

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, 4 October 2011, at 6.00 pm

PRESENT: Alderman G Robinson
(in the chair)

ALDERMEN: J Beattie MBE
S Duncan
M Henderson MBE
G Rice MBE

COUNCILLORS: A Beattie (from 6.08 pm)
M Chambers
M Copeland
M Gregg
C Hall
C Howard
T Jeffers
M Long
V McCoy (from 6.27 pm)
P O'Reilly
T Sandford
J Spratt
J White

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

APOLOGIES: Apologies were received on behalf of Councillors Drysdale, Hanvey and Morrow

T&ES/2011/336 : DECLARATIONS OF INTEREST (6.07pm)

The following declarations of interest were put forward:

Councillor Howard in respect of her employment with Belfast Metropolitan College

Noted.

MINUTES
(copy previously circulated)

T&ES/2011/337 : MINUTES OF THE TECHNICAL & ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD ON 6 SEPTEMBER 2011 (6.07 pm)

Noted.

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

T&ES/2011/338 : WELCOME TO SENIOR BUILDING CONTROL OFFICER (6.08 pm)

The Chair welcomed the Senior Building Control Officer to the meeting and advised that he would be presenting the Building Control report to Council as part of the Department's arrangements for giving senior staff experience in presenting reports to Council/Committees.

Noted.

T&ES/2011/339 : SCHEDULE OF APPLICATIONS (6.09 pm)

The Senior Building Control Officer outlined details of the schedule of applications approved by the Building Control Unit for the period 1 August 2011 to 31 August 2011.

Noted.

T&ES/2011/340 : REPORTS ON APPLICATIONS, INSPECTIONS AND SOLICITORS' ENQUIRIES FOR THE PERIOD 1 AUGUST 2011 TO 31 AUGUST 2011 (6.09 pm)

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

Noted.

T&ES/2011/341 : BUILDING CONTROL IT SYSTEM RENEWAL STATUS REPORT (6.10 pm)

A Building Control IT System Renewal Status Report had been previously circulated and an updated report was tabled at the meeting. The Chair gave Members some time to read the updated report.

Members were reminded that at the Committee's meeting on 7 June 2011, a recommendation that the Building Control service update its IT system as a matter of urgency was supported. It was recognised that the existing system, which had served the Council for 14 years had reached the extent of its practicable life. It was noted in the report that this was the only Council in the UK still using this antiquated system.

At that meeting it had been resolved that the existing Building Control IT management system be upgraded, as soon as possible, in line with the Councils procurement procedures. (Minute No T&ES/2011/138 refers).

The Senior Building Control Officer reported that the current IT system was at an increasing serious risk of failure due to its age and lack of supplier development. The current supplier had recently indicated that they would support the current IT system for an extended year beyond 31 March 2012. However Members were advised that this extended maintenance period covered only the IT system within their control and would not guarantee a solution should the Council change the environment. The supplier had stipulated that no development of this system would take place to allow for recent legislative changes, restricting the possibility of partnership working and potential increase of revenue to Council.

Given that the current supplier, Northgate, had strongly highlighted the limitations of the extended support period, Members were advised that it would be prudent to have any new IT systems in place as soon as possible.

The Senior Building Control Officer advised that the implications of a system failure were a loss of statutory records that would severely affect the Council's ability to issue certification on applications, an adverse effect on customers through inadequate service provision, harm to the Council's reputation and might lead to complaint and litigation as the Council might not have the required information to defend itself.

Members were reminded that issues raised at the Committee's meeting in September included consideration of possible RPA partners, current IT systems used by these Councils and their compatibility with any new CBC IT system. A meeting had been held with Lisburn City Council (LCC) representatives, including Departmental Directors, Service Unit Managers and Senior Officers, the purpose of which had been to investigate all options open to the Councils should RPA be announced. Discussion had been around LCC's Building Control IT system, possible integration of CBC system, interim measures in relation to collaboration and an agreed outcome as to the best way forward in relation to RPA. It had been agreed that, in order to integrate systems in the future, it would be desirable for this Council to be on a platform equal and level with LCC.

The Building Control IT System Renewal Report also considered the Council's existing IT system risks, the benefits of updating the software, the procurement principles, the IT specification and external environment influences. The Senior Building Control Officer advised that this had informed progress to date.

It was reported that, in order to progress the resolution from the June Committee meeting, the Building Control Manager had set up a working group made up of the Senior IT Systems Administrator, the Procurement Officer and Building Control staff. In addition a series of meetings had been held with the Director of Finance. Consequently, at this stage, there was corporate agreement from Council staff on this project including the IT specification current status.

It was reported that a principal outcome of the working group discussions had been that, in accordance with current Council procedures and Office of Government

Commerce Guidelines, the replacement IT system would have to be procured appropriately.

Members were advised that recent discussions with Land and Property Services (LPS) had resulted in LPS recommending to the Department of Finance and Personnel, grant aid to the Council of £13,000 to move to a new Building Control IT system. This would allow the share of information between both parties and allow for recent legislative changes such as the Rating of Empty Homes. It would reduce the net initial cost to the Council to not more than £12,000 for the new IT system.

It was reported that LPS had also indicated that, in order to avail of the grant, the Council would require the new IT system to be operational by the end of this financial year. In discussions it had been indicated that it might be possible to defer a request for grant aid until the next financial year but any award would be dependent on LPS finance availability for year 2012/2013.

It was noted that, as previously agreed, the current Building Control IT system carried significant risk and should therefore be updated as a matter of urgency. It was also recognised that any delay in replacing the current IT system would have an adverse effect on many issues discussed in the IT System Renewal Status report, including the possible loss of systems, an inability for the Service Unit to meet its statutory function and a consequential loss of reputation for the Council.

Members were also advised that, should approval to proceed not be granted and ratified by Council in October, it was unlikely that any new contract would be in place in this financial year. This took no account of any unforeseen delays.

It was recommended that the current status be noted and approval be granted to progress the project.

