

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, 7 June 2011, at 6.00 pm

PRESENT: Alderman G Robinson
(in the chair)

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

COUNCILLORS: A Beattie
M Chambers
M Copeland
D Drysdale
M Gregg
C Hall
B Harvey
C Howard
T Jeffers
V McCoy
T Morrow
J Spratt
J White

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 Councillors Long, O'Reilly and Sandford

T&ES/2011/128 : WELCOME

Alderman Robinson welcomed the new Elected Members to the meeting.

Noted.

T&ES/2011/129 : DECLARATIONS OF INTEREST

The following declarations of interest were put forward:

Councillor McCoy in respect of the Kenya Sunshine Mission
Councillor Jeffers in respect of Fuel Poverty

Aldermen Beattie and Rice and Councillor Beattie in respect of the Lagan Rural Partnership

Noted.

MINUTES

T&ES/2011/130 : MINUTES OF THE TECHNICAL & ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD ON 1 MARCH 2011 (copy previously circulated)

Councillor Gregg pointed out that the cost of a stand-alone surveillance unit was quoted as £850 in the body and £859 in the resolution of Minute T&ES/2011/85.

Noted.

REPORT FROM THE BUILDING CONTROL MANAGER (copy previously circulated)

T&ES/2011/131 : SCHEDULE OF APPLICATIONS

The Building Control Manager outlined details of the schedule of applications approved by the Building Control Unit for the period 1 February 2011 to 28 February 2011.

Noted.

T&ES/2011/132 : REPORTS ON APPLICATIONS, INSPECTIONS AND SOLICITORS' ENQUIRIES FOR THE PERIOD 1 FEBRUARY 2011 TO 28 FEBRUARY 2011

The Building Control Manager outlined details of applications, inspections and solicitors' enquiries for the period 1 February 2011 to 28 February 2011.

Noted.

T&ES/2011/133 : SCHEDULE OF APPLICATIONS

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

Noted.

T&ES/2011/134 : REPORTS ON APPLICATIONS, INSPECTIONS AND SOLICITORS' ENQUIRIES FOR THE PERIOD 1 MARCH 2011 TO 31 MARCH 2011

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

Noted.

T&ES/2011/135 : SCHEDULE OF APPLICATIONS

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

Noted.

T&ES/2011/136 : REPORTS ON APPLICATIONS, INSPECTIONS AND SOLICITORS' ENQUIRIES FOR THE PERIOD 1 APRIL 2011 TO 30 APRIL 2011

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

Noted.

T&ES/2011/137 : PERFORMANCE INDICATORS – FULL PLAN APPLICATIONS FOR JANUARY 2011 TO MARCH 2011

The Building Control Manager referred to the Business Plan 2010/2011, which set the following performance indicators, taking account of Council objectives and customers' views:

The Business Plan 2010/2011 for the Building Control Service has set the following performance indicators, which have taken account of Council objectives and customer's views.

- 85% of initial domestic plan assessments to be completed within 21 calendar days
- 85% of initial non-domestic plan assessments to be completed within 35 calendar days
- 85% of amended plan assessments to be actioned within 14 calendar days
- 85% of Property Certificates to be answered within 7 calendar days
- 85% of Inspections requested before 10:00am to be carried out on the same day

The actual performance achieved for the fourth quarter of the 2010/2011 financial year was as follows:

Jan 2011 – March 2011

No. of Full Plan Domestic Applications received – 67 No.

1. 85% of initial Plan Assessments were completed within the target response time
2. Average time taken per application was 13 calendar days

No. of Full Plan Non-Domestic Applications received – 14 No.

3. 100% of initial Plan Assessments were completed within the target response time
4. Average time taken per application was 11 calendar days

No. of Amended Plans received – 83 No.

5. 100% of Amended Plans were assessed within the target response time
6. Average time taken per application was calendar 4 days

No. of Property Certificates received – 141 No.

7. 100% of Property Certificates were processed within the target response time
8. Average time taken per Property Certificates was 2 calendar days

No. of Inspections requested before 10:00 am – 723 No.

9. 97% of Inspections requested before 10:00am were completed on the same day
10. Total number of inspections completed was 701

Noted.

