

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 Tuesday, 8 November 2011, at 6.00 pm

- PRESENT:** Alderman G Robinson
(in the chair)
- ALDERMEN:** J Beattie MBE (from 6.05 pm)
M Henderson MBE
G Rice MBE (from 6.05 pm)
- COUNCILLORS:** A Beattie (from 6.09 pm)
M Copeland
M Gregg (from 6.13 pm)
C Hall
B Hanvey
T Jeffers
M Long (from 6.06 pm)
V McCoy (from 6.10 pm)
T Morrow (from 6.02 pm)
T Sandford
J Spratt (from 6.02 pm)
D Vitty (from 6.26 pm)
J White (from 6.02 pm)
- IN ATTENDANCE:** Director of Technical & Environmental Services, Client Manager, Operational Services Manager, Building Control Manager, Environmental Health Manager and Members' Services Officer
- APOLOGIES:** Apologies were received on behalf of Alderman Duncan and Councillors Chambers, Drysdale and O'Reilly

T&ES/2011/382 : DECLARATIONS OF INTEREST (6.01 pm)

There were no declarations of interest.

Noted.

MINUTES (copy previously circulated)

T&ES/2011/383 : MINUTES OF THE TECHNICAL & ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD ON 6 SEPTEMBER 2011 (6.02 pm)

RESOLVED: That consideration of the Minutes of the Technical & Environmental Services Committee meeting of 6 September 2011 be referred to a later point in the meeting.

Councillors Morrow, Sandford and Spratt joined the meeting at 6.02 pm.

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

T&ES/2011/384 : SCHEDULE OF APPLICATIONS (6.02 pm)

The Building Control Manager outlined details of the schedule of applications approved by the Building Control Service for the period 1 September 2011 to 30 September 2011.

Noted.

T&ES/2011/385 : REPORTS ON APPLICATIONS, INSPECTIONS AND SOLICITORS' ENQUIRIES FOR THE PERIOD 1 SEPTEMBER 2011 TO 30 SEPTEMBER 2011 (6.02 pm)

The Building Control Manager outlined details of applications, inspections and solicitors' enquiries for the period 1 September 2011 to 30 September 2011.

Noted.

T&ES/2011/386 : BUILDING CONTROL SERVICES FINANCIAL REPORT – APRIL TO SEPTEMBER 2011 (6.03 pm)

Councillor Jeffers left the meeting at 6.03 pm)

The Building Control Manager pointed out that, at the end of Period 6, the Building Control Unit continued to perform at higher levels than agreed. However, he drew attention to a slowing down of income of fees from domestic plan and inspection fees. He outlined the workload of the Service as follows:

- New Building Control applications
- Existing historic and legacy workloads still active
- Street naming and numbering
- Property Certificate enquiries
- Energy Performance of Buildings Regulations
- Dangerous Structures
- Partnership working with Land & Property Services

Noted.

T&ES/2011/387 : PERFORMANCE INDICATORS – FULL PLAN APPLICATIONS FOR THE PERIOD JULY TO SEPTEMBER 2011 (6.03 pm)

The Building Control Manager outlined the performance indicators for the period July to September 2011:

- 90% of initial domestic plan assessments to be completed within 21 calendar days
- 90% of initial non-domestic plan assessments to be completed within 35 calendar days
- 90% of amended plan assessments to be actioned within 14 calendar days
- 90% of Property Certificates to be answered within seven calendar days
- 90% of inspections requested before 10:00 am to be carried out on the same day.

The Building Control Manager advised that this was an improvement of 5% compared to the same period in 2010/2011. The actual performance achieved for the second quarter of the 2011/2012 financial year was as outlined below:

July 2011 – September 2011

No. of Full Plan Domestic Applications received – 47 No.

1. 100% of initial Plan Assessments were completed within the target response time.
2. Average time taken per application was 11 calendar days.

No. of Full Plan Non-Domestic Applications received – 9 No.

3. 100% of initial Plan Assessments were completed within the target response time.
4. Average time taken per application was 12 calendar days.

No. of Amended Plans received – 84 No.

5. 100% of Amended Plans were assessed within the target response time.
6. Average time taken per application was four calendar days.

No. of Property Certificates received – 188 No.

7. 99% of Property Certificates were processed within the target response time.
8. Average time taken per Property Certificates was two calendar days.

No. of Inspections requested before 10:00 am – 720 No.

9. 94% of Inspections requested before 10:00am were completed on the same day.
10. Total number of inspections completed was 677.

Alderman Robinson congratulated the staff of the Building Control Service for their good work.

Noted.

T&ES/2011/388 : BUILDING CONTROL IT SYSTEM STATUS REPORT (6.05 pm)

The Building Control Manager advised that the Working Group, which included the Building Control Manager, the Senior Building Control Officer, the Business Support Manager and the Procurement Officer, had discussed all possible options in respect of the procurement of the upgrade for the Building Control IT system. It had been agreed that procurement through the Government Procurement Services (GPS) framework agreement was the best solution to ensure value for money, speed of delivery and legal compliance.

Contact had been made with the 12 suppliers listed by GPS as capable of meeting our requirement in order to ascertain their interest in supplying an IT solution. Four suppliers failed to respond, five declined to be included in any process and three expressed an interest in providing the Council with an IT upgrade by the deadline of 31 March 2012, which would allow the Council to avail of a grant from Land & Property Services. This date also marked the end of the maintenance period for the current IT system. Therefore, at the full Council meeting in October 2011, full executive powers had been granted to the Technical & Environmental Services Committee to approve and ratify any recommendations made to progress the project.

In order for the matter to proceed to the next stage, the Building Control Manager requested that Members consider the evaluation criteria agreed by the Working Group.

RESOLVED (6.05 pm):

- a) That approval be granted to proceed to the tender stage of the project.
- b) That approval be granted for the evaluation criteria for the procurement of the upgrade to the Building Control IT system.

Aldermen Beattie and Rice joined the meeting at 6.05 pm.

T&ES/2011/389 : THE ENERGY PERFORMANCE OF BUILDINGS (CERTIFICATIONS AND INSPECTIONS) 2008 AS AMENDED (EPB) (6.05 pm)

The Building Control Manager recalled that the responsibility for enforcement of the above regulations had been transferred to local councils on 3 December 2009. He went on to say that the Council had granted approval for the Belfast-based Energy Performance of Buildings (EPB) pilot team to progress their current work on behalf of the Council for the financial year 2011/2012.

As the pilot initiative was due to end on 31 March 2012, the team had begun to pass full responsibility to the Building Control Service and during the past couple of months the Unit had been setting up a process whereby domestic and commercial premises advertised for sale or for rent would be identified. A number of these landlords would be asked to produce documentation of EPC documentation. Contact had been established with local estate agents to assess the level of compliance and to provide advice in respect of legislative requirements.

The Building Control Manager advised that, since April 2011, Building Control Service had checked 116 properties for compliance with the legislation. The initial compliance rate appeared to be approximately 80%.

Noted.

T&ES/2011/390 : CUSTOMER SATISFACTION SURVEY 2011 (6.05 pm)

The Building Control Manager advised that an Administrative Assistant in the Building Control Service had successfully completed the first year of a two-year Higher National Certificate (HNC) course and had commenced the second year. He would be required to undertake a research project as part of his course and the Building Control Manager sought approval for the Officer to carry out a customer satisfaction survey.

Alderman Robinson felt it might be beneficial for the Officer to provide Members with a report containing the results of the survey once it was completed.