RESOLVED (6.15 pm):

- (a) that it be recommended that Council proceed without further delay with the upgrade to the Building Control IT system.
- (b) that the upgrade to the Building Control IT system should be compatible with that currently used in Lisburn City Council Building Control Service

T&ES/2011/342 : PHASE 2 BUILDING REGULATIONS CONSULTATION (6.16 pm)

The Senior Building Control Officer reported that officers had prepared a response to the Department of Finance and Personnel's phase 2 consultation regarding proposed changes to the Building Regulations (copy previously circulated). Members were reminded that, due to the imminent closing date for consultation, the Committee had been granted executive powers to approve the draft response (Minute No T&ES/2011/249 refers).

The Senior Building Control Officer provided a detailed outline of the proposed changes and their implications as follows:

- The existing technical booklets (which set a minimum standard to be achieved) to be replaced by guidance documents which would result in more debate with customers over technical issues and materials.
- A restriction in use of building notice applications resulting in additional officer time being spent assessing full plan applications.
- New statutory inspection notification stages leading to an increase in the number of site visits by officers and increasing the Council's statutory responsibility.
- New technical requirements for ventilation; sound insulation; conservation of fuel and power; combustion appliances and fuel storage systems; site preparations and resistance to moisture; sanitary appliances and unvented hot water storage systems. These would involve more officer time being spent checking technical aspects of design and ascertaining conformity as the guidance has become so complex. In addition more time would have to be spent in educating contractors as the complexity would pose a challenge.
- Building Control stationery would have to be duplicated for all applications made after the implementation date meaning an increased administrative workload.
- Training would be required for officers to become familiar with the proposed changes. The costs of training and new guidance literature were estimated at £7,000 in addition to the unit's normal yearly training budget.

Members were advised that the new legislation would be in place by June 2012. They were asked to note that the proposed changes were not directly linked to an increase in prescribed fee income and the issue of fees would be subject to Phase 3 consultation later this year. The Senior Building Control Officer advised that the changes would mean that it was unlikely that the Unit would be able to deliver the agreed levels of cost recovery.

RESOLVED (6.16pm): that the Committee approve the consultation response in respect of Phase 2 Building Regulations and that this be submitted to the Department of Finance and Personnel.

T&ES/2011/343 : DEPARTMENT OF ENTERPRISE, TRADE & INDUSTRY (DETI) CONSULTATION ON THE DEVELOPMENT OF THE NORTHERN IRELAND RENEWABLE HEAT INCENTIVE (6.16 pm)

It was reported that, as previously agreed, the Building Control Manager had prepared a response to the Department of Enterprise, Trade and Industry (DETI)'s consultation document on the development of the Northern Ireland renewable heat incentive (copy previously circulated; Minute No. T&ES/2011/256 refers) It was noted that the consultation closing date was 3 October 2011.

Members were advised that officers had consolidated any responses received and had made the submission on the Council's behalf.

RESOLVED (6.16 pm): that it be recommended that Council grant retrospective approval to the submission by officers of a response on behalf of Council in respect of the renewable heat incentive by the consultation deadline.

T&ES/2011/344 : STREET NAMING AT COOPERS MILL, DUNDONALD (6.16 pm)

It was reported that McGinnis Developments had now proposed the street names of 'Coopers Mill Village' and 'Coopers Mill Row' for phase two of a development at Harberton Heights (Old Mill Development) Upper Newtownards Road, Dundonald

RESOLVED (6.16 pm): that it be recommended to Council that the street names of 'Coopers Mill Village', and 'Coopers Mill Row' be allocated to the further part of phase two of a development by McGinnis Developments at Harberton Heights (Old Mill Development) Upper Newtownards Road, Dundonald,

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

T&ES/2011/345 : TULLYCARNET PARK UPDATE (6.16 pm)

Members were advised that, following an update to the Committee in September, the works within Tullycarnet Park had been completed and the official opening was scheduled for 21 October 2011

Noted.

T&ES/2011/346 : BRANIEL SOCCER PITCH UPDATE (6.17 pm)

(Councillor Copeland arrived at 6.17 pm)

The Operational Services Manager advised that, following an update to the Committee in September, the fencing works at Braniel Soccer Pitch had been completed. As the conversion works had been undertaken in conjunction with the local community, Members were asked to consider an official opening of the new pitch and to refer this to Central Services Committee for further action.

RESOLVED (6.18 pm): that it be recommended that Council approve the official opening of the new Braniel Soccer Pitch with the matter being referred to Central Services Committee for further action

T&ES/2011/347 : CORRESPONDENCE RECEIVED FROM BELFAST PRIMARY SCHOOLS' FOOTBALL ASSOCIATION (6.18 pm)

It was reported that correspondence had been received from Belfast Primary Schools Football Association requesting the use of the Billy Neill Soccer Centre of Excellence to stage their Celtic Cup Competition on 18 and 19 May 2012 (copy previously circulated).

RESOLVED (6.18 pm): that it be recommended that the Council approve the request from Belfast Primary Schools Football Association for the use of the Billy

Neill Soccer Centre of Excellence to stage its Celtic Cup competition on 18 and 19 May 2012.

T&ES/2011/349 : SUMMER OPENING TIMES FOR 2012 AT COUNCIL HOUSEHOLD RECYCLING CENTRES (6.21 pm)

The Operational Services Manager reported that the Council's Waste Management Section had indicated that the waste tonnage for June 2011 was down by 32%. He stated that investigations with neighbouring Councils had identified a similar trend and accordingly their late-night opening hours had been reduced accordingly.

As the collection calendars were currently being produced for 2012, it was recommended that the Council's HRC site opening hours be reduced for summer 2012 from the current five day late-night opening to one mid-week late-night opening to reflect that of neighbouring Council areas.

RESOLVED (6.21 pm): that it be recommended that the Council approve the reduced late-night opening hours at both HRC sites.

T&ES/2011/350 : NATIONAL MINIMUM WAGE INCREASE (6.21 pm)

The Operational Services Manager reported that correspondence had been received indicating there would be an increase in the statutory minimum wage payment. He advised that the increase would affect 26 agency staff employed within Operational Services and would commence on 1st October 2011. He reported that this was an increase of 2.55% from £5.93 - £6.08 and that there was sufficient budget to meet the expected increase.