T&ES/2011/138 : UPGRADE OF BUILDING CONTROL IT SYSTEM

The Building Control Manager advised that the current Building Control IT management system (the Building Control Wizard) had been supplied and was maintained by Northgate Information Solutions and had been in operation for approximately 14 years. The system has become inadequate for current and future demands in respect of security, reliability, speed, compatibility and efficiency. Furthermore, it was likely that support would be withdrawn or severely curtailed during the current financial year.

The Building Control Manager asked Members to give urgent consideration to the upgrading of the current Building Control software product (Building Control Wizard), to the Northgate (i Build) product. The estimated cost of the work was outlined.

During the ensuing discussion, Alderman Robinson commented that the Northgate product would be in line with the software used by Lisburn City Council. He further stated that staff would require relevant training.

Following further discussion, it was

RESOLVED: That the Council be recommended to grant approval for the upgrade to the latest version of the Northgate iBuild system, to be in place as soon as possible, in accordance with the Council's procurement procedures as applicable for a software upgrade.

T&ES/2011/139 : LOCAL AUTHORITIES TO ENFORCE ENERGY PERFORMANCE OF BUILDINGS (EPB) LEGISLATION

The Building Control Manager advised that, following developments in the progression of the above legislation by Building Control Northern Ireland, the use of the EPB pilot team had been extended for the financial year 2011/2012. He sought approval to continue with the pilot team for the current financial year.

RESOLVED: That the Council be recommended to grant approval to continue with the EPB pilot team for the financial year 2011/2012.

T&ES/2011/140 : YEAR OUT STUDENT (UUJ) 2010/2011

The Building Control Manager advised that the current Year Out student would complete her training on 10 June 2011, and as the previous chairman of the Committee had previously recommended that a small payment be made if the student had worked well within the Building Control Service Unit, he sought approval to make a payment to the current student.

RESOLVED: That the Council be recommended to grant approval for a small payment to the current Year Out student in the Building Control Service Unit.

T&ES/2011/141 : YEAR OUT STUDENT (UUJ) 2011/2012

The Building Control Manager advised that a student who had recently completed the second year of a BSc (Honours) course in Civil Engineering at the University of Ulster, had been interviewed and had passed a written test for the above student post. The student was due to commence work in the Building Control Service Unit in September 2011 for a period of 12 months. The appointment was at no cost to the Council.

Noted.

T&ES/2011/142 : SELF BUILD, EXTEND AND RENOVATE SHOW

The Building Control Manager advised that four members of the Building Control Service staff had attended the Self Build, Extend and Renovate show, which had been held in the King's Hall on 18 to 20 February 2011. Participation had resulted in a successful input to the activities of this stand and also contributed positively to the marketing of the Building Control profession.

Noted.

T&ES/2011/143 : STREET NAMING AT 116 CUMBERLAND ROAD, DUNDONALD

The Building Control Manager reported that Seehaven Properties Ltd had proposed the names for a proposed development of 12 apartments on lands at 116 Cumberland Road, Dundonald, with 'Hawthorn Mews' being the first choice and 'Hawthorn Hallow' the second. He confirmed that the request met with the requirements of the Council's Street Naming Policy, in that the site was surrounded by shrubs and trees and was set in a dip.

Councillor Gregg enquired as to the reason for the name 'Hawthorn' for this development, as there was no shrubbery in the area, or whether the planting of shrubbery was included in the application. Alderman Robinson asked that the Building Control Manager report back to the Committee to explain how this name met the Council's Street Naming Policy.

RESOLVED:

- (a) That the Building Control Manager report back to the Committee to explain how the name 'Hawthorn' met the Council's Street Naming Policy.
- (b) That the Council be recommended to grant approval to allocate the name 'Hawthorn Mews' to a development of 12 apartments on lands at 116 Cumberland Road, Dundonald, at the September meeting of Committee, subject to an acceptable response from the Building Control Manager regarding the explanation in respect of 'Hawthorn'.

Councillor Copeland joined the meeting at 6.21 pm.

