

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, 6 December 2011 at 6.07 p.m.

PRESENT: Councillor M Chambers
(in the chair)

ALDERMEN: J Beattie MBE
S Duncan
G Rice MBE

COUNCILLORS: A Beattie
M Copeland MLA (from 6.58 p.m.)
M Gregg
C Hall
C Howard
T Jeffers
T Morrow
V McCoy (from 6.24 p.m.)
P O'Reilly
T Sandford
D Vitty

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

APOLOGIES: Apologies were received on behalf of Alderman
Henderson and Councillors Drysdale, Hanvey,
Long, Robinson, Spratt and White

In the absence of the Chairman, the Vice Chairman, Councillor Chambers chaired the meeting.

T&ES/2011/452 : DECLARATIONS OF INTEREST (6.07 p.m.)

Members and Officers were invited to declare any pecuniary and non-pecuniary interests (including gifts and hospitality) they should have in respect of items on the agenda.

There were no declarations of interest.

Noted.

TABLED : MINUTES OF THE TECHNICAL & ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD ON 8 NOVEMBER 2011 (copy previously circulated) (6.07 p.m.)

MATTERS ARISING

T&ES/2011/453 : DIAMOND JUBILEE WOODS PROJECT AT THE BILLY NEILL SOCCER SCHOOL OF EXCELLENCE (Minute No. T&ES/2011/400 refers) (6.07 p.m.)

Councillor Morrow advised that his declaration of interest recorded at the last Committee meeting in respect of the above stated that he owned the land adjoining to the project site. He outlined that this was incorrect and that he did not own the land but rented it from the Council.

Noted.

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

T&ES/2011/454 : SCHEDULE OF APPLICATIONS (6.08 p.m.)

The Building Control Manager outlined details of the schedule of applications approved by the Building Control Service for the period of 1 October 2011 to 31 October 2011.

Noted.

T&ES/2011/455 : REPORTS ON APPLICATIONS, INSPECTIONS AND SOLICITORS ENQUIRIES FOR THE PERIOD 1 OCTOBER TO 31 OCTOBER 2011 (6.09 p.m.)

The Building Control Manager outlined details of applications, inspections and solicitors' enquiries for the period 1 October 2011 to 31 October 2011.

Noted.

T&ES/2011/456 : BUILDING CONTROL IT SYSTEM STATUS REPORT (6.09 p.m.)

The Building Control Manager stated that Members had previously been advised that twelve suppliers had been contacted through the Government Procurement Framework agreement and three had expressed an interest in supplying an IT software system for Building Control Services. Tender package had been forwarded to the three prospective suppliers, with a tender return date of 2 December 2011. Evaluation of tenders was due to be completed by 16 December 2011 but as the full Council meeting was being held on 15 December 2011, every effort was being made to complete the evaluation and present a report to the Council meeting.

The Building Control Manager outlined that as the Unit was committed to delivering the project in this financial year he recommended that he table a report at the Council meeting being held on 15 December 2011 in order that Members could approve the preferred bidder.

Following discussion, it was

RESOLVED (6.10 p.m.) That the Council be recommended to agree that the Building Control Manager table an evaluation report at the Council meeting being held on 15 December 2011 in respect of the tenders received in relation to the IT software system for Building Control Services.

T&ES/2011/457 : PRODUCTION OF THE NEW BUILDING CONTROL (NI) DIRECTORY FOR THE NEXT SELF-BUILD SHOW IN FEBRUARY/MARCH 2012 (6.10 p.m.)

The Building Control Manager advised that the directory was currently being produced. The aim of the directory was to help users of the service make contact with the relevant Building Control Office, to assist with knowledge of the Building Control System and the requirements of the Building Regulations. The regulations exist to ensure the Health & Safety of people in and around buildings to conserve fuel and power and to control access to and within buildings.

He outlined that a copy of existing Building Control Northern Ireland Directory (5th Edition) was available for examination by Members.

Noted.

T&ES/2011/458 : THE ENERGY PERFORMANCE OF BUILDINGS (CERTIFICATIONS AND INSPECTIONS) REGULATIONS (NORTHERN IRELAND) 2008 AS AMENDED (EPB) (6.10 p.m.)

The Building Control Manager attached to his report for Members' information the second quarterly report (July 2011 to September 2011) which had been compiled by the Pilot Team for the Department of Finance and Personnel.

Noted.

T&ES/2011/459 : STREET NAMING AT LAND AT 16-18 COMBER ROAD, CARRYDUFF (6.10 p.m.)

The Building Control Manager reported that Fraser Homes Ltd had proposed the Development name "Baronsgrange" for a proposed development of 427 dwellings, apartments and commercial units on lands at 16-18 Comber Road, Carryduff.

He advised that Fraser Homes had proposed the following names for streets within the new development:

“Baronsgrange Road”
“Baronsgrange Manor”
“Baronsgrange Glen”
“Baronsgrange Park”
“Baronsgrange Avenue”
“Baronsgrange Mews”
“Baronsgrange Crescent”
“Baronsgrange Rise”
“Baronsgrange Walk”
“Baronsgrange Garden”
“Baronsgrange Heights”

The Building Control Manager advised that the development ran from the Comber Road, Carryduff and linked into the Baronscourt Development at a number of points. The request met the requirements of the Council’s Street Naming Policy, in that ‘Barons’ was in use in the area.

Following discussion, it was

RESOLVED (6.11 p.m.) That the Council be recommended to agree that the name of “Baronsgrange’ be allocated as the overall development name and that Baronsgrange Road, Baronsgrange Manor, Baronsgrange Glen, Baronsgrange Park, Baronsgrange Avenue, Baronsgrange Mews, Baronsgrange Crescent, Baronsgrange Rise, Baronsgrange Walk, Baronsgrange Garden, Baronsgrange Heights be allocated to streets within the development on lands at 16-18 Comber Road, Carryduff.

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

T&ES/2011/460 : ASSERTED PUBLIC RIGHT OF WAY AT MILLTOWN ROAD (6.11 p.m.)

The Operational Services Manager reported that following a site inspection at the Asserted Public Right of Way (APROW) at Milltown Road, Castlereagh, the boundary wall foundations were found to have subsided by approximately 5 metres. The boundary wall forms part of the APROW and had been closed in the interests of public safety and a Closure Order issued. He advised that letters had been forwarded to both land owners updating them on the situation and copies of the correspondence were attached to his report for Members’ information.

In response to a query from Councillor Chambers, the Operational Services Manager advised that both parties had written to Council and he would keep Members updated with regard to the re-opening of the APROW.

Noted.

T&ES/2011/461 : UPDATE FROM NORTHERN IRELAND WATER REGARDING THE NEW SURFACE WATER TANK AT CRAIGLEITH DUNDONALD (6.12 p.m.)

The Operational Services Manager advised that following the report tabled at the June 2011 meeting of the Technical & Environmental Services Committee regarding the installation of an underground storm drainage tank at Craigleith, Dundonald, NI Water had confirmed that they were in the final stages of appointing a contractor. Work was planned to commence in the Craigleith area in January 2012.

Noted.

T&ES/2011/462 : REMOTE SECURITY ARRANGEMENTS AT CARRYDUFF HRC SITE (6.13 p.m.)

The Operational Services Manager advised that the company that had provided remote security monitoring at Carryduff HRC site had unfortunately ceased trading. Consequently, new arrangements would be required and Leisure Services were currently the lead department in sourcing a new corporate security contract for the Council. In the meantime, quotations were being sought from suitable companies to provide temporary cover until the new corporate arrangements were in place.

Councillor Chambers indicated that she was aware of three councils that had formed a partnership with regard to tendering for its security contract and had achieved savings of £19,000 per year. She outlined that Officers should bear in mind the ICE Programme when putting out new contracts and that they should be liaising with other councils, particularly Lisburn City Council.