RESOLVED (6.21 pm): that it be recommended that Council approve the new minimum wage agency costs due to the statutory increase in the minimum wage.

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

T&ES/2011/351: STATUTORY NOTICES – PUBLIC HEALTH (IRELAND) ACTS 1878 AND 1907 (6.22 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/2011/352 : PUBLIC CONSULTATION – HIGH HEDGES ACT (NORTHERN IRELAND) 2011 DRAFT GUIDANCE (6.22 pm)

The Environmental Health Manager reported that the closing date for consultation on the High Hedges Act (Northern Ireland) 2011 was 5 November 2011. Due to the size of the consultation document and the limited time available for officers to prepare comments in time for this meeting, he suggested that it be recommended that Council give executive powers to the Committee at its meeting in November to

consider officers' comments on the consultation document and submit a response on behalf of Council.

RESOLVED (6.22 pm): that it be recommended that Council give executive powers to the Technical & Environmental Services Committee at its meeting in November to consider officers' comments in respect of the High Hedges Act (NI) 2011 Draft Guidance and submit a response on behalf of the Council.

T&ES/2011/353 : PERFORMANCE INDICATORS (6.22 pm)

Members were reminded that the Environmental Health Service Unit's performance was measured annually. They were asked to note that once again the Service Unit had performed to the highest standard maintaining its top score across the measured criteria. The Unit had achieved the following Matrix scores:

Food Management	A
Food Performance	A
Food Review	A
Health and Safety Management	A
Health and Safety Performance	A
Health and Safety Review	A

RESOLVED (6.22 pm): that it be recommended that Council pass on its thanks and congratulations to staff in the Environmental Health Services unit in respect of the high scores achieved.

T&ES/2011/354 : HEALTH AND PERSONAL SOCIAL SERVICES (NI) ORDER 1978 - THE CHILDREN AND YOUNG PERSONS (SALE OF TOBACCO ETC) REGULATIONS (NI) 2008 (6.22 pm)

The Environmental Health Manager advised that the Environmental Health Service Unit had carried out a further tobacco underage sales test purchase exercise on Saturday 10 September 2011 in accordance with Council procedures (Minute No T&ESC/2006/238 as amended by T&ESC/2008/398 refers).

He reported that the enforcement exercise had surveyed 17 retailers and that, out of these, 4 retailers had failed the survey and sold cigarettes to a child of 14 years of age contrary to Article 3(1) of the above Order. He advised that a majority of premises requested identification and refused sales and he indicated that the staff and business owners had been congratulated on their compliance with the legislation.

The Manager reported that representatives from the premises that failed the exercise 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 update the Committee on the outcome of these interviews in due course.

Noted.

T&ES/2011/355 : CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES (6.23 pm)

The Environmental Health Manager advised that a witness statement had been provided by the PSNI regarding an offence where a person had been detected drinking in the Borough, contrary to the Council’s bye-laws and he sought approval to instigate legal proceedings in line with the Council’s policy.

RESOLVED (6.23 pm): That the Council be recommended to grant approval for the Environmental Health Manager to instigate legal proceedings against a person for the consumption of intoxicating liquor in designated areas, in line with the Council’s policy.

T&ES/2011/356 : CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES – DRINKING IN DESIGNATED AREAS (6.23 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-law. He provided a copy of the most recent table that had been forwarded to the DPP Manager for consideration.

MONTH	ADULT	JUVENILE	LOCATION
April 2010	1	2	-
May 2010	4	5	-
June 2010	2	7	-
July 2010	0	1	-
August 2010	0	2	-
September 2010	0	5	-
October 2010	0	4	-
November 2010	1	3	-
December 2010	0	2	-
January 2011	0	5	-
February 2011	0	1	Newton Park, Newtownbreda
March 2011	0	10	9 at Dundonald International Ice Bowl 1 at Willowbank Drive, Castlereagh
September 2011	1	0	Burnside Avenue
TOTAL	9	47	

Noted.

T&ES/2011/357 : IMPLICATIONS OF NEW STATUTE DISCHARGED TO LOCAL AUTHORITIES (6.23 pm)

The Environmental Health Manager referred to the report by the Director of Technical and Environmental Services tabled at the Committee’s meeting in September 2011 regarding the pending Statute about to be discharged to the Council (Minute No. T&ESC/2011/328 refers). The Director had highlighted some of the implications for the Technical and Environmental Services Department regarding these pending Statutes.

The Manager advised that a further report would be tabled next month detailing the new statutory obligations and the implications these would have on the Environmental Health Service Unit.

Noted.

T&ES/2011/358 : THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985 – ARTICLE 3 – LICENSING OF PLACES OF ENTERTAINMENT – RENEWAL OF LICENCE (6.23 pm)

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

RESOLVED (6.23 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/2011/359 : THE DOGS AMENDMENT BILL (6.23 pm)

The Environmental Health Manager reminded Members that he had tabled several reports on the above legislation which was being implemented in stages. He advised that the Fixed Penalty process of the Statute had commenced on 3 October 2011.

The Manager advised that the legislation now permitted the Council to set its Fixed Penalty levels to a maximum of £80.00 per Fixed Penalty Notice and a default of £75.00 per Fixed Penalty Notice would come into effect should Councils not set their fee. He stated that the Statute proposed the concept of early redemption of Fixed Penalty Notices at a lesser rate than the maximum or default amount. He indicated that this process of a 2-tier fixed penalty system worked successfully under the Smoking (Northern Ireland) Order and would also be introduced through The Clean Neighbourhoods Bill.

Members were reminded that the revenue from Fixed Penalty Notices was retained by the Council and would be used for the delivery of dog control service.