T&ES/2011/144 : STREET NAMING AT 31-33 OLD DUNDONALD ROAD, DUNDONALD

The Building Control Manager reported that Cecil Smyth Ltd had proposed the names for a proposed development of seven apartments and dwellings on lands at 31-33 Old Dundonald Road, Dundonald, with 'Thurlough Gate' being the first choice and 'Springbank' the second. He confirmed that the request met with the requirements of the Council's Street Naming Policy, in that 'Thurlough' was the name of the original house that had been demolished to make way for the new development and 'Springbank' was the name of a family house in the Old Dundonald Road / Gransha Road area.

RESOLVED: That the Council be recommended to grant approval to allocate the name 'Thurlough Gate' to a development of seven apartments and dwellings on lands at 31-33 Old Dundonald Road, Dundonald.

T&ES/2011/145 : STREET NAMING AT BRACKEN HILL, BALLYMACONAGHY ROAD

The Building Control Manager reported that the street names of 'Bracken Hill Avenue' and 'Bracken Hill Close' had already been approved for the overall development by Council for the development at Bracken Hill, Ballymaconaghy Road. (Minutes T&ES/2009/270 and TSC/2009/344 refer). He reported that McGinnis Developments had now proposed the street name of 'Bracken Hill View' for approximately 50 No dwellings of Phase 4 of a development at Knockbracken Road / Ballymaconaghy Road, Cairnshill.

RESOLVED: That the Council be recommended to grant approval to allocate the name 'Bracken Hill View' for approximately 50 No dwellings of Phase 4 of a development at lands at Knockbracken Road / Ballymaconaghy Road, Cairnshill.

T&ES/2011/146 : APPOINTMENT OF TEMPORARY GROUP CHIEF BUILDING CONTROL OFFICER

The Building Control Manager advised that Marie Ward had been appointed as temporary Group Chief Building Control Officer for the South-Eastern Group of Councils, due to the temporary appointment of the previous Group Chief Building Control Officer to the post of Chief Executive of Down District Council.

Noted.

ANY OTHER BUSINESS – BUILDING CONTROL

T&ES/2011/147 : ABANDONED DEVELOPMENT

Councillor Hanvey referred to an email sent to Councillors regarding a development near Primrose Hill, which had been abandoned during the economic downturn. The development had fallen into disarray and had been vandalised. Councillor Hanvey stated that building material had been left behind, part of the development had not been completed, some roads and footpaths had remained unfinished and the general appearance was poor. Councillor Hanvey asked whether the Council could request that the developer make the development safe and tidy.

Alderman Robinson agreed that there was also a health and safety element, as there were children playing in the area. He asked the Building Control Manager to contact the developer and the Council's Environmental Health Manager in respect of the current condition of the development.

RESOLVED:

- (a) That the Building Control Manager contact the developer of an abandoned development near Primrose Hill requesting that it be made safe and tidy.
- (b) That the Building Control Manager contact the Council's Environmental Health Manager in respect of this development.

Alderman Henderson left the meeting at 6.27 pm.

REPORT FROM THE OPERATIONAL SERVICES MANAGER (copy previously circulated)

T&ES/2011/148 : TULLYCARNET PARK UPDATE

The Operational Services Manager advised that the new playground at Tullycarnet Park was now in the final stages of completion, with just the removal of the old play equipment, installation of the new Trim-trail and restoration of the grassed area to be completed. It was anticipated that the remaining site works would be completed within the next fortnight and the Operational Services manager sought approval to host an official opening at Tullycarnet Pavilion following completion of the works.

RESOLVED: That consideration for an official opening of the new playground at Tullycarnet Park be referred to the Central Services Committee.

Councillor Vitty returned to the meeting at 6.29 pm.

T&ES/2011/149 : BRANIEL BOWLING GREEN UPDATE

The Operational Services Manager advised that the Capital Projects Officer had been engaged to provide a technical rendering and site safety assessment in order to complete the conversion of the bowling green to a soccer pitch.

Following a meeting of the Braniel Soccer Pitch Working Group, some additional site works had been identified to address a variety of elevations on the site in order to complete the conversion to a 5-a-side soccer pitch. Quotations had been sought for 131m of perimeter spectator fencing, two single gates, one double gate and two 8 x 6m ball stop nets and the Operational Services Manager tabled details of the submissions for Members' consideration. He recommended to award the contract to NK Fencing, 40 Trailcock Road, Carrickfergus, Co Antrim, BT38 7NU, as their quotation met the Council's specification and represented best value to the Council. The Operational Services Manager confirmed that the Director of Finance had confirmed that funding for the project was available to complete the project during the current financial year.