RESOLVED (6.06 pm): That approval be granted for the Administrative Assistant in the Building Control Service to carry out a customer satisfaction survey and to prepare a report containing the results for Members' information.

T&ES/2011/391 : SOUTH EASTERN GROUP BUILDING CONTROL COMMITTEE (6.06 pm)

The Building Control Manager tabled the Minutes of the South Eastern Group Building Control Committee meeting of 27 June 2011 for Members' information.

Noted.

T&ES/2011/392 : STREET NAMING AT 83 BALLYNAHINCH ROAD, CARRYDUFF (6.06 pm)

The Building Control Manager reported that Mr M Mulholland had proposed the name of 'Meadowview' for the proposed development of 6 apartments on lands formally known as 83 Ballynahinch Road, Carryduff. He advised that the request met with the Council's Street Naming Policy in that 'Meadow' is in use in the area.

RESOLVED (6.06 pm): That the Council be recommended to grant approval to allocate the name of 'Meadowview' to the proposed development of 6 apartments on lands formally known as 83 Ballynahinch Road, Carryduff.

T&ES/2011/393 : STREET NAMING AT 43 BALLYREGAN ROAD, DUNDONALD (6.06 pm)

The Building Control Manager reported that Mr H Gillanders had proposed the name of 'Grangewood Chase' for the proposed development of six dwellings on lands formally known as 43 Ballyregan Road, Dundonald. He advised that the request met with the Council's Street Naming Policy in that 'Grangewood' was in use in the area.

RESOLVED (6.06 pm): That the Council be recommended to grant approval to allocate the name of 'Grangewood Chase' to the proposed development of six dwellings on lands formally known as 43 Ballyregan Road, Dundonald.

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

T&ES/2011/394 : BRANIEL SOCCER PITCH UPDATE (6.06 pm)

The Operational Services Manager advised that the fencing works and back-stops at Braniel Soccer Pitch had been completed.

Noted.

T&ES/2011/395 : CORRESPONDENCE FROM BELFAST CITY COUNCIL RE: TEMPORARY CLOSURE OF CREGAGH GLEN (6.06 pm)

The Operational Services Manager outlined details of a request from Belfast City Council for the temporary closure of the Cregagh Glen to allow remedial tree works to be carried out following a survey that had taken place in July 2011.

Councillor Long joined the meeting at 6.06 pm.

RESOLVED (6.06 pm): That the Council be recommended to grant approval for the request from Belfast City Council for the temporary closure of the Cregagh Glen to allow remedial tree works to be carried out.

T&ES/2011/396 : IMPLICATIONS OF NEW LEGISLATION FOR 2012 (6.07 pm)

Councillor Jeffers left the meeting at 6.07 pm.

The Operational Services Manager outlined details of the impact of new legislation on the Operational Services Unit due to the transferral of legislative functions from Central Government to councils. He also drew Members' attention to the need to consider the resource requirements in the 2012/2013 Estimates.

Councillor Long left the meeting at 6.08 pm.

Councillor Jeffers returned to the meeting at 6.08 pm.

During the ensuing discussion, Councillor Hanvey enquired whether the Council would be responsible for the removal of graffiti. He felt that a register should be kept in order to try and identify individuals who were responsible for recurring graffiti. The Operational Services Manager explained that the Council's GIS system would be used to log complaints in relation to fly-tipping and graffiti.

Councillor Beattie joined the meeting at 6.09 pm.

Councillor McCoy joined the meeting at 6.10 pm.

Councillor Long returned to the meeting at 6.10 pm.

Councillor Spratt referred to issues resulting from contaminated land due to waste disposal. He felt that it would be worthwhile to know the extent of these issues and associated costs to the Council. The Operational Services Manager stated that he would research the matter and provide an update to the Committee.

Councillor Gregg joined the meeting at 6.13 pm.

Following some further discussion, it was

RESOLVED (6.18 pm): That the Operational Services Manager provide an update in respect of the costs associated with the clearance of contaminated land due to illegal dumping.

T&ES/2011/397 : OPERATOR LICENSING CONSULTATION 2011 (6.18 pm)

The Operational Services Manager advised that correspondence had been received from the Fleet Transport Group regarding the implementation of own-account operator licensing in April 2012. He stated that it had not been possible to determine the full implications for Operational Services. The Operational Services Manager added that he would provide a report containing more information at the December meeting of the Committee.

RESOLVED (6.18 pm): That the Operational Services Manager prepare a report in respect of the implications for the Council in respect of own-account operator licensing.

T&ES/2011/398 : TRAFFIC SIGNS REGULATIONS (6.18 pm)

The Operational Services Manager advised that the Health & Safety Officer was currently liaising with the Health & Safety Executive Northern Ireland (HSENI) and the Local Authority Safety Advisors Network (LASAN) to determine the implications for councils following the legislative change to Chapter 8 of the Traffic Signs Regulations. He confirmed that he would provide an update once more information became available.

During the ensuing discussion, Alderman Robinson suggested that the Council write a letter of concern to the Minister responsible about issues relating to grass and hedge cutting etc.

Councillor Spratt declared an interest as Chairman of the Committee for Regional Development. He then stated that the Council should write to the Roads Service in respect of these issues. Furthermore, Councillor Spratt enquired whether the Council was paid by the Roads Service for the number of times grass and hedge cutting was carried out.

Councillor Copeland also declared an interest as member of the Committee for Regional Development.

The Operational Services Manager stated that the legislation would impact on the operational work undertaken by the Council. Councillor Spratt felt that this should also be raised with the Roads Service as Castlereagh ratepayers were, in effect, funding this service.

Following some further discussion, Councillor Spratt proposed, Alderman Henderson seconded and it was

RESOLVED (6.25 pm): That the Council write to the Roads Service in respect of issues raised in the Operational Services Manager's report.

**SUPPLEMENTARY REPORT FROM THE OPERATIONAL SERVICES MANAGER
(tabled at the meeting)**

T&ES/2011/399 : CORRESPONDENCE FROM CONNSWATER COMMUNITY GREENWAY, DATED 27 OCTOBER 2011, RE: THE TITANIC YARDMEN CYCLE 2012, 1 APRIL 2012, IN SUPPORT OF BOWEL CANCER UK (6.26 pm)

Councillor Vitty joined the meeting at 6.26 pm.

The Operational Services Manager outlined details of a request from Connswater Community Greenway for the use of the Billy Neill MBE Soccer Centre of Excellence (BNSCOE) Centre on 1 April 2012 to facilitate the starting point of the cycle route to raise funds for Bowel Cancer UK. The event had been arranged as part of the launch of the Titanic Belfast Building and associated Titanic celebrations and cyclists would be dressed as yardmen from the shipyard circa 1912.

Following some discussion, Councillor Beattie proposed to grant approval for the request from Connswater Community Greenway. The proposal was seconded by Alderman Rice and it was

RESOLVED (6.26 pm): That the Council be recommended to grant approval for the request from Connswater Community Greenway for the use of the BNSCOE, free of charge, on 1 April 2012 to facilitate the starting point of the cycle route arranged as part of the launch of the Titanic Belfast Building and associated Titanic celebrations.

T&ES/2011/400 : DIAMOND JUBILEE WOODS PROJECT AT THE BILLY NEILL SOCCER SCHOOL OF EXCELLENCE (BNSCOE) (6.26 pm)

Councillor Morrow declared an interest as he owned land adjoining to the project site.