RESOLVED (6.24 pm):

- (a) that it be recommended that Council approve the maximum fee of £80.00 for all Fixed Penalty Notices paid in full within 28 days of service of notice under the Dogs Amendment Bill
- (a) that it be recommended that Council approve a reduced fee of £50.00 for fixed penalty payments received within 14 days of service of notice under the Dogs Amendment Bill

ANY OTHER BUSINESS - ENVIRONMENTAL HEALTH

T&ES/2011/360 : THE DOGS AMENDMENT BILL – DOG LICENSING (6.25 pm)

The Environmental Health Manager reported that new licensing changes were being introduced under the Dogs Amendment Bill on 3 October 2011 which would result in a 3 tier system and would include the ability to place conditions on a dog licence such as muzzling and exercising on a lead.

He reminded Members that provision had been made in the 2011/12 financial year to make the necessary changes to the software to permit the storage and analysis of this information and to allow for the statutory returns.

The Manager reported that he had liaised with 3 software providers regarding the proposed changes and had considered issues such as cost, future proofing, RPA and use ability. He advised that the IT Manager had been involved throughout the investigatory process. He now recommended that Tascomi be engaged by Council as software provider.

RESOLVED (6.25 pm): that it be recommended that Council engage Tascomi as software provider in respect of dog licensing.

(Councillor Long left the meeting at 6.25 pm)

T&ES/2011/361 : STAFF MATTERS – RETIREMENT OF BOROUGH INSPECTOR (6.25 pm)

The Environmental Health Manager advised the Committee of the pending retirement of the Council's Borough Inspector. He advised that the officer had been in post for over 22 years and his departure would be a significant loss to the Council. He advised that the officer sat on many provincial panels and was highly regarded in this field.

The Manager sought approval to cover the pending vacancy internally as required under the Council's policy. He reported that the post was to be filled initially by an Enforcement Officer to cover the implementation of the new Statute and this would be reviewed in 6 months. He advised that there would be no additional cost to Council in the temporary filling of the post.

RESOLVED (6.26 pm):

- (a) that it be recommended that the good wishes of the Council be passed on to the Borough Inspector on his retirement and that the Mayor be asked to acknowledge the retirement in an appropriate way
- (b) that it be recommended that the Council approve the acting up arrangements for an Enforcement Officer to fill the vacant post of Borough Inspector on a temporary basis and that this arrangement be reviewed after 6 months.

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

T&ES/2011/362 : LANDFILL TONNAGES (6.26 pm)

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

Noted.

T&ES/2011/363 : EDUCATIONAL TALKS/VISITS (2011/2012) (6.26 pm)

(Councillor Long returned to the meeting at 6.26 pm)

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

Table 1 Educational Talks/Visits (2011/12)

Date	Group	Age	Nos	Details
20/9/11	Hughes Court Sheltered Accommodation	Senior Citizens	12	Kerbside recycling and contamination issues

He advised that education and awareness raising activities remained a priority issue for the Council, actively supporting Council services to reduce waste going to landfill and encourage householders and alike to embrace more sustainable waste management practices. He indicated that so far the officer had received 17 advance bookings from schools and church groups for educational talks.

The Chair asked that officers liaise with Community Services staff to see if there were any community groups that might be interested in having the educational talk.

RESOLVED (6.27 pm): that it be recommended to Council that officers investigate whether local community groups would be interested in having educational talks/visits regarding sustainable waste management initiatives.

(Councillor McCoy arrived at 6.27 pm)

T&ES/2011/364 : BUDGETS 2011/2012 (6.27 pm)

Members were advised that, under cost code 1502 15860, £3,000 had been allocated to cover the purchase of kerbie boxes and lids within the current financial year. Allowing for expenditure to date, it was anticipated that there would not be sufficient remaining funds within this budget to meet expected demand for the rest of the current financial year but it was expected that any potential overspend could be met within the overall waste management budget.

RESOLVED (6.27 pm): that it be recommended that Council grant approval for cost code 1502 15860 to incur an overspend if necessary to meet householder demand for kerbie boxes and lids within the current financial year, with any overspend being met from within the overall waste management budget.

T&ES/2011/365 : EUROPEAN WEEK FOR WASTE REDUCTION (EWWR) (6.27 pm)

It was reported that European Week for Waste Reduction on 19-27 November 2011 was a European-wide initiative to encourage businesses, local authorities and other interested groups to host events or introduce initiatives to encourage attendees to think about waste minimisation. It was noted that awards would be given to the most imaginative and innovative event and also for the most tonnage diverted from landfill as a result of the initiative.

The Client Manager reported that, in support of the week, it was proposed to hold a 'Swap Shop' for staff on Thursday 24 November in the Civic Centre. Staff would be encouraged to donate clothes, bags, shoes and books prior to the event and would be issued with a voucher to show how many items they were entitled to take (based on the number they donated) when the swap opened. Attendees would go through a 'check out' when finished so the number of items could be recorded for diversion from landfill. Light refreshments would also be available.

To make the event as interesting and informative as possible, it was proposed to invite East Belfast Mission to have a showcase on the day where they could promote their vintage clothes shops and second hand bridal shop. It was also proposed to invite East Belfast Mission and Cookstown Textile Recyclers (CTR) to donate suitable clothing that could be taken on the day. Any left-over items could be divided between both East Belfast Mission and CTR.

RESOLVED (6.28 pm): that it be recommended that Council support the Swap Shop initiative being planned for 24 November 2011.

T&ES/2011/366 : CONSULTATION ON AN ADDENDUM AND DELIVERY PROGRAMME TO THE NORTHERN IRELAND WASTE MANAGEMENT STRATEGY 2006 – 2020 (6.28 pm)

It was reported that the above consultation had been issued by the Department of the Environment with a return date of 20 October 2011. Members were advised that copies were available should Members wish to review it. The Client Manager advised that a proposed response to the consultation had been agreed by arc21 at its meeting the previous week which he then tabled.

RESOLVED (6.28 pm): that it be recommended that the Council support the arc21 response subject to any comments Elected Members might make

T&ES/2011/367 : PROPOSALS FOR A CHARGE ON SINGLE USE CARRIER BAGS (6.29 pm)

The Client Manager referred to previous consideration of this matter by the Committee in September (Minute T&ES/2011/326 refers). Members noted a recently received copy of the NILGA response to the consultation (copy previously circulated), which highlighted further issues in addition to the arc21 response.