The Operational Services Manager indicated that as previously stated this was a temporary arrangement, but that he would pass the Member's comments onto Leisure Services.

Noted.

T&ES/2011/463 : OPERATOR LICENSING 2012 (6.15 p.m.)

The Operational Services Manager outlined that at November's Committee meeting Members had been advised that the full implications of the Operator Licensing requirements for the Council were still under consideration. He added that he hoped to be in a position to provide Members with an update at the next Committee meeting.

Noted.

T&ES/2011/464: CHRISTMAS AND NEW YEAR HOLIDAY ARRANGEMENTS 2011 - CLEANSING SERVICES (6.15 p.m.)

The Operational Services Manager advised that In order to accommodate the Christmas holiday period on the 26 and 27 December domestic refuse collection would take place on the 24 and 31 December 2011. Refuse collection due for the 2 January 2012 would be collected on 7 January 2012. The remaining days would be collected as normal during the festive period. Household Recycling Centres would be closed on 26, 27 December and 2 January 2012.

He asked Members to note that the Council's refuse collection calendars already reflected these arrangements and the Council's website would be updated as necessary.

Councillor Chambers asked if there had been any implications on the refuse collection service as a result of the recent industrial action. The Operational Services Manager advised that there had been no disruption to the refuse collection service.

Councillor Chambers outlined that she was pleased that ratepayers had not been affected and she felt that Council staff should be congratulated.

Noted.

T&ES/2011/465 : QUOTATIONS RECEIVED FOR SUMMER BEDDING AND HANGING BASKETS 2012 (6.16 p.m.)

The Operational Services Manager reported that following invitations, three companies had quoted for the supply of summer bedding, as follows. All quotations exclude carriage.

- Pentland Plants
- H Geddis & Sons
- Hannas Nursery

He advised that following invitations, two companies had quoted for the supply of hanging baskets, as follows. All quotations exclude carriage.

- H Geddis & Son
- Hannas Nursery

The Operational Services Manager recommended that Members approve the quotation from Pentland Nurseries for the supply of summer bedding as it met the full specification and represented best value to the Council.

Furthermore, he recommended that Members approve the quotation from H Geddis & Son for the supply of hanging baskets as it met the full specification and represented best value to the Council.

Councillor Gregg outlined that over the years he had noticed Council staff watering hanging baskets almost on a daily basis even when it had rained.

The Operational Services Manager explained that this was a two-fold operation which involved a feeding and a watering programme.

Alderman Rice outlined that over the past number of years, ratepayers had nothing but praise for the Council's hanging basket displays across the Borough.

Councillor Vitty proposed that the Council approve the Officer's recommendations, and the proposal was seconded by Alderman Rice.

RESOLVED (6.19 p.m.) That the Council be recommended to agree

- (a) that the quotation from Pentland Nurseries be accepted for the supply of summer bedding
- (b) that the quotation from H Geddis & Son be accepted for the supply of hanging baskets

T&ES/2011/466 : USING GOVERNMENT PURCHASING SERVICE (GPS) FOR REFUSE COLLECTION VEHICLE (RCV) PROCUREMENT (6.19 p.m.)

The Operational Services Manager outlined that following information received from the Society of Local Authority Chief Executives (SOLACE), it had been established that the Government Purchasing Service (GPS) could facilitate the purchase of Refuse Collections Vehicles (RCV's) at a discounted price to councils within Northern Ireland. As the Council's RCV requirements for 2011/12 would exceed the local tender procurement threshold and required a listing in the EU tender journal, the use of GPS services would provide expertise and additional savings to the Council.

He advised that a number of local councils had used GPS services for the purchase of RCV's. He therefore sought approval to engage with GPS regarding the purchase of RCV's for the current financial year. He added that he would keep Members updated when full vehicular details were known.

Following discussion, Alderman Rice proposed that the Committee approve the Officer's recommendation, and this was seconded by Councillor Gregg.

RESOLVED (6.20 p.m.) That the Council be recommended to grant approval for Officers to engage with the Government Procurement Service regarding the purchase of two Refuse Collection Vehicles.

T&ES/2011/467 : TENDER FOR SUPPLY OF PARKS MACHINERY (6.20 p.m.)

The Operational Services Manager advised that at the March 2011 meeting of the Technical & Environmental Services Committee approval had been granted for the Operational Services vehicle and machinery procurement. Members had been advised that following a tender exercise for the supply of Parks machinery, the following items had been recommended for purchase:

1. Pedestrian greens mower
2. Heavy-duty flail
3. Five-gang rotary mower

He outlined that in respect of Item 1, one tender had been received from Broderick's which complied with the specification;

With regard to Item 2, four tenders had been received, three of which complied with the specification, with the submission from Saville Machinery attaining the highest overall score.

In relation to Item 3, three tenders had been received, with the submission from Broderick's being the only tender that complied with the Council's specification.

The Operational Services Manager recommended that Members approve the purchase of machinery for the Parks Section as outlined above. He asked Members to note that financial provision had been made within the 2011/12 budget.

Councillor Gregg proposed that the Officers recommendation be accepted and the proposal was seconded by Alderman Rice.

Councillor McCoy arrived at the meeting at 6.24 p.m.

In response to a query from Councillor Vitty with regard to the methodology for preparing specifications, the Operational Services Manager advised that a specification was generally based on the equipment being replaced and on departmental requirements. He referred to the specification in relation to the heavy-duty flail and outlined that it had been agreed by Members that the tender would be awarded on the basis of 90% price/10% delivery and that it met the Council's requirements. Out of the four submissions received, three met the specification, out of which one attained the highest score. He added that the market for this type of machinery was very small and while Officers would welcome a lot more submissions, he felt that they had been fortunate to receive four.

Councillor Vitty outlined that he was content with the Officer's response.

Councillor Beattie left the meeting at 6.25 p.m.

Councillor Chambers outlined that in addition to ensuring that it met departmental requirements, Officers also had to take account of the need to upgrade its equipment.

Following further discussion, it was

RESOLVED (6.27 p.m.) That the Council be recommended to agree that

- (a) the tender from Broderick's be accepted for the supply of one pedestrian greens mower
- (b) the tender from Saville Machinery be accepted for the supply of one heavy duty flail
- (c) the tender from Broderick's be accepted for the supply of one five-gang rotary mower

T&ES/2011/468 : CORRESPONDENCE RECEIVED FROM DRD ROADS SERVICE – PARKING ALONG EAST LINK ROAD DUNDONALD (6.27p.m.)

The Operational Services Manager attached to his report correspondence received from DRD Roads Service regarding the issue of parking restrictions on the East Link Road, Dundonald.

Councillor Jeffers expressed his concern for the potential for a serious accident to occur along the East Link Road and he was therefore not satisfied with the response. He proposed that the Committee write again to Roads Service.

Councillor Howard concurred with Councillor Jeffers comments and seconded the proposal.

Councillor Gregg outlined that the Roads Service had advised that they were currently looking at options to address the problem and the earliest they could update the Council was in the New Year.

Councillor Chambers agreed that the Committee write again to the Roads Service expressing concern at the length of time it was taking to address this issue.

RESOLVED (6.30 p.m.) That the Council be recommended to agree that Officers write again to DRD Roads Services outlining Members' concern at the length of time it was taking to address the problem of parking along the East Link Road, particularly given the potential for accidents occurring.

ANY OTHER OPERATIONAL SERVICES MATTERS

T&ES/2011/469 : ADDITIONAL HUMAN RESOURCES SUPPORT TO COMPLETE THE INDUCTION PROCESS FOR ALL NEW FRONTLINE OPERATIONAL SERVICES STAFF (6.30 p.m.)