Councillor McCoy thanked the Capital Projects Officer for moving the project forward so speedily.

Following discussion, it was proposed by Councillor Spratt, seconded by Councillor Vitty and

RESOLVED: That the Council be recommended to grant approval to award the contract for the installation of 131m perimeter spectator fencing, two single gates, one double gate and two 8 x 6m ball stop nets at 5-a-side soccer pitch at the former Braniel bowling green to NK Fencing, as it met the specifications and represented best value to the Council.

T&ES/2011/150 : LAGAN RURAL PARTNERSHIP FUND (LRPF) UPDATE

Councillor Hall declared an interest as member of the Lagan Partnership.

The Operational Services Manager reported that, following public consultation with the Moneyreagh & District Community Association (MDCA), playground provision had been identified as a need in the area and the MDCA had requested that the new playground be located within the grounds of the Council's community centre. Funding for the playground would be provided by the LRPF on a 75/25 percentage basis, with the Council's contribution being £25,000. The Operational Services Manager sought approval for the completion of a funding application to LRPF and financial provision made available by the Council for the erection of the new playground, subject to a favourable funding outcome.

Councillor Spratt congratulated Officers for the achievement of 75% funding from the LRPF. Alderman Robinson added his congratulations and he proposed that the Council make funding of £25,000 available towards the cost of the erection of the new playground.

RESOLVED:

- (a) That the Council be recommended to grant approval to proceed with a funding application to the LRPF in respect of a new playground at Moneyreagh.
- (b) That the Council make available 25% of the funding towards the cost of the new playground at Moneyreagh.
- (c) That the Council be recommended to grant approval to engage in a tender process for the construction of a new playground at Moneyreagh, subject to a favourable funding outcome from the LRPF.
- (d) That the Council be recommended to grant approval to locate the new playground within the grounds of the Council's community centre at Moneyreagh.

T&ES/2011/151 : INCIDENT AT CASTLEREAGH HILLS GOLF CLUB (CHGC) ON 2 MAY 2011

The Operational Services Manager advised that an incident had occurred at Castlereagh Hills Golf Club on 5 May 2011. The incident had involved a member of staff from the Parks Section who had sustained a shoulder injury while engaged in grass cutting. Fortunately, the machine was fitted with the appropriate safety systems, which had reduced the severity of the injury. The incident had been reported to the Council's Health & Safety Officer and the Northern Ireland Health & Safety Executive.

Noted.

T&ES/2011/152 : COUNTRYSIDE OFFICER TRAINING COURSE IN SEPTEMBER 2011

The Operational Services Manager advised that a request had been received from the Countryside Officer to attend the forthcoming Countryside Access & Activities Network (CAAN) Countryside Training Course on 5–8 September 2011 in Dartmoor. The course was aimed at developing the Countryside Officer network, with specific workshops selected to enhance understanding and address continuous professional development. Emphasis would be placed on working in partnership in local government to enhance the local countryside network, the integration of biodiversity projects and to protect the unique local environments. The cost of the training was £250, which included a 50% subsidy available to local Council Countryside Officers sponsored by the Northern Ireland Environment Agency (NIEA). The Operational Services Manager confirmed that provision had been made within the current financial year for the cost of this training.

RESOLVED: That the Council be recommended to grant approval for the Countryside Officer to attend the Countryside Access & Activities Network Countryside training course on 5-8 September 2011 in Dartmoor, at a cost of £250.

T&ES/2011/153 : CORRESPONDENCE FROM NORTHERN IRELAND WATER RE: INSTALLATION OF A NEW UNDERGROUND STORM DRAINAGE TANK AT CRIAGLEITH, DUNDONALD

Councillor Spratt declared an interest as Chairman of the Regional Development Committee.

The Operational Services Manager tabled correspondence from Northern Ireland Water regarding the installation of an underground surface water drainage tank at Craighleith Drive, Dundonald. It was anticipated that the site works would commence in September 2011 and last for approximately eight months.

