOG FOULING EQUIPMENT

The Operational Services Manager outlined that Members may be aware of the recent review within the Street Cleansing section regarding the provision of dog fouling cleansing across the borough as reported to November's Technical & Environmental Services Committee.

He advised that the current dog fouling cleansing service was provided by an external organisation two days per week, and was used to target specific areas where dog fouling was known to exist. He added that, following the review, it had become apparent that by undertaking dog fouling measures through the Council's Street Cleansing service a substantial increase in service efficiency and coverage could be provided over the current provision.

He asked Members to note that no leasing provision had been included in the current financial year for the purchase of new mobile dog fouling equipment. He attached to his report details of the proposal overview for Members' consideration and comment.

In response to a query from Alderman White, the Operational Services Manager confirmed that the costs outlined in his report included operators' wages.

Following discussion, it was

RESOLVED : That the Council be recommended to grant approval

- (a) to proceed with a tender process to procure mobile dog fouling equipment
- (b) to purchase mobile dog fouling equipment via a leasing arrangement, which represented a significant efficiency improvement to the Council

T&ESC/2010/468 : LAGAN RURAL PARTNERSHIP VILLAGE RENEWAL GRANT FUNDING

Alderman Rice, Councillors Hall and Hughes declared an interest.

The Operational Services Manager reported that correspondence had been received from the Council's Economic Development Manager in respect of the Lagan Rural Partnership Fund which supported renewal projects within villages. He advised that the villages of Crossnacreevy and Moneyreagh had been identified as falling within the scope of the funding scheme. He referred Members to his report outlining the details of the Lagan Rural Partnership Funding scheme.

Following discussion, it was

RESOLVED : That the Council be recommended to:

- (a) grant approval for Officers to engage with the appointed consultants to identify eligible priority villages within Castlereagh

- (b) grant approval for Officers to engage with local stakeholders towards facilitating the development of draft plans for the proposed village renewal projects
- (c) agree that the plans for both schemes be prepared within the context of the total indicative budget in the region of £300,000
- (d) agree that, when available, the draft schemes and bill of quantities for each scheme be presented to Technical & Environmental Services Committee

T&ESC/2010/469 : OPERATIONAL SERVICES CHARGES WITH ADDITIONAL 2.5% VAT INCREASE EFFECTIVE FROM 1 JANUARY 2011

The Operational Services Manager attached to his report for Members' approval, charges calculated to include the additional 2.5% VAT increase, effective from 1st January 2011. He added that no other additional increases had been incorporated.

RESOLVED : That the Council be recommended to grant approval for the statutory 2.5% VAT increase to be applied to all Operational Services charges, effective from 1 January 2011.

The Operational Services Manager left the meeting.

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

T&ESC/2010/470 : STATUTORY NOTICES - PUBLIC HEALTH (IRELAND) ACTS 1878 TO 1907

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

Noted.

T&ESC/2010/471 : FOOD SAFETY – FSA FOOD HYGIENE RATING SCHEME UPDATE

The Environmental Health Manager reported that Officers had been successful in securing funding for the implementation of the National Scheme. He advised that the funding would cover the cost of two existing part time officers who would be dedicated to carry out the duties of the project in addition to their normal duties. He advised that the scheme was due to commence on 1 December 2010 and would operate for approximately 12 weeks.

He indicated that there would be no cost to Council and the ability to back-fill the post with existing Castlereaugh Borough Council staff would ensure that the Environmental Service Unit maintained its delivery of service.

Noted.

T&ESC/2010/472 : THE FOOD HYGIENE REGULATIONS (NORTHERN IRELAND) 2006 REGULATION (EC) NO 852/2004

The Environmental Health Manager reported that a re-inspection had been carried out on a food business within the Borough on 15 November 2010, and again it was found to have contravened a number of food safety provisions. He advised that the food business operator had signed a formal caution on 30 November 2009 for offences under the above legislation relating to unhygienic conditions.

He advised that the Council was required to follow the Statutory Code of Practice issued by the Food Standards Agency when dealing with food safety enforcement, as well as the Council's Food Safety Enforcement Policy.

The Environmental Health Manager indicated that due to the severity and recurring nature of the offences, he recommended that the Council instigate legal proceedings against the Food Business Operator for failure to comply with the relevant food hygiene legislation.

RESOLVED : That the Council be recommended to agree that legal action be instigated for contravention of The Food Hygiene Regulations (Northern Ireland) 2006 and Regulation (EC) No 852/2004, as outlined in the Environmental Health Manager's report.

T&ESC/2010/473 : HEALTH AND SAFETY AT WORK (NORTHERN IRELAND) ORDER 1978

The Environmental Health Manager reported that a routine health and safety inspection had been carried out on a business premise in the Borough, and at that time non-compliance was noted in terms of Health and Safety documentation, namely a Health and Safety Policy and Risk Assessment. Officers had subsequently written to the owner confirming non-compliance and providing advice.