The Operational Services Manager outlined that Members would be aware of the new legislative changes introduced as a result of the new Agency Workers Directive which came into force on 1 December 2011. This legislation affected 25 frontline staff within the Operational Services Unit.

He sought approval for additional Human Resources support to provide essential corporate induction and training due to the unprecedented levels of new staff being engaged in frontline services. He outlined that the Human Resources Manager had advised that an existing part-time Human Resources Advisor currently working three days per week had been willing to work additional days to provide this essential support. He advised that there were adequate funds within the budget to cover this cost.

Councillor Beattie returned to the meeting at 6.32 p.m.

RESOLVED (6.32 p.m.) That the Council be recommended to approve the additional Human Resources support to complete essential induction and operational training for all new staff within the Operational Services Unit, following the introduction of the new Agency Workers Directive.

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

The Environmental Health Manager outlined that for staff training purposes, the Senior Environmental Health Officer had attended this evening's meeting and would be presenting his report.

**T&ES/2011/470 : STATUTORY NOTICES - PUBLIC HEALTH (IRELAND)
ACTS 1878 TO 1907 (6.32 p.m.)**

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

Councillor Chambers sought clarification with regard to the enforcement process, in terms of the time allowed between a notice being issued and the Officer's follow up inspection.

The Senior Environmental Health Officer indicated that, in line with the legislation, Officers followed up on all notices issued, and if necessary, the Council would instigate legal proceedings.

Noted.

**T&ES/2011/471 : WELFARE SERVICES ACT (NORTHERN IRELAND) 1971
(6.33 p.m.)**

The Senior Environmental Health Officer advised that under the above legislation it was the responsibility of the Local Authority to bury the body of any person who had died or been found dead in its district where it appeared that suitable arrangements for the disposal of the body had not been, or were not being made. Notification had been received from Knockbracken Healthcare Park in respect of the death of a gentleman who had died on 22 November 2011. He asked Members to note that the gentleman was a

resident of Knockbracken Healthcare Park and no suitable arrangements existed for the disposal of the body. Responsibility for the burial therefore lay with the Council.

He outlined that arrangements had been made for the cremation and Officers would seek reimbursement via the Crown Solicitor, as per the amended policy in relation to welfare burials. The cost of this statutory obligation would be approximately £1,500.00 which included the funeral, cremation and burial of ashes.

Noted.

T&ES/2011/472 : OIL STAMP SCHEME (6.34 p.m.)

The Senior Environmental Health Officer outlined that following previous reports in relation to the above, he advised that the Environmental Health Manager had met with the student Environmental Health Officer engaged in the project and an agreed timetable for progression had been established. This would include social surveys being carried out across a number of mediums to gain the greatest number of returns, including online, one to one and through community groups and associations. He advised that the surveys would commence the week beginning 5 December 2011.

He reported that an analysis of the surveys would be carried out in early January 2012 when it was anticipated that fuel poverty would be confirmed in a number of households throughout the Borough. He indicated that consideration would then be given to whether there was a need to develop and establish an Oil Stamp Scheme.

The Senior Environmental Health Officer advised that a further report on the matter would be tabled at the January or February 2012 Committee meeting. In the meantime, he asked Members to forward to him contacts from the community they felt should be included in the social survey.

In response to a query from Alderman Beattie in respect of oil theft and potential Council liability, the Environmental Health Manager advised that rather than people having to meet costly bills, the scheme allowed householders who used central heating oil to spread the cost by purchasing oil stamps. He outlined that in the case of oil theft, a claim would have to be made through the individual's insurance and there was no liability on the Council in this regard.

Following further discussion, Councillor McCoy suggested that the Environmental Health Manager contact Officers within the Community Services Section who would be able to provide him with relevant contacts.

Noted.

T&ES/2011/473 : LOCAL GOVERNMENT AND THE PUBLIC HEALTH AGENCY JOINT WORKING ARRANGEMENT (6.37 p.m.)

The Senior Environmental Health Officer referred Members to item 2 of his supplementary report which related to the above issue and had been circulated prior to the meeting commencing. He advised that four projects were being progressed by Castlereagh Borough Council, Lisburn City Council and the Public Health Agency which were at different stages across the two Councils, but were all being supported by the Public Health Agency. Two of the projects were already established and the Public Health Agency would continue to support these initiatives. The remaining two projects were very much in their infancy and the funding would assist in their implementation.

He asked Members to note the detail in respect of each project, as follows:

Project 1 – Home Accident Prevention (HAP)

Home visits/assessment and winter warmer initiative to reduce “slips, trips and falls” in an identified target group. Two hundred households will be identified by an established criteria. These households will receive a winter warmer pack consisting of non-slip socks, hats, gloves, flask and rock salt, together with contact numbers for supporting agencies, including Northern Ireland Water, Age NI, etc.

Project 2 – Healthwise – GP referral scheme

Residents of the Borough continue to use leisure facilities to assist with physical and mental wellbeing through the GP referral scheme. This scheme is to encourage wellbeing through physical exercise rather than through the use of medication. This initiative is rolled out across a number of Councils and is very well utilised.

Project 3 – Enhancing Communities

Advertisements have been placed in local papers inviting groups to apply for funding to develop communal green spaces, enhance existing play areas, development of community gardens/allotments, etc.

Project 4 – Workplace Health Partnership

This initiative tries to encourage a healthy workplace by promoting the health and welfare of employees, offering local employers a business assessment, proposed action plan and access to a range of services and support.

The Senior Environmental Health Officer reported that a formal launch and a press campaign were being progressed to ensure that appropriate recognition was given to the partnerships and the worthy initiatives that they supported.

Noted.

T&ES2011/474 : THE HEALTH AND PERSONAL SOCIAL SERVICES (NI) ORDER 1978 THE CHILDREN AND YOUNG PERSONS (SALE OF TOBACCO ETC) REGULATIONS (NI) 2008 (6.40 p.m.)

The Senior Environmental Health Officer reported that a further tobacco underage sales test purchase exercise had been carried out on 19 November

2011, in accordance with Council procedures. The enforcement exercise surveyed 17 retailers and unfortunately 4 retailers failed the survey and had sold cigarettes to a child of 14 years of age, contrary to Article 3(1) of the above Order.

He outlined that representatives from the 4 premises had been invited to attend a formal interview, in accordance with Paragraph 10.5 Code C of the Police and Criminal Evidence (NI) Order 1989. He stated that he would keep Members updated on the outcome of these interviews.

Councillor Chambers indicated that in future when Officers were making recommendations with regard to enforcement issues that they provided details of the various enforcement stages.

In response to a query from Councillor Howard with regard to penalties that could be imposed by the courts, the Senior Environmental Health Officer advised that, while fines could be imposed they were currently at a very low level. He added that since the introduction of the sales test purchase exercise the number of incidents of selling cigarettes to those underage had reduced and the initiative was therefore proving very successful.

Noted.

T&ES/2011/475 : CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES - DRINKING IN DESIGNATED AREAS (6.42 p.m.)

The Senior Environmental Health Officer advised that no further notifications had been received from the PSNI for drinking in a designated area, contrary to the Council's bye-law.

Alderman Rice expressed her concern that the PSNI had not provided any additional detections and advised that she would be raising this matter at the next DPP meeting.

Noted.

T&ES/2011/476 : DRINKING WATER QUALITY IN NORTHERN IRELAND, 2010 (6.43 p.m.)

The Senior Environmental Health Officer advised that a copy of the above report prepared by the Drinking Water Inspectorate for Northern Ireland was available within the Environmental Health Service Unit, should Members wish to peruse its content.

Noted.

T&ES/2011/477 : LOCAL GOVERNMENT EMERGENCY MANAGEMENT GROUP (6.43 p.m.)