The Operational Services Manager advised that compensation would be sought for accommodating the works on Council land and regular updates would be provided to the Technical & Environmental Services Committee.

During the ensuing discussion, Councillor Gregg enquired whether provision had been made in the assessment of works to alleviate flooding in the area. The Operational Services Manager stated that the installation of the underground surface water drainage tank was to address flooding issues in the Carrowreagh area of Dundonald.

RESOLVED: That the Council be recommended to grant approval for the application from Northern Ireland Water to instal an underground surface water storm drainage tank on Council land at Craighleith Drive, Dundonald.

T&ES/2011/154 : QUOTATIONS FOR SPRING BEDDING AND BULBS 2012

The Operational Services Manager advised that two quotations had been received in respect of spring bedding and three for spring bulbs. He sought approval for the quotation from Hanna Nursery for spring bedding and the quotation from Cornish King Bulb Growers for spring bulbs, as both submissions met the full specifications and represented best value to the Council.

RESOLVED:

- (a) That the Council be recommended to grant approval for the quotation from Hanna Nursery for the supply of spring bedding as outlined in the Operational Services Manager's report, as it met the specifications and represented best value to the Council.
- (b) That the Council be recommended to grant approval for the quotation from Cornish King Bulb Growers for spring bulbs as outlined in the Operational Services Manager's report, as it met the specifications and represented best value to the Council.

T&ES/2011/155 : DIAMOND JUBILEE CELEBRATIONS 2012 – PROVISION OF A COMEMORATIVE BED AT THE COUNCIL CIVIC OFFICES

The Operational Services Manager sought approval to mark the occasion of the Queen's Diamond Jubilee in 2012 with the installation of a commemorative flower bed in the Borough. He recalled that the Queen's Golden Jubilee had been marked by the Council with the installation of an appropriate carpet bed.

RESOLVED: That the Council be recommended to grant approval for the installation of a commemorative flower bed to mark the occasion of the Queen's Diamond Jubilee in 2012.

T&ES/2011/156 : BALL-COLEGRAVE PLANT BED TRIALS SITE VISIT 2011

Following the achievement of a special award for Carryduff in the 2010 Ulster in Bloom competition, the Operational Services Manager sought approval for the Parks Manager to attend the Ball-Colegrave Plant Bed Trials in August 2011. He confirmed that there was provision in the current budget to meet the expected cost. The Operational Services Manager explained that the Plant Bed Trials were the premier UK event of its kind for new, innovative plant designs, which would ensure that Castlereagh remained at the forefront of this visual medium.

Alderman Rice offered her thanks to staff for the plant arrangements in the Borough, which had attracted many compliments.

RESOLVED: That the Council be recommended to grant approval for the Parks Manager to attend the Ball-Colegrave Plant Bed Trials in August 2011.

T&ES/2011/157 : CORRESPONDENCE FROM LEISURE SERVICES RE: DISCOUNTED FOOTBALL BOOKINGS FOR IRISH FOOTBALL ASSOCIATION (IFA) GRASS ROOTS PROGRAMME

The Operational Services Manager tabled correspondence from the IFA to the Leisure Services Department, requesting discounted football bookings for the IFA Grassroots Football Programme in Castlereagh. He also provided Members with information in respect of discounts offered by other councils as well as the Leisure Services Department Service Level Agreement (SLA) with the IFA for their Grassroots Programme.

The Operational Services Manager went on to say that, following a report taken to the Leisure Services Committee in March 2011, the Council had agreed to host a 'hot desk' for the IFA Grassroots Development Officer for a period of four years, which represented a £6,000 cost saving over that period.

Following discussion, it was

RESOLVED: That the Council be recommended not to grant approval for the request from the IFA for discounted football bookings for the IFA Grassroots Football Programme in Castlereagh.

T&ES/2011/158 : CORRESPONDENCE FROM THE IRISH FOOTBALL ASSOCIATION (IFA) DEVELOPMENT MANAGER RE: COCA-COLA COMMUNITY CUP 2011

The Operational Services Manager outlined a request from the IFA Development Manager for support for the 2011 Coca-Cola Community Cup, to be held at the Council's Billy Neill Soccer Centre of Excellence (BNSCOE) on 16-17 June 2011. He explained that the Coca-Cola Community Cup was a disability club-based 5-a-side tournament.