NILGA's response to the consultation was summarised as follows:

- What sellers would be covered?

Should be applied to as many as possible, similar to what was taking place in Wales

- What was an appropriate charge for single use carrier bags and why? What should the minimum charge be?
NILGA did not comment.
- Define a single use carrier bag; were there any types of carrier bags that should be exempt from the charge?
Should cover all re-usable bags and cover all single- use carrier bags, with exemptions as specified in Wales.
- Should multiple use carrier bags be included?
Yes.
- What information should sellers keep in relation to the carrier bag charge?
NILGA made no comments.
- Should sellers have to publish their records?
No need but some larger sellers might choose to publish.
- Provision for an administrator to oversee arrangement - which organisation would administer the scheme?
Local government administration of the scheme was not the preferred choice. There was no reason why this scheme should not be administered through the tax regime as in the Republic of Ireland.
- Any views on the required arrangements to enforce the charging scheme?
Enforcement and sanctions would be necessary.
- Any comments on equality screening, human rights or rural proofing?
NILGA made no comment.

NILGA also stated that the proposal needed to be more innovative and that the approach should be aimed more towards '*waste as a resource*' and take further steps to extend producer responsibility or legislation that all plastic bags issued should be biodegradable. NILGA suggested that it was preferable for there to be consistency throughout the UK and the Republic of Ireland, ensuring that businesses operating inter-regionally had as few different systems as possible to negotiate.

NILGA also suggested that the proposal should be used as a signpost for sustainable lives and to highlight the extensive litter problem.

The Client Manager advised that the NILGA response was complementary and additional to the already approved response and he suggested that the NILGA response also be endorsed.

RESOLVED (6.29 pm): that it be recommended that Council endorse the NILGA submission subject to any further amendment to take account of further contributions prior to the closing date.

T&ES/2011/368 : GOODS VEHICLES (LICENSING OF OPERATORS) ACT (NORTHERN IRELAND) 2010 (6.29 pm)

The Client Manager reported that Councils had previously been exempt from normal licensing requirements for freight operators but that this would change with the implementation of the above legislation, expected in April 2012 with the possibility of a phased implementation. He stated that the licensing regime would have a significant impact on the operation of the Council's garage principally in the following areas:

- Record keeping
- Safety inspection regimes
- Physical resources at the garage

Record Keeping

It was noted that in recent years the electronic record keeping systems had been improved and updated using existing software. The Manager reported that the last formal review had suggested that existing systems be maintained until RPA took place. It was thought then that that would be an appropriate time to co-ordinate with Lisburn regarding garage services. The Manager advised that it might now be necessary to consider purchasing bespoke software.

Safety Inspection Regime

The Client Manager reported that the Government produced "Guide to Maintaining Road Worthiness" recommended an inspection regime of approximately 7-10 weeks for vehicles. This would require almost doubling what currently happened across the Council fleet of about 50 vehicles. In the immediate/short term, trial inspections were being carried out across a sample of the fleet with a view to determining the additional time that would be required and the resultant impact on resources. It was noted that it would be necessary to take vehicles out of service for the inspections for a longer period.

Physical Resources at the Garage

The Client Manager reported that, as part of the routine maintenance inspections, the Council would have to test and record the efficiency of the brakes and the emissions from each vehicle. Members were reminded that the Council had approved the purchase of a rolling road type brake tester which would enable the brake testing element to be fulfilled. Quotations were now being sought for emissions testers and a report would be brought to Committee in due course. It was currently thought that these were the only major items of equipment required.

Noted.

T&ES/2011/369 : TRAINING COURSE – MANAGEMENT OF DRIVER HOURS AND RECORDS (6.31 pm)

The Client Manager reported that the Freight Transport Association was organising a course under the above heading at the Belfast Training Centre on 14 November 2011. The course was aimed at managers and supervisors in the transport function and addressed issues such as non-compliance whilst protecting operators' licenses. He stated that the cost of the course was £109 and there were existing funds available in the budgets to cover the cost.

RESOLVED (6.31 pm): that it be recommended that Council grant approval for one member of staff to attend the Belfast training course of the Freight Transport Association on management of driver hours and records at a cost of £109.

T&ES/2011/370 : STAFF MATTERS (6.31 pm)

The Client Manager advised that the Council's longest serving mechanic was currently on long term sick leave and, if the absence continued, this would have a significant impact on the productivity of the garage. He reported that an attempt had been made to employ a suitably qualified mechanic through an agency for the short term but that this had been unsuccessful. A further attempt would be made if the absence continued.

The Manager reported that contact had also been made with Belfast Metropolitan College with a view to taking on an apprentice mechanic to assist with the work of the section. The college had indicated that they would have suitable candidates for this role who would be able to make a worthwhile contribution to the work of the garage. He stated that this initiative would involve no cost to the Council.

Noted.

T&ES/2011/371 : REMOVAL OF SNOW AND ICE FROM TOWN CENTRE FOOTWAYS AND PEDESTRIAN AREAS (6.33 pm)

(Councillors Copeland and Spratt declared an interest in this item on the basis of their membership of the NI Assembly's DRD Committee.)

The Client Manager reminded Members that he had been asked to approach other Councils regarding the insurance implications of entering into the proposed partnering arrangements with the Roads Service.

He advised that to date 13 responses had been received; some Councils had sent a holding response; others took the view that this work was the responsibility of Roads Service; others indicated they were carrying out some clearing and gritting on a purely voluntary basis; and finally some Councils had indicated that they had entered into the partnering arrangement with the Roads Service.

He reported that none of the Councils had reported that their insurers had declined to provide cover; most had indicated that insurers would provide cover under the existing policy with no additional premium but with various stipulations such as that only streets being requested to be addressed by the Roads Service were cleared and the need for thorough risk assessments.