He advised that no documentation had been produced and subsequently two Improvement Notices had been served. He added that, following the expiry of the notices, no documentation was available. After speaking to the proprietor, a two-week extension was granted, and again, following the expiry of this extension, the required documentation was still not present on site.

The Environmental Health Manager recommended prosecution under the Health and Safety at Work (Northern Ireland) Order 1978, for failure to comply with the served Notices.

RESOLVED : That the Council be recommended to agree that legal action be instigated under the Health and Safety at Work (Northern Ireland) Order 1978, against the owner of business premises within the Borough, as outlined in the Environmental Health Manager's report.

T&ESC/2010/474 : THE HEALTH AND PERSONAL SOCIAL SERVICES (NI) ORDER 1978 THE CHILDREN AND YOUNG PERSONS (SALE OF TOBACCO ETC) REGULATIONS (NI) 2008

The Environmental Health Manager reported that Officers within the Environmental Health Service Unit had carried out a tobacco underage sales test purchase exercise on 1 November 2010 and 12 November 2010, in accordance with Council procedures. He advised that out of 18 retailers surveyed, one had sold cigarettes to a child of 15 years of age, contrary to Article 3(1) of the above Order. He indicated that representatives from the premises had attended a formal interview, in accordance with the relevant Order. He asked Members to note that the premises had a strict underage sales policy and carried out their own test purchases. He advised that the premises may have a possible defence of due diligence under Article 3(2).

He outlined that the sale was therefore an oversight by the staff member concerned, and he recommended that a formal caution be given to the seller. He added that Members would be kept advised of the outcome of the interviews in due course.

RESOLVED : That the Council be recommended to agree that a formal caution be issued to the owner of a business premise within the Borough for selling tobacco to a child of 15 years of age, and that the Environmental Health Manager keep Members advised on the outcome of the interviews.

T&ESC/2010/475 : THE CIGARETTE LIGHTER REFILL (SAFETY) REGULATIONS 1999

The Environmental Health Manager reported that the Environmental Health Service Unit had carried out a solvent (cigarette lighter refill) underage sales test purchase exercise on 12 November 2010, in accordance with Council procedures. He added that an advisory letter had been issued and inspections carried out in early September 2010 to assist retailers to comply with the above legislation and prevent underage sales of solvent abuse products.

He indicated that the enforcement exercise surveyed 8 retailers, with all of them requesting identification and refusing the sale.

Noted.

T&ESC/2010/476 : CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES - DRINKING IN DESIGNATED AREAS

The Environmental Health Manager advised Members that the PSNI had provided a notification for October of four youths being progressed through the PSNI's Youth Diversion Scheme for drinking in a designated area, contrary to the Council's by-law. He asked Members to note the rolling table of incidents to date.

<u>MONTH</u>	<u>ADULT</u>	<u>JUVENILE</u>
April 2010	1	2
May 2010	4	5
June 2010	2	7

July 2010	0	1
August 2010	0	2
September 2010	0	5
October 2010	0	4
TOTAL	7	26

Alderman Henderson suggested that when this information was forthcoming, it should be passed onto the DPP.

RESOLVED : That the Council be recommended to agree that all updates received from the Police Service of Northern Ireland in relation to incidents of consumption of intoxicating liquor in designated areas within the Borough, together with the monthly rolling table be forwarded each month to the DPP.

T&ESC/2010/477 : CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES - DRINKING IN DESIGNATED AREAS – INSTIGATION OF LEGAL PROCEEDINGS

The Environmental Health Manager reported that on 7 November 2010 the Environmental Health Service Unit received a witness statement from the Police Service of Northern Ireland in respect of a young adult male who had been detected drinking in a designated place on 30 October 2010 at Upper Knockbreda dual carriageway, contrary to the Council Bye-Laws made under the above legislation. He recommended that the Council instigate legal proceedings against the offender.

RESOLVED : That the Council be recommended to grant approval for legal proceedings to be instigated against a young male who had been detected drinking in a designated place on 30 October 2010.

T&ESC/2010/478 : CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES SIGNAGE

The Environmental Health Manager outlined that as Members would be aware, the above signage was attached to street furniture throughout the Borough, confirming the offence and the maximum fine. He advised that the maximum fine had recently been increased, and rather than replace the signs at this stage, Officers would arrange to have them amended. He added that the signs were not usually replaced until they deteriorated to a condition that rendered them illegible, and that any replacement signage would be amended to display the new maximum fine.

Noted.