The Senior Environmental Health Officer advised that he had placed a copy of the first report of the Local Government Emergency Management Group in each Party Room for Members' information. He outlined that the report documented activities which LGEMG had been involved in since October 2009 until March 2011

Noted.

T&ES/2011/478 : THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985 - ARTICLE 3 - LICENSING OF PLACES OF ENTERTAINMENT – RENEWAL OF LICENCE (6.43 p.m.)

The Senior Environmental Health Officer referred to his report outlining the details of applications for the renewal of Entertainment Licences.

RESOLVED (6.43 p.m.) That the Council be recommended to grant approval for the renewal of Entertainments Licences as outlined in the Environmental Health Manager's report, subject to receipt of all required documentation.

T&ES/2011/479 : PETROLEUM CONSOLIDATION ACT (NORTHERN IRELAND) 1929 - RENEWAL OF PETROLEUM LICENCE (6.43 p.m.)

The Senior Environmental Health Officer referred to his report outlining the details of two applications for the renewal of petroleum licences.

RESOLVED (6.43 p.m.) That the Council be recommended to grant approval for two applications for the renewal of petroleum licences as outlined in the Environmental Health Manager's report, subject to receipt of all required documentation and compliance with required conditions.

T&ES/2011/480 : WELFARE OF ANIMALS ACT (NORTHERN IRELAND) 2011 – ENFORCEMENT BY LOCAL COUNCILS (6.44 p.m.)

The Senior Environmental Health Officer outlined that Members may recall previously tabled reports in relation to the pending statute due for commencement in April 2012. Members may also recall that the transfer of this function to all 26 District Councils would come with guaranteed funding from the Department of Agriculture and Rural Development for the next 4 years, as follows:

2011/2012	£760,000.00*
2012/2013	£780,000.00
2013/2014	£800,000.00
2014/2015	£820,000.00

He advised that a Working Group had been established to ensure the adoption of a uniform approach to the introduction of the legislation. The Council was represented by both the Environmental Health Manager and the Group Chief Environmental Health Officer. At this stage, it was difficult to

determine the full implications until the duties and obligations had been transferred. It had therefore been agreed to run pilot arrangements until the end of March 2013. It was anticipated the new statute would be delivered in a similar way to the Smoke Free legislation via the Group Environmental Health system.

The Senior Environmental Health Officer outlined that it was anticipated that implementation of the statute would require the recruitment of one inspector in the Eastern Group area, who would be employed by the Council as the employing Council for the Group and would be subject to the Council's Terms and Conditions of Employment. The inspector would be employed on a fixed term contract until the end of the pilot period when an assessment of arrangements would be carried out.

While a sum of £760,000.00 was available for this financial year, it was anticipated that the expenditure for set-up costs, recruitment, etc would amount to approximately £400,000.00. There would therefore be no financial burden on the Council for the set-up and implementation of the new piece of statute. The agreed pilot period allowed appropriate evaluation of the actual costs and provided the opportunity to request additional funding, if deemed necessary.

The Senior Environmental Health Officer recommended that Members approve the recruitment of one Animal Welfare Inspector who would be placed within Eastern Group to work across the five Councils. The Officer would be recruited on a fixed term contract for the duration of the pilot period up until 31 March 2013.

Councillor Chambers outlined that, at a recent meeting of the Modernisation Group, it had been a surprise to the Elected Members in attendance to learn that that this function was being transferred to local Councils. She stated that it was SOLACE that had bid for the funding rather than individual Councils and she was surprised that SOLACE had not taken issue with the Assembly, particularly given the lack of clarity regarding the resources required to deliver the service and the fact that there was no guarantee that the funding would continue beyond four years. She suggested that the Council write to the Assembly asking why it had transferred responsibility for this new legislation to Councils.

Alderman Beattie stated that he shared Councillor Chambers' concerns.

Councillor Jeffers advised that the Chief Executive had presented a report on this matter at the last Eastern Group Committee meeting where consideration had been given to Environmental Health Groups providing the service on a regional basis.

Alderman Rice expressed her support for concerns raised by Members and pointed out that this was the first piece of legislation out of many that would transfer responsibilities to local councils. While she was disappointed that the

Assembly had not consulted with local Councils, she felt that the best way forward was for the Environmental Health Groups to deliver the service.

The Environmental Health Manager stated that the reason for carrying out the pilot was to assess whether the funding was adequate and provide Councils with the opportunity to bid for additional funding.

Councillor Copeland arrived at the meeting at 6.58 p.m.

In response to a query by Councillor Chambers as to who determined the amount each Council would receive, the Environmental Health Manager outlined that the statute would not be introduced for another three months and this was one of the issues still to be determined.

Councillor Vitty outlined that he agreed with Alderman Rice that the service should be delivered through the Eastern Health Groups. He expressed concern about the Assembly passing legislation that transferred to Councils responsibilities that had previously been delivered by Central Government. He added that he doubted that the funding provided for Welfare of Animals responsibilities would be adequate, with the burden for finding additional monies then being placed on the ratepayers. He expressed the view that all Councils in the Province should come together and would therefore be in a stronger position to lobby the Assembly.

Councillor Copeland concurred with Councillor Vitty's comments.

Councillor Chambers doubted whether it would be possible to get all 26 Councils to agree. She added that a total of 60 pieces of legislation would be transferred to local councils without any guarantees with regard to funding.

Following further discussion, it was

RESOLVED (7.04 p.m.) That the Council be recommended to approve the recruitment of one Animal Welfare Inspector to be placed with the Eastern Health Group to work across the five councils within the Group area on a Fixed Term Contract for the duration of the pilot period up until 31 March 2013.

T&ES/2011/481 : DOG CONTROL ENFORCEMENT POLICY (7.04 p.m.)

The Senior Environmental Health Officer outlined that Members may recall that the Council had previously agreed to subscribe to the terms of the Enforcement Concordat. The Enforcement Concordat supported a staged approach to enforcement, whereby each case would be assessed on its merits and consideration given to the most appropriate form of action.

He advised that with the introduction of the new statute the Environmental Health Service Unit had revised its Enforcement Policy for Dog Control, a copy of which was attached to his report for Members' consideration.

Following discussion, it was

RESOLVED (7.04 p.m.) That the Council be recommended to endorse the provisions within the revised Enforcement Policy for Dog Control.

T&ES/2011/482 : THE DOGS (NORTHERN IRELAND) ORDER 1983 - DOG ATTACK ON A PERSON (7.05 p.m.)

The Senior Environmental Health Officer reported that on 23 September 2011 a 74 year old man had been attacked and bitten by a Rottweiler dog while standing in his own garden. The man sustained bite injuries to his stomach, leg and arm for which he received treatment at the Ulster Hospital in Dundonald. He advised that the gentleman's treatment was ongoing.

He outlined that the person in charge of the dog at the time of the attack had been interviewed under caution, during which he indicated that the dog was usually muzzled but he had removed the muzzle prior to the attack.

The Senior Environmental Health Officer indicated that due to the seriousness of the injuries sustained by the gentleman, he recommended that legal proceedings be instigated against the person in charge of the dog at the time and approval be granted to seek a Destruction Order for the dog involved.

RESOLVED (7.05 p.m.) That, in line with the Dogs (NI) Order 1983, the Council be recommended to

- (a) grant approval for legal proceedings to be instigated against the owner of the dog that had attacked a gentleman on 23 September 2011, as outlined in the Environmental Health Manager's report
- (b) grant approval for Officers to seek a Destruction Order for the dog involved in the above incident

T&ES/2011/483 : STAFF TRAINING - TIDY NORTHERN IRELAND PRACTICAL ENFORCEMENT SKILLS TRAINING COURSE 7 AND 8 FEBRUARY 2012 (7.05 p.m.)