The Manager reported that he had also been asked to write to the Divisional Roads Manager seeking clarification of the Department's interpretation of the situation with regard to insurances. He believed that the Department was preparing a new draft agreement which would be forwarded to Councils for consideration. He recommended that further consideration of the matter should await receipt of the new draft agreement.

Councillor Chambers expressed concern that Councils were not acting together on this issue and she urged caution in the Council taking on responsibility for a departmental service without any transfer of funding. Councillor Long expressed the view that, with the approach of winter, the Council's position needed to be clarified sooner rather than later.

RESOLVED (6.36 pm): it be recommended that the Council defer further consideration of this matter until the new DRD proposals had been received.

T&ES/2011/372 : PROPOSED FUNDING APPLICATION FOR 3G PITCH ADJACENT TO CLONDUFF COMMUNITY CENTRE (6.36 pm)

The Client Manager advised that Clonduff Community Association wished to make a funding application to the Alpha Programme for the construction of a 3G pitch on the existing bitmac pitch adjacent to Clonduff Community Centre. The Administration and Community Services Department was assisting with the preparation of the application and the Director would give further details.

He reported that the funding application would be for 100% financial support and would be linked to the existing proposals for the playground, i.e. the playground would be Phase 1 and would be the Council's contribution to the scheme and the 3G pitch would be Phase 2 and, if the application was successful, would be funded 100% by the Alpha Programme. He emphasised that the proposal for the pitch, whether successful or not, would have no impact on the playground development as the Council was funding this and had already accepted a tender.

He indicated that various legal issues relating to the 3G pitch proposal would need to be clarified to ensure that there was no conflict with title. It would also be necessary to ensure that there was no conflict with any proposed developments at the Robinson Centre.

RESOLVED (6.37 pm): that it be recommended that the Council support in principle the proposed application for funding of a 3G pitch adjacent to Clonduff Community Centre subject to clarification of title, no conflict with proposed Robinson Centre developments and any other outstanding issues.

T&ES/2011/373 : SITE VISIT TO COOKSTOWN TEXTILE RECYCLERS (CTR) (6.37 pm)

The Client Manager reported that the Council's Recycling & Education Officer had organised a site visit to CTR for Tuesday 18 October 2011 at 10:30am. He stated that CTR currently provided the collection and recycling of textiles within the arc21 Bring Contract. The site visit would allow members to see at first hand CTR's operation at Randalstown and he encouraged all members to come along.

Councillor O'Reilly advised that he had been to see CTR's operation and he recommended it to Members. The Chair also recommended the visit and suggested that it would be useful for a representative from each party to participate in the visit. The Client Manager asked any one wishing to attend to contact the Recycling & Education Officer.

Noted.

T&ES/2011/374 : REQUEST FROM BEECHGROVE/GLENCREGAGH RESIDENTS' ASSOCIATION FOR SPEAKING RIGHTS AT FULL COUNCIL (6.39 pm)

Members were reminded that the above Residents' Association had written to the Chief Executive requesting speaking rights at full Council and the request had been referred by Council to this Committee for consideration. It was proposed by Alderman Robinson, seconded by Alderman Duncan and

RESOLVED (6.39 pm): that the Beechgrove/Glencregagh Residents' Association be given speaking rights at a future special Council meeting.

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

T&ES/2011/375 : REPORTS AVAILABLE (6.40 pm)

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

- Connswater Community Greenway, Evaluation Report – Reviewing Progress to March 2011
- Insight. Summer 2011. Issues 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/2011/376 : NEWS RELEASES (6.41 pm)

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

Repatriation of Illegal waste begins from County Down to Republic (copy previously circulated)

The Director advised that this DoE news release related to the process of returning an estimated 10,500 tonnes of waste from a site at Ballymartin, Co. Down, to a fully

authorised landfill site in the Republic of Ireland. Environment Minister, Alex Attwood commented that this would result in another major source of pollution being removed from our community.

Health Minister announces next steps to introduce tobacco controls (copy previously circulated)

The Director advised that, in this DoE news release, Health Minister Edwin Poots announced the next steps for the introduction of controls on regulating the sale of tobacco products in Northern Ireland. He stated that, whilst the display ban regulations would not commence in Northern Ireland until Spring 2012 at the earliest, the Minister had advised that he hoped to introduce regulations banning tobacco sales from vending machines by 1 February 2012.

Publication of Northern Ireland Greenhouse Gas Inventory, 1990 - 2009

The Director advised that the key information outlined in this DoE news release was that Northern Ireland greenhouse gas emissions had shown a reduction of just over 20% since the base year of 1990, with over one third of the reduction being achieved in the latest inventory year. The reduction target as set out in The Programme for Government was a 25% reduction in greenhouse gas source emissions by 2025 from the base year.

The Director pointed out that the main sources of greenhouse gas emissions were agriculture, transport, energy supply and residential combustion.

Noted.

T&ES/2011/377 : ARC21 JOINT COMMITTEE – MINUTES OF MEETING NO 87 HELD ON 28 JULY 2011 (copy previously circulated) (6.41 pm)

The Director of Technical & Environmental Services referred to the Minutes of the Joint Committee Meeting No 87 held on 28 July 2011 hosted by Castlereagh Borough Council at the Billy Neill MBE Soccer Centre of Excellence. He advised that these minutes had been ratified at the meeting of the Joint Committee held on 25 August 2011, hosted by Belfast City Council, at Malone House, Belfast.

The business addressed at the meeting included the following:

- Matters Arising
- Calls for Conflict of Interest
- Contracts and Performance Update
- Residual Waste Treatment Project
- Bribery Act 2010
- Environmental Committee Inquiry into Used Tyre Disposal
- AOB including Banking, Localism Bill – EU Fines, Consultation on an Addendum and Delivery Programme for Northern Ireland Waste Management Strategy 2006 – 2020, Consultation on the Development of the Northern Ireland Renewable Heat Incentive, Consultation on Proposals for the Building Regulations (Northern Ireland) 2011: Phase Two

- Next Meeting

The Director 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/2011/378 : ARC 21 RESIDUAL WASTE TREATMENT PROJECT – BRIEFING SESSIONS (6.41 pm)

The Director of Technical & Environmental Services reminded Members that, at the Committee's meeting in September, he had provided an update on a number of member and chief executive briefing sessions held over the June/August period.