T&ESC/2010/479 : THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985 ARTICLE 3 – LICENSING OF PLACES OF ENTERTAINMENT – RENEWAL OF LICENCES

The Environmental Health Manager referred to his report which contained details of applications received for the renewal of Entertainment Licences.

RESOLVED: That the Council be recommended to grant approval for the renewal of Entertainment Licences, as outlined in the Environmental Health Manager's report, subject to receipt of all required documentation.

T&ESC/2010/480 : PETROLEUM CONSOLIDATION ACT (NI) 1929 - RENEWAL OF PETROLEUM LICENCE

The Environmental Health Manager referred to his report which contained details of applications received for the renewal of petroleum licences.

RESOLVED : That the Council be recommended to grant approval for the renewal of petroleum licences, as outlined in the Environmental Health Manager's report, subject to receipt of all required documentation.

T&ESC/2010/481 : THE DOGS (NORTHERN IRELAND) ORDER 1983 - ABATED LICENCES

The Environmental Health Manager outlined that, as Members may recall, under the above Statute there was the ability for some licensed keepers of dogs to receive a reduced/abated licence, subject to meeting the required criteria. He advised that the reduced cost of this abated licence was £2.50, representing a 50% reduction on a full licence. He outlined that there was a previous resolution stating that the abated licence should be covered by the Council, at a cost of approximately £500 per annum.

He advised that the Statute was being amended, with the new legislation due to commence in Spring/Summer 2011. He indicated that, under the new legislation there would be a two-tier licence system, reducing the need to have an abated licence and an abated licence voucher (the Council's contribution to the abated licence).

He recommended that the abated licence voucher system be removed, with effect from 1 April 2011, in preparation of the introduction of the new Statute, with those licensed keepers affected being advised prior to the renewal of their licence.

RESOLVED : That the Council be recommended to grant approval for the removal of the abated licence voucher scheme, with effect from 1 April 2011.

T&ESC/2010/482 : THE DOGS (NORTHERN IRELAND) ORDER 1983 - DOGS KEPT WITHOUT VALID LICENCES

The Environmental Health Manager referred to his report containing details of a lady in Dundonald keeping a dog without a valid licence in contravention of the above legislation. He advised that a Fixed Penalty Notice had been issued and had been returned unpaid by the Clerk of Petty Sessions Office.

He recommended that legal proceedings be instigated against the owner.

RESOLVED : That in line with the above Order, the Council be recommended to grant approval for legal proceedings to be instigated against the owner for failing to

pay a Fixed Penalty Notice, as outlined in the Environmental Health Manager's report.

T&ESC/2010/483 : THE DOGS (NORTHERN IRELAND) ORDER 1983 - DOG FOULING

The Environmental Health Manager outlined that as requested at the last Committee meeting, he and the Operational Services Manager had prepared a detailed report which covered enforcement, list of patrols carried out since the last Committee meeting, how complaints were dealt with, procedures currently in place for dealing with dog fouling and cleansing, etc.

The Environmental Health Manager suggested that a possible way forward would be for authorised Officers to refer all detections to the Environmental Health Service Unit for progression and additional/refresher training would be provided. He added that, he could also redeploy authorised Environmental Health Officers from their normal duties to dog control duties for a period of three days which would increase the time available for detection by 202.5 hours. He indicated that Officers' normal duties would therefore not be carried out during their period of redeployment. He suggested issuing a press release reinforcing the message of responsible dog ownership.

Alderman Henderson suggested that details be placed on the Council's website.

Following further discussion, it was

RESOLVED : That the Council be recommended to agree to:

- (a) the redeployment of Environmental Health Officers from their normal duties to dog control issues for a period of 3 days
- (b) establish and implement a press campaign in relation to the dog control initiative

T&ESC/2010/484 : THE SMOKING (NORTHERN IRELAND) ORDER 2006 - FAILURE TO PAY A FIXED PENALTY NOTICE

The Environmental Health Manager reported that a Fixed Penalty Notice had been issued to the driver of a company van for smoking in a smoke free vehicle contrary, to the above legislation. A representative from the company confirmed the identification of the driver and that the van was used to carry other employees. He outlined that a sign had been displayed in the vehicle prohibiting smoking in work vehicles. He outlined that as the driver had failed to pay the Fixed Penalty Notice, he was recommending that legal action be instigated.

RESOLVED : That the Council be recommended to agree that legal proceedings be instigated against the individual for failing to pay a Fixed Penalty Notice, as outlined in the Environmental Health Manager's report.

T&ESC/2010/485 : STAFFING MATTER - IMPLICATIONS OF THE AMENDMENT OF THE EXISTING DOGS (NORTHERN IRELAND) ORDER 1983 AND THE DOGS (AMENDMENT)

The Environmental Health Manager outlined that he had brought the above matter to Members' attention at a previous Committee meetings. He added that he had prepared a further report outlining the need to appoint an additional part time Officer in order for the Environmental Health Section to meet its statutory obligations of the Bill.