The Senior Environmental Health Officer referred to the forthcoming new legislation in relation to the Clean Neighbourhood and Environment Act (Northern Ireland) 2011. He advised that Tidy Northern Ireland had scheduled a Practical Enforcement Skills Training Course in the Mount Conference Centre on 7 and 8 February 2012 at a cost of £360.00. He outlined that there was financial provision to cover the cost of the training within the Environmental Health Service Unit's budget.

He outlined that the training was essential for Officers who dealt with aspects of enforcement of the new legislation, including investigating litter complaints, pollution offences and any subsequent legal action. The course would provide a wealth of detail on types of offences, collection of evidence, dealing with aggression, Police and Criminal Evidence (Northern Ireland) Order 1989

(PACE) interview techniques, writing reports, court procedure preparation and presentations.

The Senior Environmental Health Officer recommended that an Officer within the Environmental Health Service Unit attend the two day course. He advised that this Officer would provide in-house training for all officers within the Environmental Health Service Unit.

RESOLVED (7.06 p.m.) That the Council be recommended to grant approval for an Officer within the Environmental Health Service Unit to attend the Tidy Northern Ireland Practical Enforcement skills training course being held on 7 and 8 February 2012 in the Mount Conference Centre, at a cost of £360.00.

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

T&ES/2011/484 : THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985 ARTICLE 3 – LICENSING OF PLACES OF ENTERTAINMENT – RENEWAL OF LICENCE (7.05 p.m.)

The Senior Environmental Health Officer referred to the Officer's report outlining the details of applications for the renewal of Entertainments Licences.

RESOLVED (7.05 p.m.) That the Council be recommended to grant approval for the renewal of Entertainments Licences as outlined in the Environmental Health Manager's report, subject to receipt of all required documentation.

T&ES/2011/485 : THE LITTER (NORTHERN IRELAND) ORDER 1994 – FAILURE TO PAY A FIXED PENALTY NOTICE FOR A LITTERING OFFENCE (7.05 p.m.)

The Senior Environmental Health Officer sought approval to instigate legal proceedings against a lady for failure to pay a fixed penalty notice for a littering offence.

RESOLVED (7.05 p.m.) That the Council be recommended to grant approval to instigate legal proceedings against a lady who had been issued a Fixed Penalty Notice for a littering offence, which had subsequently not been paid.

T&ES/2011/486 : REPORTS AVAILABLE (7.06 p.m.)

The Senior Environmental Health Officer advised that the following reports had been received from the Department of the Environment, Air and Environmental Quality Unit of the Environmental Policy Division. He advised that he had placed a copy of both reports in each of the Party Rooms:

- Noise Complaint Statistics for Northern Ireland 2010/2011 and
- Air Pollution in Northern Ireland 2010.

Noted.

REPORT FROM THE CLIENT MANAGER
(copy previously circulated)

T&ES/2011/487 : LANDFILL TONNAGES (7.06 p.m.)

The Client Manager referred Members to his report providing the details of tonnages deposited to landfill during the period April 2011 to 31 October 2011. He advised that his report also provided details in respect of tonnage variances and indicative impacts on 11/12 budgets. At time of writing the report, November's tonnages were incomplete.

Noted.

T&ES/2011/488 : EDUCATIONAL TALKS/VISITS (2011/12) (7.06 p.m.)

The Client Manager referred Members to the timetable of educational talks/visits carried out by the Recycling & Education Officer during November 2011. He advised that education and awareness raising activities remained a priority issue for the Council in an effort to reduce waste going to landfill and encourage householders to embrace more sustainable waste management practices.

He outlined that at the October Committee meeting it was resolved that officers investigate whether local community groups would be interested in receiving educational talks/visits regarding sustainable waste management practices. He advised that at the start of each year community groups, schools, churches and organisations are contacted and offered the service. Up-to-date contact details had been obtained from the Council's Community Services and community groups/churches in the area had been written to again.

Noted.

T&ES/2011/489 : DOWN DISTRICT COUNCIL LANDFILL SITE - DRUMNAKELLY (7.06 p.m.)

Councillors Copeland and Vitty left the meeting at 7.06 p.m.

The Client Manager outlined that Members would be aware that for operational reasons the caged street cleansing vehicles had been using Drumnakelly landfill site. Whilst the standard gate fee charge was £35 per tonne during periods of inclement weather there may be a need for vehicles to be directed to the storm cell for tipping. He added that using the storm cell would be the exception rather than the rule, on such occasions the gate fee charge increases to £47 per tonne.

Noted.

T&ES/2011/490 : TRIPLE STACK BOX TRIAL FOR THE COLLECTION AND RECYCLING OF KERBSIDE SORT MATERIALS (7.06 p.m.)

The Client Manager outlined that Members may be aware that the Council currently operated two systems for the collection of kerbside mixed dry recyclables – kerbie box (kerbside sort) and blue bin (co-mingled). While both systems had their relative merits they also had weaknesses, including acceptability issues with the householder.

He advised that the kerbie box had specific issues with regard to its design, handling and storage. With this in mind, Bryson Recycling (the Council's contract partner for the kerbie box service) has approached the Council offering it an opportunity to trial a new design of kerbie box arrangement on a trolley system – the *Triple Stack Box*. The box was being designed and manufactured by Straight plc, a leading UK company involved in the supply of waste, and other, containers. He then referred Members to a photograph of the proposed system. The boxes could be mounted on the trolley or carried loose and had hinged lids with additional apertures on the front for loading recyclables when the boxes were stacked. The range of materials collected could also be expanded to include wax coated cartons and mixed plastics.

The Client Manager reported that the general feeling was that the new box system would be a major, innovative, step forward in kerbside sort collections and provided householders with a more user-friendly collection unit. While the unit had not yet gone into production, Officers understood that Conwy (Wales) had placed an initial order for 5,000 units, with the intention of running this out to all its households. The cost per unit had not been finalised but the guideline price was around £35 per unit.

He reported that initial thoughts were that a trial area of around 500-700 households should be selected. To widen the scope of the trial and fully test the performance and acceptability of the system, it may be possible to include within this number, households using a blue bin. This would enable the Council to obtain feedback from those households on the acceptability of an alternative collection system.

The Client Manager outlined that further discussions would need to be held with Bryson Recycling to develop an outline programme and associated costs for a trial. However, based on 700 households and using the guideline price for each unit, there would be an estimated capital cost to the Council of around £24,500 for the purchase of the units (excluding delivery to NI and to the householder). Increased collection costs, as a result of the collection of additional materials should be off-set by income from material sales and Bryson Recycling had offered free design and print of service information literature associated with the trial, in addition to the services of their management team for the duration of the trial.

He outlined that based on current information, the new box unit would not be available until around April 2012, with a trial following thereafter. Should the Council agree to run a trial, it would be the first of its kind in Northern Ireland and would further inform the Council's decision-making processes in relation to planning future kerbside collection arrangements.

The Client Manager asked Members to forward to him their views and comments on the trial, specifically in relation to the number of households that should be included in the trial. He recommended that Officers meet with Bryson Recycling to discuss the detail of a trial of the Triple Stack Box system and prepare a further report, including costs, for the January 2012 meeting for Members' consideration.

Following discussion, it was

RESOLVED (7.07 p.m.) That the Council be recommended to grant approval for Officers to meet with Bryson Recycling to discuss the trial of the Triple Stack Box system. A further report including costs to be tabled at the January 2012 Committee meeting.

T&ES/2011/491 : WEEKLY SEPARATE COLLECTION OF FOOD WASTE TRIAL (7.07 p.m.)