The Operational Services Manager sought Members' views in respect of funding for the Diamond Jubilee Woods Project at BNSCOE. He advised that grant aid was available but this would restrict the use of the land for a minimum of 20 years. He, therefore, sought Members' views whether the funding should be provided by the Council. He further sought clarification on the specific design of the planting scheme to be incorporated in the Jubilee Wood design.

Councillor Jeffers left the meeting at 6.28 pm.

Following some discussion, it was proposed by Alderman Henderson, seconded by Alderman Rice and

RESOLVED (6.29 pm):

- (a) That the Council be recommended to self-fund the Jubilee Wood project at the BNSCOE.
- (b) That the planting scheme depict the Queen's initials in the overall design.

ANY OTHER BUSINESS – OPERATIONAL SERVICES

T&ES/2011/401 : FLY-TIPPING ON BALLYLESSON ROAD (6.30 pm)

Alderman Henderson advised that a large amount of refuse had been left on the Ballylesson Road near Shaw's Bridge, which was attracting rats and other vermin. He asked the Operational Services Manager to ascertain whether the area was located within Castlereagh Borough Council.

RESOLVED (6.30 pm): That the Operational Services Manager ascertain whether the area at the Ballylesson Road used for fly-tipping was located within Castlereagh Borough Council and report back to the Committee.

MINUTES

(copy previously circulated)

T&ES/2011/402 : MINUTES OF THE TECHNICAL & ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD ON 4 OCTOBER 2011 (6.30 pm)

Noted.

MATTERS ARISING

T&ES/2011/403 : PREPARATION FOR THE OLYMPIC GAMES 2012 (6.31 pm)

The Director of Technical & Environmental Services advised that there had been a change to the nationally arranged route of the Olympic torch and he suggested that adjustments to planting and bedding be made accordingly.

Following discussion, it was

RESOLVED (6.32 pm): That arrangements in respect of planting and bedding along the nationally arranged route of the Olympic torch be adjusted to reflect the changes made to the route.

REPORT FROM THE ENVIRONMENTAL HEALTH MANAGER

(copy previously circulated)

T&ES/2011/404 : STATUTORY NOTICES – PUBLIC HEALTH (IRELAND) ACTS 1878 AND 1907 (6.33 pm)

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&ES/2011/405 : THE ENVIRONMENT (NORTHERN IRELAND) ORDER 2006 (6.33 pm)

The Environmental Health Manager recalled that the Council had recently declared an Air Quality Management Area in Dundonald Village under the above statute. The primary source of pollution had been identified as traffic and under the statute the Council had engaged in consultations with its statutory and voluntary partners. Through these consultations, an opportunity for a travel audit had emerged for the Council. The audit would determine how staff employed by the Council were travelling to and from work and make suggestions on alternative modes of transport, including the use of public transport and the potential for car-sharing. There were no implications in relation to data protection and no cost implications to the Council. Furthermore, the recommendations provided by Travelwise were not mandatory.

Councillor McCoy left the meeting at 6.33 pm.

The Environmental Health Manager outlined the benefits to the Council, which included Civic leadership, reduced car-parking demands, a positive image and encouragement of healthier lifestyles for staff through the potential for walking or cycling to and from work.

Noted.

T&ES/2011/406 : ELECTRIC BLANKET ROADSHOW 2011 (6.34 pm)

The Environmental Health Manager advised that the Council had hosted the Electric Blanket Roadshow on 3 October 2011, which had been funded by Castlereagh Home Accident Prevention and Eastern Group Environmental Health Committee. The Roadshow had been open to all residents but electric blanket testing had been by appointment only.

The event had been attended by representatives of the Northern Ireland Fire & Rescue Service, Engage With Age, Warmer Homes, Castlereagh Safe & Well Project, Community Safety Partnership, Home Accident Prevention and Environmental Health. 51 blankets had been tested, with 43 failing and eight passing, resulting in a failure rate of 84%. The failed electric blankets had been replaced, with thanks to Eastern Group Environmental Health Committee.

Noted.

T&ES/2011/407 : PUBLIC CONSULTATION – HIGH HEDGES ACT (NORTHERN IRELAND) 2011 – DRAFT GUIDANCE (6.35 pm)

The Environmental Health Manager advised that the consultation document contained several comprehensive guidance documents to assist those involved in the consultation process, including:

- Guidance for Councils
- Guidance for Complainants
- Guidance for Hedge Owners
- Technical guidance to assist in determining the impact of a hedge

During the ensuing discussion, Alderman Robinson suggested to issue an executive summary at a later date.

RESOLVED (6.35 pm): That an executive summary of the Public Consultation – High Hedges Act (Northern Ireland) 2011 – Draft Guidance be issued at a later date.

T&ES/2011/408 : CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES – DRINKING IN DESIGNATED AREAS (6.35 pm)

The Environmental Health Manager outlined details of statements provided by the PSNI regarding offences of two persons drinking in the Borough, contrary to the Council's bye-laws. He sought approval to instigate legal action against the offenders, in line with the Council's policy.

RESOLVED (6.35 pm): That the Council be recommended to grant approval for the instigation of legal action against two persons who had been detected drinking in the Borough, contrary to the Council's bye-laws.

T&ES/2011/409 : CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES – DRINKING IN DESIGNATED AREAS (6.35 pm)

The Environmental Health Manager advised that one further notification had been received from the PSNI in respect of drinking in a designated area, contrary to the Council's bye-laws. He also provided a copy of the most recent table, which had been forwarded to the DPP Manager for consideration.

Noted.

T&ES/2011/410 : POLLUTION CONTROL AND LOCAL GOVERNMENT (NORTHERN IRELAND) ORDER 1978 – ONGOING NOISE COMPLAINT AT BALLYKEEL ROAD, MONEYREAGH (6.35 pm)

The Environmental Health Manager provided a detailed update in respect of an ongoing noise complaint at Ballykeel Road, Moneyreagh.

Councillor Jeffers returned to the meeting at 6.38 pm.

Noted.

T&ES/2011/411 : THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985 – ARTICLE 3 – LICENSING OF PLACES OF ENTERTAINMENT – RENEWAL OF LICENCE (6.40 pm)

The Environmental Health Manager outlined details of applications for the renewal of Entertainment Licences.

RESOLVED (6.40 pm): 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&ES/2011/412 : THE CINEMAS (NORTHERN IRELAND) ORDER 1991 – RENEWAL OF LICENCE (6.40 pm)

The Environmental Health Manager outlined details of an application for the renewal of a Cinema Licence.

RESOLVED (6.40 pm): That the Council be recommended to grant approval for the renewal of a Cinema Licence as outlined in the Environmental Health Manager's report, subject to receipt of all required documentation.

T&ES/2011/413 : PETROLEUM CONSOLIDATION ACT (NORTHERN IRELAND) 1929 – RENEWAL OF PETROLEUM LICENCE (6.40 pm)

The Environmental Health Manager outlined details of an application for the renewal of a Petroleum Licence.

RESOLVED (6.40 pm): That the Council be recommended to grant approval for the renewal of a Petroleum Licence as outlined in the Environmental Health Manager's report, subject to receipt of all required documentation.

T&ES/2011/414 : THE LITTER (NI) ORDER 1994 – REPORT OF LITTERING OFFENCE FROM A MEMBER OF THE PUBLIC (6.40 pm)

The Environmental Health Manager outlined details of a littering offence, where a female passenger in a car had been witnessed throwing a cigarette butt out of the window. A formal witness statement had been made to the Council and the person who had committed the offence had been identified. The Environmental Health Manager sought approval to instigate legal proceedings.