He then referred Members to a business case and advised that the income generated through licences would cover the full cost of the additional part time Officer. He asked Members to also note that the Environmental Health Section had achieved 50% efficiency savings in relation to kennelling in the sum of £12,500.

Following discussion, it was

RESOLVED : That the Council be recommended to

- (a) approve the provision of an additional part time Enforcement Officer in order for the Environmental Health Section to meet its statutory obligations of the new Bill
- (b) the above issue be referred to the Estimates Working Group in order that the required provision was included in the 2011/2012 estimates

The Environmental Health Manager left the meeting.

At this stage in the proceedings, the Chairman advised that matters arising from the previous Minutes and Declarations of Interest would be heard as the next items of business.

TABLED : MINUTES OF THE TECHNICAL & ENVIRONMENTAL HEALTH COMMITTEE MEETING HELD ON 2 NOVEMBER 2010

MATTERS ARISING

T&ESC/2010/486 : ALLOTMENTS AT CARRYDUFF (Minute No. T&ESC/2010/409 refers)

Alderman Rice sought an update in relation to the above.

Councillor Robinson asked Officers to include this item in the report for the next Committee meeting.

Noted.

T&ES/2010/487 : DECLARATIONS OF INTEREST

The Chairman formally requested Members and officers to declare any pecuniary and non-pecuniary interests (including gifts and hospitality) they should have in respect of items on this agenda. The following Members declared an interest:

Alderman Rice and Councillors Hughes and Hall declared an interest in the Lagan Rural Partnership, as previously indicated at Minute No. T&ESC/2010/468.

Noted.

REPORT FROM BUILDING CONTROL MANAGER

T&ESC/2010/488 : SCHEDULE OF APPLICATIONS

The Building Control Manager referred Members to the schedule of applications approved by the Building Control Service for the period 1 October 2010 to 31 October 2010.

Noted.

T&ESC/2010/489 : REPORTS ON APPLICATIONS, INSPECTIONS AND SOLICITORS ENQUIRIES

The Building Control Manager attached to his report for Members' information details in respect of applications received, plan fees raised, inspections undertaken, inspect fees raised and solicitors' enquiries for October 2010.

Noted.

T&ESC/2010/490 : INTERNAL REVIEW OF THE BUILDING CONTROL SERVICE

The Building Control manager reported that an internal review of the Building Control Service had highlighted a number of areas and practices that had the potential to generate additional income for the Council and produce further efficiencies. He added that his report at this stage would concentrate on two such areas, i.e. review of revenue generation opportunities & review of cost recovery.

Noted.

T&ES/2010/491 : REVIEW OF REVENUE GENERATED OPPORTUNITIES - LAND & PROPERTY SERVICE (LPS): DATA GATHERING PROJECT

The Building Control Manager outlined that, following the last Committee meeting, he had further details to report on the data collection exercise within the Borough, on behalf of LPS. He referred Members to his report outlining details in respect of the following:

- the total outstanding rate bill within the Borough of £196,000.00.
- LPS had confirmed that 42% of the total revenue raised by the exercise would be paid to Castlereagh Borough Council
- if the total outstanding rates bills were collected, the amount due to the Council would be approximately £82,000.00
- LPS would action any information received as a result of this project immediately and there was a possibility therefore for some funds to be received this financial year
- it was expected that the Building Control Service could carry out the required works within existing resources, resulting in no additional cost being incurred by the Council
- LPS had indicated that, based on Actual Penny Product, an effective reduction in the rates income for this financial year of approximately £88,000.00 in clawback was expected
- the amount anticipated to be paid to the Council as a result of the successful conclusion of this proposed project almost completely covered this shortfall.

The Building Control Manager indicated that the Director of Finance had been consulted and agreed with the approach being adopted.

Alderman White outlined that there was no guarantee that the Council would receive this payment.

Councillor Robinson asked for the Committee's concern to be placed on record that, should this payment not be forthcoming, the Council would be requesting LPS to meet with a Council delegation.

RESOLVED : That the Council be recommended to grant approval for the collaborative data gathering project with Land and Property Services, on the basis that LPS would provide the Council with 42% of total revenue raised, in the sum of approximately £82,000.00.

T&ESC/2010/493 : BUILDING CONTROL NORTHERN IRELAND (TRAINING AND COMMUNICATION PANEL) GAS SAFETY COURSE BEING HELD IN LOUGH NEAGH DISCOVERY CENTRE

The Building Control Manager advised Members that the above course for Building Control Officers was due to be held on 8 December 2010 but had been postponed until February 2010. He referred Members to his report outlining the issues being covered and advised that he would report back to the Committee in due course.