He advised that a further chief executive briefing session had been held on 29 September 2011. He reported that the current bidder had significantly reduced his costings and that the process could now move forward to the dialogue stage.

The Chair enquired whether it would be useful for arc21 to provide a further briefing to Council. It was suggested that this could be brought to a special Council meeting in November.

RESOLVED (6.44 pm): that arc21 be invited to attend a special Council meeting in November to provide an update on the Residual Waste Treatment Project as well as other relevant arc21 issues.

T&ES/2011/379 : LANDFILL FRAMEWORK AGREEMENT (6.44 pm)

The Director of Technical & Environmental Services referred to his update on the above-mentioned matter at the Committee's meeting in September. He advised that, following that meeting, a further officer meeting of representatives of the relevant Councils had been held at Lisburn City Council on Tuesday 13 September 2011.

He reported that, at that meeting, it had been agreed to respond to the latest correspondence from the Department of the Environment seeking clarity on a number of issues including specification requirements for the preparation of the detailed site assessments and the related procurement of consultants to undertake this work, and again seeking a meeting with the Minister.

He reported that a response from the Department was still being awaited.

Noted.

T&ES/2011/380 : RECENT NORTHERN IRELAND LEGISLATION AFFECTING LOCAL GOVERNMENT (6.44 pm)

Members were reminded that, at its meeting in September, the Committee had been advised of the potential consequential implications of this legislation, particularly as to resource implications.

The Director of Technical & Environmental Services reported that, since the last Committee meeting, the Departmental Management Team had undertaken a preliminary review of recent and pending legislation with a view to ascertaining resource implications for the Council. Some of the legislation that had been reviewed included the following:

- Waste & Contaminated Land (Amendment) Act (NI) 2011
- Goods Vehicles (Licensing of Operatives) Act (NI) 2010
- Planning Act (NI) 2011
- Clean Neighbourhoods & Environment (NI) Act 2011
- Local Government (Miscellaneous Provisions) Act 2011
- Local Government (Finance) Act 2011
- High Hedges Act (NI) 2011
- Welfare of Animals (NI) 2011
- Housing (Amendment) Act 2011
- Sunbeds Act (NI) 2011
- Licensing & Registration of Clubs (Amendment) Act (NI) 2011
- Single Use (Carrier Bags) Act 2011
- Dogs (Amendment) Act (NI) 2011

He advised that, in order to address the potential consequential implications of this legislation, it was necessary to follow a consistent preliminary review approach. The staged approach that had been adopted included:

- Assessment of the legislative requirements, and impacts for the Council
- Consideration of the introduction and implementation of new operational, enforcement and administrative systems and procedures
- Seek and secure any necessary resources (including enforcement and legal resources)
- Training of staff resources
- Monitoring and evaluation of operational performance

The Director stated that, as a first preliminary estimate of the additional financial costs to the Council, it was anticipated that the estimated total additional costs of the above new legislative provisions to the Technical & Environmental Services Department in the 2012/2013 financial year were approximately £140,000.

Councillor Spratt stated that some of the pieces of legislation involved a pay back to the Council and he enquired on what basis the figure of £140,000 had been reached. The Director advised that each manager in the department had carried out a high level review and that the figure presented at this stage was a preliminary figure. He advised that managers would carry out a more detailed investigation of the implications involved in the legislation so that more accurate information could be included in the estimates process.

Councillor Chambers referred to other proposed legislation such as housing that would place additional responsibilities on Council and she expressed concern that the cost implications were not known and there was no indication that Council would be given additional financial support to undertake these responsibilities. She stated that she did not see how it was possible to estimate costs until government provided all the facts and figures. Alderman Beattie also expressed concern about the lack of clarity in this area and was worried whether additional responsibilities would be drip fed through to Council over the ensuing year.

Alderman Rice welcomed the Director's report and stated that the Council needed to forward plan as best it could and that it was important to make a start rather than leaving it to the last minute.

The Director indicated that he would take on board Members' comments and would report back on the matter in due course.

Noted.

T&ES/2011/381 : SUCCESSFUL OUTCOMES /SIGNIFICANT ACHIEVEMENTS IN 2011 (6.53 pm)

The Director of Technical & Environmental Services drew Members' attention to a number of significant achievements and successful outcomes in 2011 and the financial year 2011/2012 to date. He stated that, as the Committee oversaw the work of the Technical and Environmental Services Department, it was important that Members were aware of these achievements that had been recognised not only throughout the Borough but also at province wide level. He indicated that the significant achievements had been set out under the relevant Service Unit that had progressed matters to a successful outcome.

Operational Services

Departmental GIS system: The Technical & Environmental Services GIS rollout continued within OSU through route optimisation and spatial system mapping. This would facilitate various departmental layers of information. Training of key personnel was ongoing and the Service Unit had received a very favourable audit report in respect of asset management.

Ulster in Bloom 2011: The Council had been successful in the 2011 Ulster in Bloom Competition and had been awarded the Crystal Award for its floral displays throughout the borough. The Council's Parks Service strived to set high standards of bedding and floral displays and continued to receive positive feedback from local residents, with the planting schemes at the Civic Offices and the wildflower scheme at the outer ring dual carriageway, Newtownbreda, being particularly worthy of special mention.

Bio-diversity in the Carryduff area: During the past 12 months the Parks Service had been engaged in a bio-diversity programme and had recently completed works within Carryduff Park. The programme included the establishment of bird & bat boxes, wildflower and tree planting programmes. The programme had benefited from input from local schools and the community, with the recent completion of a wildflower area and tower-planter at Carryduff Primary School making a significant contribution to the school.

Castlereagh Hills Golf Course: Works had been completed on the new 12th hole at the Castlereagh Hills Golf Course. It was envisaged that the course improvements would present an additional challenge as well as increasing the yardage of the course.