RESOLVED (6.40 pm): That the Council be recommended to grant approval to instigate legal proceedings against the female passenger in a car who had been observed throwing a cigarette butt out of the window.

T&ES/2011/415 : THE LITTER (NI) ORDER 1994 – FAILURE TO PAY A FIXED PENALTY NOTICE (6.40 pm)

The Environmental Health Manager sought approval to instigate legal proceedings against a lady who had been observed throwing litter from a vehicle. A Fixed Penalty Notice had been issued but no payment had been received.

RESOLVED (6.40 pm): 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/2011/416 : THE DOGS (NORTHERN IRELAND) ORDER 1983 – DOGS KEPT WITHOUT VALID LICENCES (6.41 pm)

The Environmental Health Manager outlined details of persons who had been keeping dogs without valid licences, in contravention of the above legislation. Fixed Penalty Notices had been issued and had been returned unpaid by the Clerk of Petty Sessions Office:

- Fixed Penalty Notice Number 1316 – lady from Tullycarnet
- Fixed Penalty Notice Number 1317 – lady from Tullycarnet

The Environmental Health Manager sought approval to instigate legal proceedings under the above legislation against the aforementioned persons.

RESOLVED (6.41 pm): That the Council be recommended to grant approval to instigate legal proceedings under the Dogs (Northern Ireland) Order 1983 against the aforementioned persons for keeping dogs without valid licences.

T&ES/2011/417 : IMPLICATIONS OF NEW AND PENDING STATUTE (6.41 pm)

The Environmental Health Manager provided an update in respect of required resources to meet the new statutory obligations. He reminded Members that the Environmental Health Service already was operating with a deficit of resources when compared to statutory tasks to be completed. The measures engaged to combat this deficit included the multidiscipline of Officers, the creation of standardised inspection proformas and correspondence and the introduction of self-assessment and alternative enforcement of low-risk premises. Whilst there were numerous new statute tools being discharged to the Council and the Environmental Health Service, the following required greater attention:

ANIMAL WELFARE ACT

Although funding of approximately £760,000.00 was available for the 26 councils for the next four years, the introduction of such a varied statute was likely to have significant impact on the 26 councils. Locally, the Council would be responsible for the investigation and response to complaints regarding all domestic animals (not just dogs and cats), with the option of contracting in additional services, including sheltering and veterinary services. There were significant training requirements and increased investigations.

Resource implications

- Officer time involved to support funded posts in the delivery of this function.
- Training in respect of the identification of welfare issues across a range of domestic animals, including aquatics, reptiles, mammals and avian.
- Liaising with other statutory agencies, including the PSNI and DARD.

CLEAN NEIGHBOURHOODS BILL

The purpose of this statute was to improve the quality of the local environment. It was divided into eight parts, with some parts having few or no Environmental Health Service implications, while others required significant resources.

- Part 2:** Amends street trading offences for dealing with vehicles for sale and repairs of vehicles at the side of the road, strengthens powers for dealing with abandoned vehicles (including caravans).

- Part 3:** Extends the powers available to deal with littering offences to include lakes and watercourses. Powers to implement Street Litter Control Orders and to control the distribution of printed material.
- Part 4:** Powers in relation to graffiti and other defacement, including the ability to serve notices and take action against beneficiaries of fly posting, controlling and enforcement of spray paint selling to juveniles.
- Part 5:** Powers in relation to dog control, ability to make Dog Control Orders, including dog free zones, dogs being kept on leads and the number of dogs to be exercised on land by one person. Dog Control Orders are required to be publicly advertised.
- Part 6:** Extends the provisions of the Noise Bill to include night-time noise investigations from domestic and licensed premises and introduces new measures to deal with nuisance from audible intruder alarms.
- Part 7:** Extends provision for dealing with nuisance and introduces nuisance from artificial light and insects and pests.

Resource implications

While there was the ability to improve the local environment, the burden of this statute was significant, including the requirement for additional specialist equipment, more dedicated Officer time, lone working responsibilities, engagement of contractors regarding the removal of vehicles.

HOUSING (AMENDMENT) ACT (NORTHERN IRELAND) 2011

The impact of this statute would include the development and implementation of a Landlord Registration Scheme, the development and implementation of a Houses of Multiple Occupation Scheme. Providing additional powers to Officers to deal with private rent issues, including tenancy, period of notice and serve notice for contraventions of the statute.

Resource implications

- Development, implementation and maintenance of registration schemes.
- Officer time involved in dealing with additional complaints due to the greater number of individuals being forced into the rented market.

HIGH HEDGES

Requirements

- Record complaints in such a manner to allow statistical returns.
- Make an assessment of previous efforts to come to a satisfactory solution.
- Process and assess the formal complaint and determine the level of fee.
- Carry out assessment, determine hedge type and whether it falls within the scope of the statute.
- Progress to the service of a remedial notice. Notice must include site map and details of what actions are required.

- Further inspections to determine compliance, liaise with solicitor to transfer fee to hedge owner/occupier.
- Should works not take place, carry out works by default and liaise with solicitor and place an additional charge on the deeds of the property.
- Monitor the site for the duration of the life of the hedge as the Notice is valid from successor to successor.

Resource implications

- Development of a suitable database to store the details of complaints and investigation outcomes.
- Development of standardised application forms and information packs, remedial notices and map contents.
- Officer time to assess application and carry out investigation, liaise with Operational Services regarding identification and engagement of contractors etc.

WASTE AND CONTAMINATED LAND

Requirements

- Record and categorise the number of complaints regarding fly tipping and littering across the Council area.
- Investigate complaints, trace owners of waste / those responsible for depositing of waste up to 20m³ tonnes for general waste and 2m³ tonnes for hazardous waste and proceed to prosecution.
- Arrange for removal of the accumulation of waste by Operational Services who will dispose of as required, which will lead to an increase in the Council's waste.
- Provide statistical returns to the Department on the number of complaints, amount of waste, cost of disposal, cost of service – need for specialist software and administrative support.

Resource implications

- Development, implementation and maintenance of a suitable database, recording nature and details of complaints, cost of disposal to assist with the required statistical returns.
- Officer time to investigate complaints, liaise with statutory partners, internal and external, preparation of notices and legal files for prosecution.

Resource requirements

The implications to the Environmental Health Service would be significant, taking into consideration the requirements outlined below and the necessary resources required to meet these pending statutory obligations.

Equipment: Additional Sound Level Meter
LUX Meter
Development of bespoke database and software
Additional enforcement van.

Staff: One part-time Environmental Health Officer
Two full-time Enforcement Officers
One full-time Administrative Assistant

The role of the required administrative assistant would be to administer the range of new statute on behalf of the Technical & Environmental Services Department and would be a shared resource.

A number of new and pending statutes introduced the potential to offset a proportion of costs associated with their administration and enforcement through Fixed Penalty Notices. The Fixed Penalty Notice discharged the responsibility of the contravention and removed the necessity for the Council to instigate legal proceedings.

It was not possible to predict the level of income/revenue created through Fixed Penalty Notices under the new statute until those duties were undertaken.