Noted.

**SUPPLEMENTARY REPORT FROM THE BUILDING CONTROL MANAGER
(circulated at the meeting)**

**T&ESC/2010/494 : STREET NAMING AT 93 BALLYNAHINCH ROAD,
CARRYDUFF**

The Building Control Manager reported that Chambers Homes Ltd had proposed the name of 'Ballynahinch Court' for a proposed development of 5 dwellings at 93 Ballynahinch Road, Carryduff. He advised that the proposal met the requirements of the Council's Street Naming Policy, in that 'Ballynahinch' was in use in the area.

RESOLVED : The Council be recommended to agree that the name of 'Ballynahinch Court' be allocated to the proposed development of 5 dwellings at 93 Ballynahinch Road, Carryduff.

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

T&ESC/2010/495 : LANDFILL TONNAGES

The Client Manager provided information in respect of tonnages deposited to landfill during October 2010, together with details of tonnage variances and indicative impacts on 2010/2011 budgets.

Noted.

T&ESC/2010/496 : EDUCATIONAL TALKS/VISITS

The Client Manager referred Members to the list of educational talks/visits carried out during November 2010.

Noted.

**T&ESC/2010/498 : COMPREHENSIVE REVIEW INTO HOUSEHOLD RECYCLING
CENTRES AND BRING SITES**

The Client Manager reported that the Waste Management & Recycling Officer had met with the NI ROTATE (WRAP) Advisor to discuss a review into the Council's Household Recycling Centres and Bring Sites. He advised that NI ROTATE had agreed to carry out and fund the work on behalf of the Council, under their support programme. He indicated that the review would look at a broad range of performance issues and costs associated with Household Recycling Centre and Bring Site provision and would make recommendations in this respect.

He reported that NI ROTATE were currently drawing up the tender invitation which would be followed by the appointment of consultants to carry out the work on their behalf. He indicated that the proposed completion date for the review was February 2011 and that he would keep Members updated.

Alderman White advised that he and the Client Manager had been invited to attend a recycling facility in Newtownards. He proposed that a site visit to the facility be arranged in January/February 2011 and this was seconded by Alderman Henderson.

RESOLVED : That a site visit for Members be arranged to the Household Recycling Centre in Newtownards in January/February 2011.

T&ESC/2010/499 : CONTAMINATION INFORMATION LEAFLET

The Client Manager referred Members to a draft copy of an information leaflet currently being designed to clarify the issue of contamination in the blue bin. He added that it was intended to produce a similar leaflet for the kerbie box which would be distributed and these would be distributed to all households along with the 2011/12 Annual Service Information Leaflet.

Alderman Henderson asked for the schools in the Borough to be included in the distribution list. He further suggested putting the information on the Council's website.

Alderman White noted that there was quite a lot of detail in the leaflet, and he felt that it would be easier to follow if the information was presented in a more concise format, i.e. bullet points.

RESOLVED : That the Council be recommended to agree that the Client Manager

- (a) arrange for the draft information leaflet on blue bin contamination to be amended so that the information was presented in a more concise format, i.e. bullet points
- (b) include schools within the Borough in the leaflet distribution list and arrange for the information to be placed on the Council's website

T&ESC/2010/500 : CONTRACT FOR THE DE-WATERING OF STREET SWEEPING RESIDUES

The Client Manager outlined that, as Members may be aware, the Council, along with a number of other arc21 Councils, have been using the Belfast City Council tender for the above service since 2006. He added that the most recent report regarding charges had been tabled at the Committee meeting held in June 2010. He advised that the current tender was due for renewal in July 2011, and Belfast City Council was in the process of initiating a new tender exercise for the above service.

He outlined that as the contract had been working satisfactorily, Officers had indicated to Belfast City Council that the Council wished to be included in the re-tender exercise, with final sign-up being subject to Council approval.

Noted.

T&ESC/2010/501 : RENEWAL OF ARC21 BRING CONTRACT

The Client Manager outlined that, following a presentation given by the Salvation Army at a Special Council meeting held on 18 November 2010, he had been asked to table a report at this month's Committee meeting on options for assisting the Salvation Army in their recycling and environmental work.

He further reported that at the November Committee meeting a report had been tabled regarding the renewal of the arc21 Bring Contract in April 2011. He advised that all Council controlled sites included in the current contract had been put forward which guaranteed exclusivity of materials (to include textiles) on these sites. In line with previous arc21 tenders, the award of the contract would be based on the most economically advantageous.

The Client Manager indicated that, given the current high value of the material price for textiles, approximately £500 per tonne, together with the potential for income generation for Councils from collected materials, the new arc21 Bring Contract would include an income and revenue share element. He advised that a similar arrangement existed within the current arc21 MRF Contract and had yielded significant economic benefits for the Council.