The Client Manager reported the following:

(1) Variable Processing Cost

In line with the renewal of the kerbside sort contract for the collection and recycling of mixed dry multi-materials on 1 August 2011, the variable processing cost (VPC) for food collected under the trial had increased from £44.55 per tonne to £45.00 per tonne. The VPC for separately collected food waste was aligned to that of collected mixed dry recyclables under the kerbside sort contract. Additional costs would be negligible and could be met within existing budgets

(2) Continuation of food trial beyond 31 March 2012

At November's Committee meeting it was indicated that a further report regarding the continuation of the trial for the weekly collection of food waste beyond 31 March 2012 would be tabled at a future meeting, given that the trial had been operating since 2009 and that preliminary indications were that enough performance data had now been obtained (Minute No.T&ES/2011/424 refers).

However, given the opportunity presented to the Council to trial the new Triple Stack Box system for the collection of mixed dry recyclables, it was recommended that the continuation of the food trial be considered alongside any potential trial of the Triple Stack Box to ascertain whether or not it would add any value to the trial.

In the event that the Council decided that the food trial should not continue beyond 31 March 2012, those households on the trial could revert to using their brown bin for the disposal of their food waste along with their garden waste, in line with all other households within the Borough.

Noted.

T&ES/2011/492 : DEWATERING OF STREET SWEEPING RESIDUES (7.08 p.m.)

The Client Manager reminded Members that a report had been tabled at the Committee meeting held on 7 June 2011 regarding the de-watering of street sweeping residues and the need to extend the current contract with Belfast City Council for a 6 month period, commencing 1 July 2011. This was to enable the completion of its procurement exercise and have in place a new contract for the disposal of street sweepings. He advised that arc21 had now completed this process and the contract award was with member councils to obtain approval.

He outlined that in order to facilitate the commencement of the arc21 contract and ensure that there was no break in service, it would be necessary to further extend the current contract with Belfast City Council. He recommended that the contract with Belfast City Council be extended until 31 January 2012, with the proviso that should the arc21 contract commence before 31 January 2012, the contract with Belfast City Council be terminated.

Following discussion, it was

RESOLVED (7.09 p.m.) That the Council be recommended to approve the extension of the current contract with Belfast City Council for the de-watering of street sweepings until 31 January 2012, with the proviso that should the arc 21 contract commence before 31 January 2012, the contract with Belfast City Council be terminated.

T&ES/2011/493 : ARC21 HAULAGE SERVICE CONTRACT (7.09 p.m.)

The Client Manager reminded Members that at the Committee meeting held on 7 September 2010, it had been resolved that approval be granted for arc21's award of contract for haulage services to Lisburn Envirocare Limited, for a period of 17 months, with the option of extension of up to 12 months or extensions totalling 12 months.

He advised that the current contract was due to expire on 31 March 2012 and following arc21's review of the contractor's performance it was recommended that the contract between arc21 and Lisburn Envirocare Limited be extended for a period of 12 months from the expiry date of 31 March 2012 and that the terms and conditions of contract, rates and prices remain as per the existing contract.

The Client Manager reported that the Council had not used this contract to date, but it must be approved by all councils in arc21, to comply with the procurement policy.

RESOLVED (7.09 p.m.) That the Council be recommended to approve the extension of the arc21 Haulage Contract with Lisburn Envirocare Limited, for a period of 12 months from the expiry date of 31 March 2012, and that the terms and conditions of contract, rates and prices remain as per the existing contract.

T&ES/2011/494 : HOUSEHOLD WASTE RECYCLING & COMPOSTING RATE (QUARTER 2, 2011/12 (JULY – SEPTEMBER) (7.09 p.m.)

The Client Manager reported that unaudited Household Waste Recycling & Composting rate for the second quarter of 2011/12 was 48.23%, an increase of 1.7% on the same period for 2010/11. The improved rate was attributable to lower household waste arisings and an increase in household composting. Household dry recycling still remained slightly down on 2010/11.

Noted.

T&ES/2011/495 : NORTHERN IRELAND LANDFILL ALLOWANCE SCHEME (NILAS) (7.09 p.m.)

The Client Manager provided Members with an update in respect of the Council's performance for the first two quarters of 2011/12 and where it stood with regard to meeting its statutory obligations regarding diversion of biodegradable municipal waste (BMW) from landfill.

He advised that the Landfill Allowance Scheme (NI) Regulations 2004 had been enacted to ensure that Northern Ireland met its targets as set out in the Landfill (Scheme Year and Maximum Landfill Amount) Regulations 2004 by allocating limits on the amount of BMW which could be landfilled by each District Council.

The Client Manager outlined that the NILAS Regulations came into operation in Northern Ireland on 1st April 2005 and placed a statutory responsibility on District Councils to landfill no more than the quantity of BMW for which they had allowances. If the annual limit was exceeded it could result in financial penalties of £150 per exceeded allowance, as per the Landfill Allowances Scheme. This was over and above any additional fines that may be imposed by the EU on the UK, should the UK fail to meet its obligations under the EU Landfill Directive.

He asked Members to note the Council's performance for the first two quarters of 2011/12 when compared to 2010/11, as outlined below:

Tonnes of Biodegradable Municipal Waste Landfilled

Quarter	2010/11	2011/12*	Additional tonnes
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			diverted - 2011/12
1	2573	2379	194
2	2256	2037	219

The Client Manager advised that the Council continued to make good progress in meeting its obligations. However, he asked Members to note that from 2012/13 onwards there would be stepped decreases in the Council's annual allowances, the most significant of these being a reduction of 5,594 tonnes in 2012/13. This would increase pressure on the Council's waste management activities and the need to deliver increased diversion from landfill.

Noted.

T&ES/2011/496 : FORMER LANDFILL SITE AERATION PIPEWORK
(7.10 p.m.)

The Client Manager outlined in detail the current process for treating and aerating leachate at the former landfill site at Moss Road. He advised that following treatment, the leachate was removed and taken to NI Water's Waste Water Treatment Works (WWTW). The reason that the leachate was aerated was to reduce numerous parameters which NI Water measure before leachate was accepted in their WWTW. NI Water had advised that they may not accept Moss Road Landfill Site's leachate if parameters were exceeded and to send leachate to a private WWTW would be excessively expensive.

He advised that in order to avoid this expense the amount of on-site leachate treatment had been increased. As a result, the existing header pipe work had failed on numerous occasions stalling aeration treatment until repaired. The existing pipe work was estimated to be at least 15 years old and coming to the end of its life.

The Client Manager outlined that quotations had been sought to replace the existing pipe work in line with the Procurement Policy. He referred Members to copies of four quotations that had been received and recommended that JMC be appointed to replace the aeration header pipe work at Moss Road Landfill site, being the most economically advantageous. He advised that adequate funds existed within budgets to cover the cost.

RESOLVED (7.10 p.m.) That the Council be recommended to agree that JMC be appointed to replace the aeration header pipe work at Moss Road Landfill site, being the most economically advantageous.

T&ES/2011/497 : FORMER LANDFILL SITE AT MOSS ROAD, BALLYGOWAN (7.10 p.m.)

The Client Manager updated Members with regard to the following:

Environmental Impairment Liability Insurance

Members would recall that there was restricted environmental impairment insurance at the landfill site due to the ongoing pollution of adjacent streams. He referred Members to a copy of the latest correspondence regarding this matter from the Council's Broker.

Ammonia levels of leachate transported for treatment at NI Water Waste Water Treatment Works

Members may recall that NI Water were concerned about the ammonia levels within the leachate transported from the former landfill site for treatment at the NI Water Waste Water Treatment Works. He referred to the previous item of business regarding landfill site aeration pipework and the recommendation that the aeration header pipework at the landfill site was replaced. To date, the works carried out had not improved the figures to the standard necessary. It was hoped that replacing the header pipework would allow the system to work more efficiently but it should be recognised that this work would not improve the leachate to the required standard. A meeting was held with NI Water on 10 November 2011, to keep them up to date with current progress. While NI Water had indicated that they had no immediate plans to change current arrangements, the situation could change. For example other contractors delivering leachate had been required, at their own expense, to build steel holding tanks at the Waste Water Treatment Works so that leachate could be feed slowly into the treatment system. Members would be kept up to date with progress.