Equipment costs:	(including the leasing costs of a vehicle)	£12,000.00
Officer costs:	(including corporate costs)	£92,000.00
Income generated:		(£15,000.00)
TOTAL:		£89,000.00

The Environmental Health Manager reminded Members to note the implications and resources required for consideration in the 2012/2013 Estimates.

During the ensuing discussion, Councillor Spratt congratulated the Environmental Health Manager on his detailed report. Councillor Copeland echoed Councillor Spratt's comments.

RESOLVED (6.43 pm): That consideration of the implications and resources required in respect of the implementation of new and pending statute be included in the 2012/2013 Estimates.

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

T&ES/2011/418 : LANDFILL TONNAGES (6.43 pm)

The Client Manager provided details of tonnages deposited to landfill in the period April 2011 to September 2011, listing tonnage variances with indicative impact on 2011/2012 budgets. At the time of writing the report, the tonnages for October 2011 had not been completed.

Councillor Jeffers left the meeting at 6.44 pm.
Councillor Jeffers returned to the meeting at 6.44 pm.

Councillor Morrow enquired whether Officers had investigated whether the Council owned land that could be used for landfill. He felt that this could be very cost-effective. Alderman Robinson agreed that this was an important issue. However, he thought that there was no suitable land under Council ownership. The Client

Manager stated that there was currently no landfill capacity surplus and that it was unlikely that planning permission would now be granted for such a site.

Noted.

T&ES/2011/419 : EDUCATIONAL TALKS/VISITS (2011/2012) (6.46 pm)

The Client Manager provided details of educational talks/visits carried out by the Recycling & Education Officer in October 2011:

Table 1 Educational Talks/Visits (2011/12)

DATE	GROUP	AGE	NUM	DETAILS
03/10/2011	St Bernard's PS	8 – 9 yr olds	30	3 R's talk & Tetra Pak wallets activity
05/10/2011	Our Lady & St Patricks	11 - 16 yr olds	11	3 R's talk & Tetra Pak wallets activity
07/10/2011	Cairnshill PS	3 - 6 year olds	95	Mr Rat story, sort it out game and paper potting
17/10/2011	Belfast City Mission BB	4 - 11 yr olds	29	3 R's talk, sort it out game & composting activity
18/10/2011	Braniel Methodist BB	4 - 11 yr olds	30	3 R's talk, sort it out game & Quizdom

Noted.

T&ES/2011/420 : THE WASTE MANAGEMENT CHARGING SCHEME (NORTHERN IRELAND) 2011 (6.47 pm)

The Client Manager advised that, in accordance with the above Charging Scheme made under the Waste & Contaminated Land (Northern Ireland) Order 1997, annual subsistence charges payable by the Council to the NIEA for waste management licences covering Cregagh Road and Carryduff Household Recycling Centres for the year 2011/12 were £2,310.00 and £2,970.00 respectively. He stated that charges were based on the total tonnage deposited at each site and he advised that there was a legal requirement for the Council to pay an annual subsistence charge for each licensed site.

Noted.

T&ES/2011/421 : PROPOSED NEW BRING SITE AT BRACKENVALE, SAINTFIELD ROAD, CARRYDUFF (6.47 pm)

The Client Manager advised that the management of Brackenvale, Saintfield Road, Carryduff, had approached the Council in respect of a partnership for the provision of banks for the collection and recycling of glass, wax-coated cartons, plastic bottles and food and drinks cans. There were currently two private textile banks on site - Cancer Fund for Children and NI Hospice.

The Client Manager referred to a previous decision by the Committee that the Council was under no obligation to include any new/additional sites in the arc21 contract (Minute No.T&ESC/2010/501 refers). The Council could, therefore, choose

to exclude any new sites from the current arc21 Bring Centre Service Contract and provide these through an alternative independent arrangement. However, cost and operational considerations needed to be taken into account, given the competitiveness of the current arc21 contract and arc21's ability to manage the collections.

During the ensuing discussion, Alderman Robinson felt it would be important to communicate with neighbouring landowners and residents in order to ascertain their views in respect of a new bring site.

Alderman Rice did not anticipate any issues if food waste was excluded from collection.

Councillor Hanvey raised concerns regarding the cost involved, given the volume of custom, particularly if the bring site was used by persons from outside the Borough. The Client Manager explained that all items, with the exception of glass, were generating an income.

RESOLVED (6.51 pm):

- (a) That the Council be recommended to grant approval for the provision of banks for the collection and recycling of glass, wax-coated cartons, plastic bottles and food and drinks cans at Brackenvale, Saintfield Road, Carryduff, in partnership with the management and within the current arc21 Bring Centre Service contract.
- (b) That Officers ascertain the views of neighbouring residents in respect of a new bring site.

T&ES/2011/422 : WASTE MANAGEMENT ADVERTISING AT DUNDONALD INTERNATIONAL ICE BOWL (6.52 pm)

The Client Manager stated that it had become the practice for the Waste Management Section to advertise various aspects of the Council's waste management services at the Ice Bowl. For Members' information, he tabled copies of the advertising that would be displayed around the ice rink during the next 12 months.

RESOLVED (6.52 pm): That the Council be recommended to grant approval for advertising as outlined in the Client Manager's report to be displayed around the ice rink at Dundonald International Ice Bowl during the next 12 months.

T&ES/2011/423 : COUNCIL WEBSITE LINKS (6.52 pm)

The Client Manager referred to the requirement to obtain Committee approval before placing a link on the Council's website and he sought approval for links to the DoE's Rethink Waste website and the Love Food Hate Waste website to be added.

RESOLVED (6.52 pm): That the Council be recommended to grant approval for links to the DoE's Rethink Waste website and the Love Food Hate Waste website to be added to the Council's website.

T&ES/2011/424 : WEEKLY COLLECTION OF FOOD WASTE TRIAL SATISFACTION SURVEY (AUGUST 2011) (6.52 pm)

The Client Manager referred to the trial of approximately 1,000 households that had taken part in a trial to obtain performance data in respect of the weekly collection of food waste since June 2011. A satisfaction survey was then posted to these households in August 2011 and the Client Manager tabled a report containing the results for Members' information. He further stated that he intended to bring a further report to a future Committee meeting, summarising the trial's performance. Furthermore, as the trial had been ongoing since 2009, there were indications that sufficient performance data had been obtained, therefore there would be no additional value by continuing beyond 31 March 2012.

The Client Manager also stated that food waste collection via the brown bin appeared to be an acceptable alternative.

Noted.

T&ES/2011/425 : ARC21 STREET SWEEPING DISPOSAL CONTRACT (6.55 pm)

The Client Manager advised that arc21 had carried out a tender exercise for a Street Sweeping Disposal Contract on 27 July 2011, in accordance with the EU Open Procedure. Four tender submissions had been received by the closing date of 1 September 2011. Two submissions did not meet the criteria and were, therefore, disqualified.

Following evaluation, Irish Waste Services had achieved the overall highest score and was deemed to be the most economically advantageous tender and the Client Manager sought approval to award the Street Sweeping Disposal Contract to the company.

Following discussion, it was

RESOLVED (6.55 pm): That the Council be recommended to grant approval for the award of the Street Sweeping Disposal Contract to Irish Waste Services, this being the most economically advantageous, for a period of two years within optional extensions of up to 12 months and that the Council should avail of services under the contract.

Alderman Rice left the meeting at 6.55 pm.