He commented that it was expected that the new contract would generate keen interest from various charities, private and voluntary/community sectors, with the potential for collaborative arrangements and submissions.

The Client Manager indicated that, as with other interested parties, the Salvation Army has been involved in the procurement process and has availed of engagement opportunities with arc21, as part of the tender process. He added that the tender documents had been forwarded to the Salvation Army on 17 November 2010. He advised that, whilst the Council's current named sites were exclusive to the arc21 Bring Contract, the Council was under no obligation to include any new/additional sites within the contract.

Alderman Henderson suggested offering additional non-contracted sites on a rotational basis for a one year period and if no-one came forward then extend it.

The Client Manager advised that a process would be drawn up that he considered fair and would be included in his report to a future Committee meeting.

Noted.

Councillor Spratt arrived at 6.30 p.m.

T&ESC/2010/502 : HOUSEHOLD WASTE RECYCLING & COMPOSTING RATE - JULY – SEPTEMBER 2010 (QUARTER 2)

The Client Manager reported that unaudited Household Waste Recycling & Composting Rate for July - September 2010 stood at 46.51%, an increase of 4.59% on the same period for 2009/10. He advised that the main contributing factors had been the organics element which had been bolstered by the collection of food waste, together with increases in garden waste tonnages at the start of the year. He

added that there had also been further reductions in the quantities of street cleansing residues landfilled, following de-watering (street cleansing tonnages being included within the definition of household waste).

Performance –v- Targets

The Client Manager indicated that, as requested at the October Committee meeting, he had prepared a report on the Council's Household Waste Recycling & Composting Rate for 2010/11, and how it compared with recycling targets.

He advised that the Waste Management Strategy for Northern Ireland 2006-2020 set targets for recycling and composting at 35% by 2010, 40% by 2015 and 45% by 2020, with the revised Waste Framework Directive proposing a target of 50% by 2020. He indicated that the targets were not mandatory and were less important than the NILAS targets.

The Client Manager reported that In 2009/10 the Council had an annual recycling and composting rate of 37.59%, which exceeded the 2010 target of 35%, and was on target for achieving an annual rate of 40% for 2010/11.

Noted.

T&ESC/2010/503 : RE-THINKING WASTE CONFERENCE – W5 AT ODYSSEY, WEDNESDAY 8 DECEMBER 2010

The Client Manager outlined that, as requested at the November Committee meeting, he had emailed details in relation to the above to all Members. He advised that each Council had been provided with an invitation for one Councillor and one Officer to attend the conference, and Councillor Copeland had expressed an interest in attending.

Alderman White proposed that Councillor Copeland and one Officer attend, and this was seconded by Alderman Henderson.

RESOLVED : That the Council be recommended to agree that Councillor Copeland and one Officer from the Client Services Section be authorised to attend the Re-Thinking Waste Conference at a cost of £175.00 per person.

T&ESC/2010/504 : CAPITAL PROJECTS

The Client Manager referred Members to a draft report and Capital Projects list, and advised that these documents had been circulated to Directors for consideration and updating and he was awaiting responses. He asked Members how they wished to proceed.

Councillor Robinson proposed that the report and capital projects list be referred to the Estimates Working Group, and this was seconded by Councillor Copeland.

RESOLVED : That the draft report and Capital Projects list prepared by the Client Manager be referred to the Estimates Working Group.

T&ESC/2010/505 : QUESTIONNAIRE REGARDING POSSIBLE PLAYGROUND AT FORSTER GREEN SITE

The Client Manager referred Members to a draft questionnaire for Members' approval. He advised that the questionnaire would be emailed to residents living in the vicinity of the Forster Green Site, and it was intended to engage 'Survey Monkey' for this exercise. He added that hard copies would also be made available to those householders who did not wish to make an on-line response. He indicated that it was intended to survey approximately 500 households between Newton Park and the dual carriageway.

RESOLVED : That approval be granted for the proposed survey area, together with the questionnaire seeking residents' views on the provision of a playground at the Forster Green site.

T&ESC/2010/506 : CORRESPONDENCE FROM MR DENIS MCMAHON, ENVIRONMENTAL POLICY DIVISION

The Client Manager advised that the above letter had been tabled at the November Council meeting. He attached to his report the draft response for Members' information.

Noted.

T&ESC/2010/507 : SPECIAL TECHNICAL & ENVIRONMENTAL SERVICES COMMITTEE MEETING TO DISCUSS PLAYGROUND PROVISION IN THE BOROUGH

Following discussion, it was

RESOLVED : That the Client Manager liaise with the Mayor in order to convene a Special Technical & Environmental Services Committee meeting in January/February 2011 to discuss playground provision in the Borough.