Retrospective Introduction of Landfill Directive and Proposed Framework Agreement

The Client Manager asked Members to note that the Director of Technical & Environmental Services would be raising this matter in his report.

Breach of Discharge Consent Limits and Pollution of Adjacent Streams

Monitoring of adjacent streams was on-going and breaching of some limits continued. A review of leachate concentrations had recently been carried out, particularly in relation to the following parameters:

- Ammoniacal Nitrogen
- Bio Chemical Oxygen Demand
- Chloride
- Conductivity
- Suspended Solids

The Client Manager advised that the review indicated that there was no significant reduction in the concentration of leachate. It should be noted however that leachate results from the landfill appear to be consistent with the leachate found in the stable methanogenic phase of a mature landfill site.

He outlined that there was evidence of landfill leachate contamination at all surface water sampling points downstream of the site. This probably represented a source of leachate contaminated water from the unlined section of the landfill site to the adjacent water body. The results would also indicate that there were seasonal variations in the concentration of the leachate

indicator parameters. A graphical analysis would indicate that there were no significant reductions in the leachate contamination to date.

The Client Manager indicated that in order to improve the quality of the surrounding surface water it was suggested that water ingress was restricted at the site by an installation of a low permeability capping. However, as discussed previously and referred to in the Director's report, it was likely that works would be necessary to comply with the retrospective of the introduction of the Landfill Directive and this will assist in addressing this matter.

Noted.

T&ES/2011/498 : GRITTING OF FOOTWAYS (7.13 p.m.)

The Client Manager outlined that Members may recall that this matter had been discussed at the November meeting of the Technical & Environmental Services Committee. At that meeting reference had been made to a meeting to be held between the Chief Executive and the Roads Service Manager on 9 November. Various matters of outstanding concern had been discussed at that meeting, particularly in relation to:

- Unresolved insurance matters
- Difficulty in defining a town centre area within Castlereagh relating to the Memorandum of Understanding (MoU) town centre concept in the Castlereagh Borough Council situation.
- The absence of any duty for the Council to do this work
- Lack of Council resources particularly in relation to the time of request (which may occur at any point from 5.00pm to 9.00am) from the Roads Service and the instigation of clearing and gritting works (expected at any stage throughout a 24 hour period).

He advised that the Roads Service had indicated at the meeting that they would make further investigations with regard to indemnity and would report back to the Council.

The Client Manager outlined that at the time of writing his report a response had not been received, and a follow up letter had been issued seeking clarification on the "same range of defences" as quoted at paragraph 2 of the draft MoU. It was believed that an insurance claim had now been made against Banbridge District Council and the Roads Service had indicated that this was a matter for the Banbridge Council and not the Roads Service.

He attached to his report for Members' information guidance from NILGA regarding dealing with the media in relation to winter maintenance. He also attached a copy of comments received from the Council's Insurance Broker regarding this matter. These comments relate to the "range of defences" that were available to the Department, and referred to above. He asked Members to note that there were still a number of matters of concern relating to this issue.

The Client Manager asked how the Committee wished to progress this matter with the DoE Roads Service.

Councillor Chambers outlined that she was reluctant for the Council to get involved at this stage, particularly given the claim against Banbridge District Council. She felt that the Council should defer making a decision until a response had been received from the Department for Regional Development, Divisional Road Manager.

Alderman Rice indicated that while she agreed that the Council should carry out a winter maintenance programme, she agreed that no decision should be made until clarification had been received.

Councillor Gregg asked if Officers could contact the Department rather than waiting for the response, particularly given the forecast for ice and snow.

Councillor Chambers stated that the Council had previously resolved that the Chief Executive write to the Department and she felt it would be unwise to progress until all the concerns had been addressed, particularly as Local Government had no statutory obligation to salt or grit footways.

The Client Manager reported that the Chief Executive had recently written to the Department for Regional Development Roads Service seeking clarification on a number of matters.

Councillor Copeland returned to the meeting at 7.20 p.m.

Councillor Howard referred to a recent incident involving a mother and child who had slipped outside school gates and had been badly injured. She added that a number of people had approached her seeking clarification as to who had responsibility for gritting the footpaths. She outlined that while she fully understood the public liability issues, at some point clear guidelines in this regard need to be issued.

Following further discussion, it was

RESOLVED (7.23 p.m.) That the Council be recommended to agree to defer consideration of carrying out a winter maintenance programme until a response had been received from the Department for Regional Development, Divisional Road Manager.

T&ES/2011/499 : ENVIRONMENT FORUM 2012 - LOOKING TO THE FUTURE OF WASTE , PLANNING AND WATER (7.24 p.m.)

The Client Manager attached to his report details of a forum being organised on Thursday 19 January 2012, at a cost of £175 + VAT per delegate. He asked Members to consider whether they wished to be represented at this Forum.

Noted.

T&ES/2011/500 : CAPITAL PROJECTS PROGRAMME (7.24 p.m.)

The Client Manager outlined that Members may be aware that the Council's Capital Projects Officer was based within the Technical & Environmental Services Department. A Project Officer was also based within the Leisure Services Department for the progression of the DIIB Project.

He indicated that in order that the Council's capital projects were managed in an efficient manner to enable them, so as far as practical, to be delivered on time and within budget, a six monthly programme had been drawn up detailing the work to be carried out in the first six months of the financial year and the second six months of the financial year. He referred Members to a copy of the programme for the second six months period for Members' information.

The Client Manager stated that as the Capital Projects Officer was fully committed, additional projects would require reprogramming or additional resources.

Noted.

T&ES/2011/501 : COW PARADE NORTHERN IRELAND 2012 (7.24 p.m.)

The Client Services Manager referred to the presentation given by the above organisation at a Special Council meeting on 17 November 2011 where it had been resolved to refer the matter to the Technical & Environmental Services Committee for consideration. He outlined that as this matter related more to the arts, Members may feel it appropriate for this matter to be dealt with by another Committee.

Following discussion, it was

RESOLVED (7.26 p.m.) That the issue of Cow Parade Northern Ireland 2012 be referred to the Central Services Committee for consideration.

T&ES/2011/502 : REFUSE COLLECTION BINS (7.26 p.m.)

The Client Manager outlined that at the time of the introduction of wheeled bins, approximately 20 years ago, each household had been issued with one wheeled bin. A charge was made for any additional bins requested but over recent years the number of complaints had increased, particularly from the elderly and those on benefits whose bins were damaged but they found it difficult to purchase a new bin at a cost of £42.30.

He advised that at the Technical & Environmental Services Committee meeting held in September 2001, Members resolved that the Council's policy should remain unchanged, in that, the Council would not accept responsibility where the damage was not caused by the Council or was as a result of

normal wear and tear. It would remain the responsibility of the householder to purchase or provide a replacement wheeled bin.

The Client Manager outlined that relaxation of this policy would result in significant additional costs, both to purchase the supply of the bin and administrative costs in applying the new policy. He added that he understood that all other councils in Northern Ireland operated a similar policy to that applied in Castlereagh.

He recommended that the Council reaffirm its policy in this regard.

Alderman Rice stated that she did not agree with the Officer's recommendation. She outlined that in this current economic climate many senior citizens had to make the choice between heating and other essential items such as food. She added that the Council should therefore seriously consider replacing senior citizens bins at a reduced cost.