T&ES/2011/426 : CONSULTATION PAPER ON IMPLEMENTING EC REGULATIONS 1071-2009, 1072-2009, 1073-2009 ON ROAD TRANSPORT OPERATIONS AND NEW FITNESS AND FINANCE REQUIREMENTS FOR 'OWN ACCOUNT' OPERATORS (6.55 pm)

The Client Manager tabled a report, outlining elements of the above consultation paper and advised that the consultation could be reviewed on two levels, i.e.

- a. A consultation document with the opportunity to shape the transposition of EC regulations into local legislation.

- b. Advance notice of legislation that might be introduced and have an impact on provision of Council services and/or budgets.

a. Consultation

The Client Manager tabled a list of key areas covered by this consultation as well as draft responses to the questions in the consultation document for Members' information.

Councillors Beattie and Spratt left the meeting at 6.56 pm.

b. Anticipated Impact on the Provision of Council Services and Budgets

The Client Manager highlighted the key points from each chapter of the consultation document for Members' information.

Councillor Long left the meeting at 6.57 pm.
Alderman Rice returned to the meeting at 6.57 pm.

During the ensuing discussion, Councillor Vitty enquired how the cost-effectiveness of outsourcing services could be quantified. The Client Manager replied that the cost-effectiveness could only be demonstrated by testing the market. He also explained that a licence would cover a maximum of four centres under EU legislation, limiting the Council's ability to outsource.

Councillors Beattie, Long and Spratt returned to the meeting at 6.59 pm.

Alderman Beattie enquired whether the Council could be made exempt from the legislation. The Client Manager felt that this was not possible. Alderman Robinson felt that there could be implications on the Council's financial budgets.

Councillor McCoy returned to the meeting at 7.02 pm.

Councillor Spratt commented that this consultation could result in the creation of additional posts, which he did not feel comfortable with, as some of the tasks mentioned were currently being carried out by Council staff. He asked that Officers identify staff members currently carrying out these tasks and specify any additional tasks.

Councillor Vitty suggested that the Council liaise with another council of a similar size to Castlereagh Borough Council to provide an estimate of the cost of outsourcing compared to providing services internally.

Councillor Copeland left the meeting at 7.12 pm.

The Client Manager advised that he had contacted Antrim Borough Council in this respect and he stated that he would table their response as soon as it became available. He went on to say that these tasks would not necessarily be additional but a new post would be created, which would require a job description. However, the new post would not necessarily be additional.

Councillor Morrow left the meeting at 7.15 pm.

Alderman Robinson felt that it would be appropriate to await further information before reaching a decision in respect of the most beneficial way forward for the Council.

Councillors Copeland and Morrow returned to the meeting at 7.18 pm.

Following some further discussion, it was

RESOLVED (7.25 pm):

- a. That the Council be recommended to grant approval for the responses to the consultation paper on Implementing EC Regulations 1071-2009, 1072-2009, 1073-2009 on Road Transport Operations and New Fitness and Finance Requirements for 'Own Account' Operators.
- b. That preparation and evaluation of a job description and person specification for the role of Transport Manager be approved and more information is made available regarding the cost-effectiveness of providing garage services externally.

T&ES/2011/427 : STAFFING MATTERS – REQUEST FOR TRAINING (7.25 pm)

The Client Manager sought approval for a request for training from the Deputy Garage Foreman to attend a course entitled 'Management of Driver Hours' on 14 November 2011 at the cost of £95. The Client Manager stated that this training would be a requirement of the new Operator Licensing Regulations. He confirmed that there were sufficient funds in the budgets to cover the cost of this training.

RESOLVED (7.25 pm): That the Council be recommended to grant approval for the Deputy Garage Foreman to attend a course entitled 'Management of Driver Hours' on 14 November 2011 at a cost of £95

T&ES/2011/428 : PURCHASE OF DIESEL SMOKE TESTER FOR GARAGE (7.25 pm)

The Client Manager referred to a previous report, which had advised that it would be necessary to purchase a diesel smoke tester in order to comply with the Operator Licensing Regulations. Quotations had been sought in line with the Council's purchasing policy, with the most economically advantageous tester being A MAHA MDO – 2 diesel smoke tester with RPM and temperature connected to the PC, at a cost of £3,950. The Client Manager advised that this cost was below the limit at which purchasing approval from the Committee was required.

Noted.

Councillor Long left the meeting at 7.25 pm.

T&ES/2011/429 : LONG-TERM SICK ABSENCE OF MECHANIC (7.25 pm)

The Client Manager referred to a previous report, which had advised of the long-term sick leave of a longstanding member of staff (a garage mechanic). This was causing operational difficulties at the garage; therefore it had been necessary to send out items of plant to be serviced. For example, a sweeper had been returned to the sole supplier, which had resulted in repair costs of £4,368.35 plus labour of £1,680 (charged at an hourly rate of £40). This would result in additional costs being incurred at the garage.

Noted.

T&ES/2011/430 : FUEL COSTS (7.25 pm)

The Client Manager tabled a graph showing diesel fuel costs for the current financial year. He advised that if fuel costs remained at 3p per litre above the costs estimated and budgeted for the year 2011/2012, there would be an overspend of the provisions made.

Noted.

T&ES/2011/431 : RESIDUAL WASTE TREATMENT PROJECT (7.25 pm)

The Client Manager provided Members with an update in respect of progress of the Residual Waste Treatment project.

Noted.

T&ES/2011/432 : FORMER FOOTBALL PITCH ON NIHE LANDS AT BELVOIR DRIVE (7.26 pm)

The Client Manager reported that he had been contacted by the office of Conal McDevitt MLA, asking for a meeting to discuss the transfer of the former football pitch area on NIHE lands at Belvoir Drive. Councillor Spratt stated that he would speak to Conal McDevitt MLA and advise him of the steps that had been taken.

Councillor Long returned to the meeting at 7.27 pm.

Following some discussion, it was

RESOLVED (7.29 pm): That a meeting between Elected Members from the area and Conal McDevitt MLA be deferred.

T&ES/2011/433 : PROPOSALS FOR PARTNERING ARRANGEMENTS FOR THE REMOVAL OF SNOW AND ICE FROM TOWN CENTRE FOOTWAYS AND PEDESTRIAN AREAS (7.29 pm)

The Client Manager tabled a copy of the draft Partnering Arrangements, together with comments regarding these arrangements and a copy of recent correspondence from the Minister. He further reported that the Chief Executive had arranged a meeting with the Roads Service to discuss this matter.

RESOLVED (7.29 pm): That no further progress be made in respect of the draft Partnering Arrangements for the removal of snow and ice from town centre footways and pedestrian areas until after the meeting between the Chief Executive and representatives from the Roads Service.

T&ES/2011/434 : IMPLICATIONS OF PENDING STATUTE (7.30 pm)

The Client Manager advised that he had carried out a high-level review of the impact that forthcoming legislation would have on the work of the Client Services Unit, i.e.:

1. Local Government Miscellaneous Provisions Act 2010 - The clarification of powers of district councils to enter into long-term contracts will have a bearing on the work of arc21 and will, therefore, indirectly affect councils.
2. Planning Act (NI) 2011 - This will impact on the delivery of capital projects.
3. Roads (Miscellaneous Provisions) Act 2010 – District councils will be able, by order, to restrict or prohibit temporary use of any public roads – it has not been clarified where these powers will lie within the Council.
4. Clean Neighbourhoods and Environment Act (NI) 2011 – The litter guidance section will have an impact on Client Services as will nuisance parking and fixed penalty notice guidance regarding local environmental issues and also the guidance regarding abandoned vehicles. This will result in additional resources being required with a corresponding impact on costs.
5. Single Use Carrier Bags Act (NI) 2011 – The powers for the collection and enforcement of this legislation may be transferred to Councils. It is not known what the impact of this will be.
6. The Local Government (Best Value) Act (NI) 2002 – This legislation will enable councils to include social policies in their procurement contracts. This may have an impact on various contracts procured through the Technical & Environmental Services Department. It is not known what these impacts are.
7. Operator Licensing – This is considered elsewhere in this report.