T&ESC/2010/508 : REPORT ON COSTS - SIGNS AT CROSSNACREEVY

The Client Manager advised Members that the above report was currently being prepared and he hoped to table it at the January 2011 Committee meeting.

Noted.

**SUPPLEMENTARY REPORT FROM THE CLIENT MANAGER
(circulated at the meeting)**

T&ESC/2010/509 : REQUEST FROM THE LANDSCAPE PARTNERSHIP SCHEME FOR THE OPERATIONAL SERVICES MANAGER TO PROVIDE TEMPORARY MANAGERIAL SUPPORT

The Client Manager outlined that the Landscape Partnership Scheme within Lagan Valley Regional Park had been established to undertake a variety of projects over a five year period, including the restoration of the Lock Keepers Cottage. He advised that the current project manager had tendered his resignation and the sub-committee had asked if he could provide managerial cover for the LPS Scheme until a new project manager had been appointed. He added that it was anticipated that he would be required to provide this cover during the recruitment phase of a new project manager.

Councillor Robinson outlined that, whilst he was content for the Operational Services Manager to carry out these duties, he was of the opinion that the Officer should receive an appropriate allowance from LPS.

He expressed the view that it was unfair to expect the Manager to take on these duties, over and above his existing workload. He asked for Officers to contact LPS advising that the Committee had agreed to their request, subject to the Operational Services Manager receiving the appropriate remuneration.

RESOLVED : That, Officers contact the Landscape Partnership Scheme advising that the Committee had agreed to their request for the Operational Services Manager to provide temporary managerial support, subject to the Officer receiving an appropriate remuneration for covering these duties.

T&ESC/2010/510 : SALTING OF FOOTPATHS AND SIDE ROADS WITHIN THE BOROUGH

Alderman Rice expressed concern for the elderly trying to cope during the current freezing weather conditions, making it difficult to leave their homes. She referred to the fact that many years back, the street cleansing staff would have gritted footpaths and side streets as part of their duties. She asked if it was possible for the Council to give consideration to street cleansing staff to again be tasked with these duties.

Alderman White outlined that the difficulty was that street sweeping was now a mechanical operation. He added that he understood that Belfast and Ballymena Councils had an agreement with DRD to grit footpaths.

A detailed discussion ensued in relation to a potential agreement with the DRD for the Council to carry out salting of pathways and side streets.

Councillors Spratt and Robinson stated that, whilst they fully understood the treacherous nature of the ongoing icy conditions of footpaths and side streets within the Borough, particularly on the elderly, they both expressed concerns in terms of liability and cost implications.

Councillor Spratt stated that if Central Government did not provide councils with the financial resources, the cost of providing this service would probably have to be passed onto the ratepayers.

Alderman Rice outlined that whilst she fully understood the concerns expressed, she felt that the Council should write to DRD expressing the view that if it continued with its stance not to salt footpaths and side roads within the Borough, it should be

ensure adequate provision of salt boxes. She added that the DRD had still not provided the Council with clarification in terms of the criteria used for the provision of salt boxes.

Alderman Henderson agreed that the officer write to the DRD but he was of the view that they should be reminded that it was currently the Roads Service responsibility to salt footpaths and side roads.

Councillor Robinson commented that Colin Brown from the Roads Service had claimed to have had discussions with the Acting Chief Executive but he understood that this was not the case.

The Client Manager reported that he had searched the minutes and found reference to a Roads Service offer of approximately £1,800 to grit footways in 2004. The Council had declined to accept the offer at that time. He undertook to write to Roads Service asking them what their criteria were for salt boxes. He also said a more general report regarding the salting of footways would be brought back to Members.

Councillor Bunting arrived at 6.35 p.m.

RESOLVED : That the officer write to the Department for Regional Development enquiring as to the criteria for the supply of salt boxes and bring a further report back to Committee.

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

In the absence of the Director of Technical & Environmental Services, the Client Manager presented the report.

T&ESC/2010/511 : REPORTS AVAILABLE

The Client Manager advised that the following reports were available for Members' information:

- Conservation Planner. Autumn 2010. Issue 33. RSPB.
- Growing Communities. Royal Horticultural Society. Community Update. Issue 03. Autumn 2010.
- Groundwork NI Annual Review 2009 – 2010.
- Annual Report and Accounts. 1 April 2009 – 31 March 2010. The Local Government Staff Commission
- Insight. Autumn 2010. Issue 17. ADAS

Noted.

T&ESC/2010/512 : NEWS RELEASES

The Client Manager referred Members to the following press releases:

(i) Foster Launches Carbon Monoxide Campaign (DETI News Release)

The Health and Safety Minister Foster had launched a campaign to raise awareness of the dangers of carbon monoxide poisoning. The campaign particularly highlighted the importance of having all fossil fuel boilers and appliances properly installed and serviced annually to ensure carbon monoxide was not produced.