Councillor Duncan outlined that a resident from Belvoir had approached her expressing his concern that he was being asked to pay for a replacement bin, particularly as the damage had not been caused by him but was due to 20 years wear and tear. She referred in particular to those senior citizens on pension credit and felt that should be offered a reduced price or the Council considered putting in place an easy payment scheme.

Councillor Howard outlined that the Council already made concessions for senior citizens, in terms of providing a free service for special collections.

Councillor Chambers indicated that it was as a result of the Council's generosity that the initial wheeled bin had been provided free of charge but it was never intended that replacement bins thereafter would be issued free of charge.

Councillor Vitty returned to the meeting at 7.31 p.m.

Councillor Chambers outlined that before this matter could be considered further, the Committee would need to know the cost implications. She asked that Officers table a report in this regard to a future Committee meeting and also include suggestions with regard to an easy payment scheme.

Alderman Beattie concurred with Councillor Chambers.

Councillor McCoy left the meeting at 7.33 p.m.

Following further discussion, it was

RESOLVED (7.34 p.m.) That the Council be recommended to agree that the Client Manager prepare a report on the cost implications of providing senior citizens with a replacement bin free of charge or at a 50% reduced rate. The report to also include suggestions with regard to an easy payment scheme.

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

**T&ES/2011/503 : ARC 21 JOINT COMMITTEE MEETING HELD ON 1
DECEMBER 2011 (7.34 p.m.)**

The Client Manager referred to discussions that took place at the above meeting concerning forthcoming arrangements for possible inclusion of elements in the residual waste contract.

Councillor McCoy returned to the meeting at 7.35 p.m.

The Client Manager undertook to further brief Members when the proposals had been clarified.

Noted.

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

T&ES/2011/504 : REPORTS AVAILABLE (7.36 p.m.)

The Director of Technical & Environmental Services advised that the following reports were available for Members' information:

- Learning and Development 2012. Publication of The Management Centre.
- Developing Effective Governance Arrangements to Support Health Improvement Working and Sub-Regional Level. Work of the Public Health Pilot – Causeway Coast and Glens and Mid and East Antrim Cluster.

Noted.

T&ES/2011/505 : NEWS RELEASES (7.36 p.m.)

The Director of Technical & Environmental Services attached to his report for Members' information the following news releases:

- (i) **Consultation of new dog breeding measures launched**
The Director of Technical & Environmental Services referred Members to a copy of the abovementioned DARD News Release. The Consultation related to a new piece of subordinate legislation under the Welfare of Animals Act (NI) 2011. Minister O'Neill stated "the purpose of these proposals is to improve the welfare of dogs in breeding establishments ...".
- (ii) **Northern Ireland needs Statutory Emission Reduction Targets - Attwood**

The Director of Technical & Environmental Services reported that at present there were no specific targets for emissions in Northern Ireland under the 2008 UK Climate Change Act. He referred Members to a copy of the DoE News Release of 9 November 2011 in which DoE Minister, Alex Attwood commented “.. I welcome the Committee on Climate Change Report stating that legislation targets could assist Northern Ireland deliver more ambitious greenhouse gas emissions.” The News Release noted that setting emission reduction targets in Northern Ireland could be helpful to reduce emissions from agriculture, road transport, homes, public sector and power sectors, whilst driving economic efficiencies in each sector.

(iii) Consultation launched on new dog regulations

The Director of Technical & Environmental Services referred Members to a copy of a DRD News Release dated 16 November 2011. This consultation on the `Draft Dogs (Licensing and Identification) Regulations (NI) 2012 carried forward all the provisions in the current Dogs (Licensing and Identification) Regulations 2011 including requirements for compulsory microchipping and record keeping for individual and block licence holders. It is proposed that these new Regulations would come into effect from April 2012.

(iv) Ballygowan skip hire owner fined £13,000 for waste offences

The Director of Technical & Environmental Services referred Members to a copy of a DoE News Release dated 17 November 2011 relating to the above. He asked Members to note that the penalties arise from the storing and disposing of a range of wastes without the necessary waste licensing authorisations.

Noted.

T&ES/2011/506 : ARC 21 JOINT COMMITTEE – MINUTES OF THE MEETING NO. 90 HELD ON 29 SEPTEMBER 2011 (7.36 p.m.)

The Director of Technical & Environmental Services attached to his report for Members' information the Minutes of the Joint Committee Meeting held on 29 September 2011.

Councillor Beattie left the meeting at 7.36 p.m.

The Director of Technical & Environmental Services asked Members to note that some the business addressed at the meeting, as follows:

- AGM
- Matters Arising
- Calls for Conflicts of Interest
- Contracts and Performance Update
- Residual Waste Treatment Project
- Efficient Delivery of Northern Ireland's Waste Management Services – Economic Appraisal

- Financial Performance April 2011 to June 2011
- Revenue Estimates 2012/13
- Treasury Policy
- Education Vehicle
- Northern Ireland Association of Independent Recyclers (NIAIR)
- Implementation Action Plan 2011/12
- Consultation on Proposals for the Building Regulations (NI) 2011: Phase 2
- Consultation on an Addendum & Delivery Programme to the NI Waste Management Strategy 2006 - 2020
- 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&ES/2011/507 : ARC 21 PRESENTATION TO SPECIAL COUNCIL MEETING OF 17 NOVEMBER 2011 (7.36 p.m.)

The Director of Technical & Environmental Services referred Members to the discussion that took place at the Special Council meeting held on 17 November 2011 in respect of the current Arc 21 developments. He referred Members to copies of several key slides from the presentation which related to the Procurement Process and the Indicative Procurement Timetable. He advised that full copies of the presentation was available for Members' information.

Noted.

T&ES/2011/508 : LANDFILL FRAMEWORK AGREEMENT (7.36 p.m.)

The Director of Technical & Environmental Services outlined that Members had been provided with an update in respect of the above at the Committee meeting held on 4 October 2011. At the meeting Members had been advised that correspondence had been forwarded to the Department of the Environment, and a response was awaited from the Department.

He advised that a response had now been received which was attached to his report for Members' information. A meeting has been arranged on Monday 12 December 2011 with the relevant councils to further progress this matter.

Noted.

Councillor Beattie returned to the meeting at 7.37 p.m. and Councillor Copeland left the meeting.

ANY OTHER BUSINESS

T&ES/2011/509 : CORRESPONDENCE FROM THE DEPARTMENT OF THE ENVIRONMENT RE: EXPANSION OF ECAR PROJECT (circulated at the meeting) (7.36 p.m.)

The Director of Technical & Environmental Services advised that the Ecar project was a pilot project designed to promote, encourage and research the use of electric vehicles in order to inform the future roll-out of electric vehicle charging infrastructure. The project was jointly led by Department for Regional Development and the Department of Environment and partly funded by grants from the Office of Low Emission Vehicles matched with funding from a consortium which included NIE, Power NI, INTEL, SAP, Donnelly Motor Group, and seven district councils. He referred Members to the content of the correspondence and asked Members to note that the Department was seeking expressions of interest to participate in the consortium, including an agreement in principle to commit to £10,000 contribution, with potential investment of up to £40,000. He advised that this project was at an early stage of development and there was no provision within the 2012/2013 estimates and, with Council focussing on demonstration of direct value to ratepayers, this project would prove difficult at this stage to demonstrate such linkage. Consequently he requested that Council consider how it wished to address this matter.

Following discussion, it was

RESOLVED (7.39 p.m.) That the Council be recommended to agree that Officers write to the Department of the Environment advising that it did not wish to submit an expression of interest in the Ecar project.

There being no further business, the meeting concluded at 7.39 p.m.

CHAIRMAN

CHIEF EXECUTIVE

Adopted by the Council this _____ day of
_____**2011 with the exception of**
Minute Nos. _____

MAYOR