The Client Manager stated that the only area of financial impact that had been considered and estimated to date was that due to Operator Licensing.

Noted.

T&ES/2011/435 : TENDER FOR REPLACEMENT VANS (7.30 pm)

The Client Manager advised that, during the Estimates process of the previous year, it had been anticipated that four vans currently in use by the Environmental Health Service and Client Services would come to the end of their economic life. These vans were from the year 2000 (two number), the year 1999 and the year 1998, i.e. 11, 12 and 13 years old. A review of the condition of these vans had now taken place, together with an assessment of their operational usage and the vans were now considered to be beyond the stage where they were economically viable for continuous use. The assessment of their usage had indicated that it would be possible to downsize one from a 'Transit' size (2.8 tonne) and two from a mid-range (2.2 tonne) Peugeot to long-wheel base compact (2.1 tonne) Renault Kangoo sized vans.

Tender documents had been prepared on this basis and following a public advertisement, five tenders had been received, proposing eight number options.

The Client Manager stated that it would be possible to have the vans painted in Council colours and marked with chevrons more cheaply than through the tender process, therefore he suggested delivery of the vans in standard manufacturer's colours and to have them repainted in Council colours.

During the ensuing discussion, it was proposed by Councillor Spratt, seconded by Alderman Rice and

RESOLVED (7.31 pm): That the Council be recommended to grant approval for the tender from Charles Hurst Renault, being the most economically advantageous tender, for the supply of four number 2.1 tonne GVW panel vans, two of these with plywood sheeting.

T&ES/2011/436 : NIEA AUDIT OF HOUSEHOLD RECYCLING CENTRE FACILITIES (7.31 pm)

The Client Manager advised that, at the time of writing his report, the Northern Ireland Environment Agency (NIEA) were carrying out an audit of record-keeping processes at the household recycling centres. He stated that he would provide a further update once it became available.

Noted.

T&ES/2011/437 : STAFFING MATTERS (7.32 pm)

The Client Manager advised that several members of staff were currently 'acting up' within the Department, which would result in an overspend of respective budgets, i.e. agencies. He, therefore, sought approval for these overspends as long as the overall amount allocated was not exceeded.

The Client Manager also advised that the Recycling & Environment Officer had recently given birth to a baby boy. Members offered their congratulations.

RESOLVED (7.32 pm): That the Council be recommended to grant approval for an overspend in agency budgets due to a rise in staff 'acting up', as long as the overall amount allocated was not exceeded.

T&ES/2011/438 : PLAYGROUND SITE AT HILLMOUNT DRIVE, MONEYREAGH (7.32 pm)

The Client Manager advised that the existing playground at Hillmount Drive was long established and the play equipment was now out of date. He added that a new playground was currently being procured for Moneyreagh, to be sited adjacent to the Community Centre. Members of the local community had suggested using the existing site for a MUGA-type facility suitable for older children or a skate park.

Councillor Jeffers left the meeting at 7.33 pm.

The Client Manager referred to a previous decision to approach the Northern Ireland Housing Executive (NIHE) in respect of combining this site with some of the NIHE adjacent lands and selling this larger site for development. However, the NIHE had now indicated that they were no longer planning to sell their lands. The Client Manager sought Members' views in respect of testing the market for the site on its own.

The Client Manager further stated that a change of use resulting in significant use by older children and teenagers would require significant consultation and support.

Councillor Jeffers returned to the meeting at 7.34 pm.

During the ensuing discussion, Councillor Spratt felt that a MUGA-type facility would be a possibility at the Community Centre, although it would be necessary to consult with the Community Association.

Councillors Copeland, Hanvey and White left the meeting at 7.35 pm.

RESOLVED (7.36 pm): That Officers ascertain whether the NIHE would be interested in purchasing the site for social or sheltered housing.

T&ES/2011/439 : LANDS AT 92A COMBER ROAD, DUNDONALD (7.36 pm)

The Client Manager referred to an offer of purchase of a small section of land by the owner of 92A Comber Road, Dundonald, for a sum of £10,000. It had been agreed to accept the offer, subject to the terms specified and an agreement that the purchaser would pay the Council's legal fees. The purchaser had agreed to the Council's terms but did not have the funds at present, therefore he had proposed to pay once the property had been sold.

Following discussion, it was

RESOLVED (7.37 pm): That the Council be recommended to grant approval for the funds in respect of the purchase of a small section of land by the owner of 92A Comber Road, Dundonald, to be paid to the Council following the sale of the property, with the proviso that this arrangement be reviewed after six months.

T&ES/2011/440 : THE LANDFILL ALLOWANCES (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2011 (7.37 pm)

The Client Manager advised that the above statutory rule was due to come into operation on 22 November 2011. This would take into account the changes to the interpretation of municipal waste and would introduce the term 'Local Authority collected municipal waste'. The Client Manager stated that it was not thought that, at present, there would be any impact on the work of the Council.

Noted.

ANY OTHER BUSINESS – CLIENT SERVICES

T&ES/2011/441 : SITE VISIT (7.37 pm)

The Client Manager advised that the site visit to waste management facilities planned to take place after the arc21 Joint Committee meeting on 1 December 2011, was now available to all Elected Members. He circulated a programme for the visit for Members' information.

Noted.

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

T&ES/2011/442 : REPORTS AVAILABLE (7.38 pm)

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

- Insight, Summer 2011, issue 19
- At Your Leisure, Guidance Publications, Woodland Trust
- Warmer Healthier Homes - A New Fuel Poverty Strategy for Northern Ireland, March 2011
- A Guide to the Benefits of Urban Trees, Greenleaf Publications

Noted.

T&ES/2011/443 : NEWS RELEASES (7.38 pm)

The Director of Technical & Environmental Services tabled the following news releases for Members' information:

Severe weather preparations a priority – Attwood

The Director of Technical & Environmental Services tabled a copy of the above-mentioned DoE News Release, dated 21 September 2011, for Members' information. He stated that the Minister for the Environment, Alex Attwood, whilst visiting a multi-agency emergency planning exercise organised by Belfast City Council to ensure preparations for severe weather emergencies were underway, had commented that 'district councils have a leading role in responding to civil emergencies'. He had gone on to note that 'it is crucial to look forward, plan now and be ready for the unexpected, to ensure essential local services are sustained and meet the needs of citizens, including the most vulnerable...'.

Preparations underway for winter weather

The Director of Technical & Environmental Services advised that the Minister for Regional Development, Danny Kennedy, had recently met with representatives from the Northern Ireland Local Government Association (NILGA) to discuss partnership arrangements for the removal of snow and ice on busy town centre pedestrian areas during prolonged severe weather. In the DRD News Release of 5 October 2011 the Minister had noted that '...good progress has been made in preparation for the winter weather. We have secured key principles with NILGA and SOLACE and I am hopeful this will lead to the roll out of local agreements with each council. These agreements will take account of council preferences for a schedule of footways to be treated, call-out arrangements, salt delivery arrangements, and perhaps most importantly, the resources available to each council'.