(ii) Poots to Review Planning Policy for Waste Management (DoE News Release)

This review would have implications for Planning Policy Statement (PPS) 11, which set out the DoE's planning policies for the development of waste management facilities.

Councillor Skillen referred to item (i) above and proposed that the Council write to the Minister for Social Development requesting carbon monoxide detectors to be located in all Housing Executive properties.

Councillor Robinson seconded the proposal.

Alderman White outlined that this matter had been raised at a recent Housing Council meeting and the Housing Executive had been written to requesting that it install detection equipment in all its properties.

RESOLVED : That the Council be recommended to agree that Officers write a strongly worded letter to the Minister for Social Development requesting carbon monoxide detectors to be located in all Housing Executive properties.

T&ESC/2010/513 : RESIDUAL WASTE TREATMENT PROJECT – SUPPLEMENTAL AGREEMENT

The Client Manager outlined that since the report tabled at the November Committee meeting, a further workshop session had been held on 12 November 2010. The main items of business considered included the following:

- overview of the Supplemental Agreement Workshop held on 8 October 2010
- development of Supplemental Agreement with relevant legal input
- Officer and Member Engagement. Optimum arrangements
- output specification/performance framework management

He advised that the main issues to be addressed in the Supplemental Agreement would include the following:

- (i) gate fee
- (ii) minimum guaranteed tonnage
- (iii) exclusivity
- (iv) third party waste
- (v) refinancing
- (vi) gain

(vii) compensation termination

The Client Manager outlined that it was important to recognise that planning for a multi million pound project which may extend to approximately 2030 would involve complex legal, financial and operational considerations. He added that the contract documentation for this project would be significant and the key obligations of the contractual arrangements would flow up to the Supplemental Agreement.

He referred to the summary notes of the 12 November 2010 Workshop for Members' information.

Noted.

T&ESC/2010/514 : ARC 21 PRESENTATION

The Client Manager outlined that, in view of the importance of the Supplemental Agreement to the Residual Waste Treatment Project, Members may wish to receive a presentation on this matter. He added that it was envisaged that the agreement should be sufficiently advanced to allow consideration by mid February 2011. He recommended that arc21 be invited to give a presentation on the matter at a Special Council meeting to be convened on the third Thursday in February 2011.

Councillor Robinson stated that this was subject to the Mayor's approval.

RESOLVED : That the Council be recommended to agree that a Special Council meeting be convened on 17 February 2011 to hear a presentation from arc21 on the Supplemental Agreement to the Residual Waste Treatment Project, subject to the Mayor's approval.

T&ESC/2010/515 : ARC 21 JOINT COMMITTEE – MINUTES OF THE MEETING HELD ON 30 SEPTEMBER 2010

The Client Manager referred Members to the above Minutes which had been ratified at the meeting of the Joint Committee held on 28 October 2010.

He outlined that some of the business addressed included the following:

AGM

Calls for Conflict of Interest

Contracts & Performance Update

Residual Waste Treatment Project Update

Revenue Estimates 2011/2012

Final Performance April – June 2010

Arc 21 Key Performance Indicators

Consultation on the Local Government (Finance) Bill

Consultation on Proposed Changes to the Northern Ireland Renewable Obligations

Consultation on the Proposals to Amend the Landfill Regulations (NI) 2003

AOB

Next Meeting

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/2010/516 : DATE OF NEXT MEETING OF THE TECHNICAL & ENVIRONMENTAL SERVICES COMMITTEE

The Client Manager advised Members that the normal meeting date for the next Committee Meeting would fall on Tuesday 4 January 2011. He added that as Monday 3 January 2011 was a Bank Holiday, Members may wish to consider an alternative date for the January Committee meeting.

He further advised that as there would be only 13 working days between the December 2010 meeting of the Committee, and the completion/circulation of the report on 23 December 2010 for the 4 January 2011 Committee Meeting, it was anticipated that the report would be shorter than the normal monthly report.

Councillor Robinson outlined that he had already spoken with the Mayor in this regard and she had agreed that there would be no Committee meeting in January and any important decisions required could be taken to the Council meeting.

RESOLVED : That the Council be recommended to agree that the next meeting of the Technical & Environmental Services Committee would be held on Tuesday 1 February 2011, and any important issues requiring a decision should be tabled at the January Council meeting.

There being no further business, the meeting ended at 6.50 p.m.

CHAIRMAN

CHIEF EXECUTIVE

Adopted by the Council this _____ day of
_____ **2010 with the exception of**
Minute Nos. _____

MAYOR