Tullycarnet Park: Refurbishment works within Tullycarnet Park were nearing completion, with the official opening scheduled for 21 October 2011. The park had benefited from the refurbishment of surface water drainage, pathways, bespoke playground and numerous additional trees and plants and had received very positive feedback from the local community.

Cleansing Review: a recent review of the Council's Trade Waste Collection Service within the Cleansing Section had yielded efficiency improvements of 20% and an internal reorganisation should yield revenue savings.

Household Recycling Centre (HRC): Two of the Council's Household Recycling Centre (HRC) Supervisors had recently successfully completed NVQ level 2 in Waste Management. This was significant in respect of the Council's Waste Management Licence and because neither member of staff had engaged in formal education for a significant period of time.

Food Waste Caddies: Members were aware of the Council's commitment to the food waste in brown bins initiative and as a result 28,000 food waste caddies were currently in the process of being delivered to participating households across the borough. The task was being undertaken by Cleansing Services staff resulting in a £21k saving to the Council when compared to external contractors.

Client Services

Garage: The proposed installation of rolling brake tester would enhance safety of the Council's vehicle fleet and help with the introduction of measures to prepare for the Licensing of Operators of Goods Vehicles.

Waste Policy and Planning: The Council continued to work in partnership with arc21 in order to implement its Waste Management Plan and divert waste from landfill in order to meet both EU and central government waste diversion and recycling targets.

Landfill tonnages continued to fall due to increased recycling and composting. With regard to NILAS, in 2010/11 the Council had landfilled 10,038 tonnes of biodegradable municipal waste, a reduction of 755 tonnes on 2009/10. The collection of food waste in the brown bin made a significant contribution to the improved figures, with brown bin tonnages increasing by over 1,000 tonnes from 2009/10 to 2010/11. A project to complete the introduction of the kerbside recycling of mixed dry recyclables and kitchen waste to every household in the borough, apart from high rises, had been completed. Schemes for the introduction of recycling to high rises and commercial properties were being developed.

Proposals for the construction of an HRC for Dundonald were being developed.

Capital Projects: Client Services supported other Council Departments, e.g. Leisure and the developments at CHGC; Finance with developments at LVRP; and Community Services with the demolition of the former Ballybeen Activity Centre; the completion of a new playground at Tullycarnet and the start of the construction of a new playground at Clonduff in the near future, with others planned for the future to significantly improve children's play facilities across the Borough.

Property Maintenance and Energy Management: The focus of energy management had shifted from capital expenditure to monitoring and targeting usage with a view to reducing consumption and complying with new legislation such as requirements for Display Energy Certificates and Air Conditioning Reporting.

Enhanced tendering procedures to improve Health and Safety had been developed.

Environmental Health Service

Electric Blanket Road Show: The Environmental Health Service tested a number of electric blankets on behalf of elderly residents within the Borough replacing those which failed with a free new blanket. There was considerable interest in this activity and it proved to be very timely with a 68% fail rate of all blankets tested. The Mayor referred to how well the event had been organised and to the helpfulness and efficiency of staff. Alderman Duncan enquired whether there had been enough new blankets to meet demand and was advised that there had been.

KPI Indicators : Once again the Environmental Health Service performed very well within the Province achieving and maintaining its high standard of A's across the 6 monitored criteria within health and safety, and food safety.

Health Eating Award: The Council's Environmental Health Service had successfully piloted a Healthy Eating Award with 3 businesses amending their menus and cooking methods to produce healthier food. These businesses that achieved Gold and Silver standard under the award scheme have been invited to the Mayor's Parlour for the formal presentation of their awards.

National Food Hygiene Scheme: The Environmental Health Service had successfully navigated from its existing Scores on the Doors Food Hygiene Rating Scheme to the National Food Hygiene Rating Scheme, in partnership with the Food Standards Agency, providing advice and guidance to those businesses affected and to ensure the public have the required information in order to make an informed choice of where to purchase and eat food.

Bee Safe Award : The Environmental Health Service in partnership with other statutory agencies took part in the annual Bee Safe Campaign. This campaign had been geared towards school children to provide invaluable education and advice in relation to daily hazards. Over 700 children had taken part in the initiative, a significant increase from last year.

Dogs Initiative : The Environmental Health Service continued to target irresponsible dog owners in relation to dog fouling. There had been repeated newspaper campaigns and educational programmes delivered to schools and community groups. The Environmental Health Service had also suspended all other environmental health activities to conduct a week long overt initiative. Over 280 officer hours were spent patrolling the borough and a number of offences had been dealt with by means of Fixed Penalty Notices.

Sustainable Development: The Environmental Health Service continued to assist the Council in its statutory obligation of sustainable development and had taken the lead in conducting a Sustainable Audit Matrix identifying areas that required significant improvement in order to assist with the discharge of the Council's statutory duties.

Departmental GIS System : The Environmental Health Service continued with the roll out of the Departmental GIS System. The training of key personnel was ongoing to ensure the identified benefits of this system continue.

Building Control

Performance Indicators: The Council's Building Control Service had recorded the best performance in the South Eastern Building Control Group for its completions to commencements. This was a key indicator of performance.

In addition, the service had again attained the highest Cost Recovery Trend in the South Eastern Group.

Ongoing Workload: Supervisory enforcement work had recently commenced on two large and complex school projects, Tor Bank and Lagan College.

In the first six months of this year the Service Unit had received and processed over 700 applications for properties of all types across the borough, with a notional value of over £50,000,000.

Work continued in processing, supervising and enforcement of building regulations for the complex, multi-disciplinary works at the Ulster Hospital.

Members welcomed the briefing on the Department's achievement in 2011 to date.

RESOLVED (6.58 pm): that it be recommended to Council that the Mayor be asked to write to staff in the Technical & Environmental Services Department to congratulate them on their record of achievements in the current financial year.

There being no further business, the meeting ended at 6.58 p.m.

CHAIRMAN

CHIEF EXECUTIVE

Adopted by the Council this _____ day of
_____ 2011 with the exception of

Minute Nos. _____

MAYOR