Kennedy launches Newtownabbey Travel Plan

The Director of Technical & Environmental Services tabled a copy of the above-mentioned DRD News Release, dated 6 October 2011, for Members' information. He stated that the Minister for Transport, Danny Kennedy, speaking at the launch of the Workplace Travel Plan for Newtownabbey Borough Council, had commented that 'Workplace Travel Plans offer real benefits to organisations, their employees and the community that surrounds them by relieving local car parking and congestion problems and improving public transport connections across the area. It may also reduce "car stress" on employees through reducing delays'.

Rapid Transport Network can transform Belfast – Kennedy

Speaking at the launch of the public consultation on 12 October 2011 on the route options for the new Belfast Rapid Transit pilot network, the Minister for Transport, Danny Kennedy, had commented that 'Belfast Rapid Transit will help to transform the transport system, providing quick and efficient access into and across the city helping to regenerate and open up new development opportunities along its routes'. The Director of Technical & Environmental Services tabled a copy of the above-mentioned DRD News Release, dated 12 October 2011, for Members' information.

Alderman Rice left the meeting at 7.38 pm.

T&ES/2011/444 : ARC21 JOINT COMMITTEE – MINUTES OF MEETING NO 88 HELD ON 25 AUGUST 2011 (7.38 pm)

The Director of Technical & Environmental Services tabled the Minutes of the Joint Committee Meeting No 88 held on 25 August 2011, hosted by Belfast City Council at Malone House, Belfast. These Minutes had been ratified at the meeting of the Joint Committee held on 29 September 2011, hosted by Larne Borough Council at Willowbank Business Park, Larne.

Some of the business addressed at the above meeting was as follows:

- Matters Arising
- Calls for Conflicts of Interest
- Contracts and Performance Update
- Residual Waste Treatment Project
- Municipal Waste Disposal Contracts Report Consultation on an Addendum and Delivery Programme to the NI Waste Management Strategy 2006 – 2010
- Consultation on Proposals for a Change on Single Use Carrier Bags
- Environmental Governance in Northern Ireland
- AOB
- Next Meeting

The Director of Technical & Environmental Services 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/2011/445 : ARC JOINT COMMITTEE – MINUTES OF THE SPECIAL MEETING NO 89 HELD ON 2 SEPTEMBER 2011 (7.38 pm)

The Director of Technical & Environmental Services tabled the Minutes of the Special Joint Committee Meeting No 89 held on 2 September 2011, hosted by Belfast City Council at CMS Ireland, 33 Dargan Road, Belfast. These Minutes had been ratified at the meeting of the Joint Committee held on 29 September 2011, hosted by Larne Borough Council at Willowbank Business Park, Larne.

Some of the business addressed at the above meeting included the following:

- Matters Arising
- Calls for Conflict of Interest
- Municipal Waste Disposal Contacts Report

The Director of Technical & Environmental Services 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.

Councillor Hanvey returned to the meeting at 7.38 pm.

T&ES/2011/446 : ARC21 PRESENTATION TO THE SPECIAL COUNCIL MEETING OF 17 NOVEMBER 2011 (7.38 pm)

The Director of Technical & Environmental Services referred to previous discussion at the Committee meeting of 3 October 2011 regarding current Arc 21 developments. He advised that arc21 representatives had confirmed their availability to attend the above Special Council Meeting, to be held on 17 November 2011.

Noted.

T&ES/2011/447 : MANAGEMENT OF COUNCIL FUEL STOCKS (7.38 pm)

The Director of Technical & Environmental Services referred to previous discussions regarding the management of Council fuel stocks and tabled a further update from the Business Support Manager, which outlined current developments and actions. The report had also been presented to the Audit Sub-Committee meeting of 17 October 2011.

Noted.

T&ES/2011/448 : ESTIMATES FOR 2012/2013 – TECHNICAL & ENVIRONMENTAL SERVICES DEPARTMENT (7.39 pm)

The Director of Technical & Environmental Services stated that, due to the current economic conditions, the Council was faced with significant challenges for the 2012/2013 financial Estimates process and the striking of the 2012/2013 district rate for the Council. Many of these challenges included cost increases over which the Council had no direct control or influence. The following four sources of challenges had been recognised by the Technical & Environmental Services Department:

- i. Factors directly affecting the existing statutory obligations discharged by the Department on behalf of the Council.
- ii. The potential of new regional and national legislation coming into operation with associated financial implications for the Council. Details of new legislation directly impacting on the Council in 2012/2013 and thereafter had been considered at the Technical & Environmental Services Committee Meeting of 4 October 2011 (Minute T&ES/2011/380 refers). Also worth noting was the possibility of additional new legislation to that advised on 4 October 2011, which would have financial implications for the Council. Members had already been advised of the financial implications of the Agency Directive.
- iii. Currently there was limited clarity as to the timetable for the Review of Public Administration (RPA). There was potential for RPA initiatives to transfer current Central Government functions to Local Government with insufficient funding to deliver them.
- iv. Other possible partnering arrangements, such as current proposals for Partnering Arrangements for the Removal of Snow and Ice from Town Centre Footways and Pedestrian Areas.

The Director of Technical & Environmental Services advised that some of the factors directly affecting existing statutory obligations would include issues of the costs for the following:

- Landfill tax (currently proposed as £64 per tonne for 2012/2013)
- Utilities, e.g. electricity, water and gas costs
- Recycling collection and treatment (certain services to be re-tendered during 2012/2013)
- Repairs and maintenance
- Vehicles fuel (price volatility)
- Reduction in income levels due to the current economic conditions

During the ensuing discussion, Alderman Robinson requested that the Estimates Working Group be kept informed of any cost increases.

RESOLVED (7.39 pm): That Officers keep the Estimates Working Group informed of any cost increases for consideration during the Estimates 2012/2013 process.

Councillor Copeland returned to the meeting at 7.40 pm.

ANY OTHER BUSINESS

T&ES/2011/449 : DEVELOPMENT SITE AT BROOKE HALL (7.40 pm)

Councillor Hanvey referred to a previous request that Officers examine the abandoned development site adjacent to Brooke Hall and to liaise with relevant agencies in order to identify any health and safety issues as well as ways to ensure there would be no danger to residents living nearby. He requested that Officers provide him with an update on developments in this respect.

RESOLVED: That Officers provide an update on developments relating to health and safety issues as well as ways to ensure there would be no danger to residents resulting from the abandoned development site adjacent to Brooke Hall.

T&ES/2011/450 : OIL STAMP DUTY (7.41 pm)

Councillor Hanvey asked Officers to provide an update in respect of oil stamp duty as well as possible ways in which to assist residents during the winter.

RESOLVED: That Officers provide an update in respect of oil stamp duty as well as possible ways in which to assist residents during the winter.

T&ES/2011/451 : DOG FOULING (7.42 pm)

Councillor Long referred to issues of dog fouling. He stated that Council staff were patrolling the area during the day but Councillor Long felt that more patrols would be required during early morning and evenings. The Environmental Health Manager suggested that patrols could be staggered to accommodate these times.

RESOLVED (7.43 pm): That Officers identify ways to stagger patrolling of the Borough in order to identify dog fouling offences in order to accommodate increased patrols during early morning and evening.

There being no further business, the meeting ended at 7.43 pm.

CHAIRMAN

CHIEF EXECUTIVE

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

MAYOR