Alderman Duncan proposed to offer support towards the tournament, particularly as the participants were disabled children. The proposal was seconded by Councillor Drysdale and it was

RESOLVED: That the Council be recommended to offer support towards the 2011 Coca-Cola Community Cup, to be held at the BNSCOE on 16-17 June 2011.

T&ES/2011/159 : CORRESPONDENCE REGARDING THE PROVISION OF CATERING FACILITIES AT THE BILLY NEILL SOCCER CENTRE OF EXCELLENCE (BNSCOE)

The Operational Services Manager tabled correspondence from a number of mobile catering companies regarding the provision of hot food at the BNSCOE.

Following discussion, it was

RESOLVED: That consideration for the provision of mobile catering at the BNSCOE be referred to the BNSCOE Working Group.

T&ES/2011/160 : CORRESPONDENCE FROM BRANIEL FC RE: LEASING OF A SOCCER PITCH AT HENRY JONES

The Operational Services Manager tabled correspondence from Braniel FC regarding the leasing of one football pitch at the Henry Jones facility. He advised that the club wished to retain exclusive use of the pitch at Henry Jones for their club matches and proposed to upgrade the surrounding area to intermediate standards prior to a bid for intermediate status. The Operational Services Manager stated that, in the past, the Council had not leased such facilities to individual teams as this would reduce the number of pitches available at the facility.

RESOLVED: That the Council be recommended to decline the request for exclusive rights to Braniel FC for the leasing of a football pitch at the Henry Jones facility, but that Officers liaise with Braniel FC regarding their booking requirements at the Henry Jones facility.

T&ES/2011/161 : CORRESPONDENCE FROM KENYA SUNBEAM MINISTRIES

Councillor Chambers declared an interest as the Mission Director was an acquaintance of hers.

The Operational Services Manager tabled correspondence from representatives of the Kenya Sunbeam Ministries in Northern Ireland regarding potential Council support for their work in Kenya. He pointed out, however, that the Operational Services Unit did not currently retain excess equipment of the type requested and that the disposal of end-of-life equipment was subject to public auction.

During the ensuing discussion, it was proposed that the matter be referred to the Mayor's office for consideration.

RESOLVED: That consideration of the request for support for the Kenya Sunshine Mission be referred to the Mayor's office for consideration.

T&ES/2011/162 : COMPLIMENTS FROM ARC21 REGARDING THE COUNCIL'S REFUSE COLLECTION SERVICE

The Operational Services Manager tabled correspondence from arc21, complimenting the Council on its performance of refuse collection crews in respect of bin contamination.

Noted.

ANY OTHER BUSINESS – OPERATIONAL SERVICES

T&ES/2011/163 : REQUEST FOR PARK BENCH

Alderman Rice advised that she had received a request from elderly residents at Edgar Boyd Court for a park bench between the library and their homes.

Following discussion, it was

RESOLVED: That the Council be recommended to investigate the request from elderly residents at Edgar Boyd Court, Carryduff, for the installation of a park bench between the library and their homes.

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

T&ES/2011/164 : STATUTORY NOTICES – PUBLIC HEALTH (IRELAND) ACTS 1878 AND 1907

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

Noted.

T&ES/2011/165 : SERVICE UNIT BUSINESS PLAN

The Environmental Health Manager tabled a copy of the Environmental Health Business Plan 2011/2012, setting out the Unit's objectives and performance standards to be monitored throughout the year and including review of performance in 2010/2011, for Members' perusal.

The Environmental Health Manager went on to say that the Plan confirmed that more tasks were required from this Service Unit without the required resources to deliver. He advised that continuing use of alternative means of enforcement for lower-risk premises would assist in reducing this imbalance to a manageable level and there were a number of pending new pieces of statute which were likely to have

a significant impact on an already busy frontline enforcement section, therefore further consideration might be required for resource implications once the pending statutes became effective.

During the ensuing discussion, Alderman Robinson thanked staff for all their hard work.

RESOLVED: That the Council be recommended to grant approval for the Environmental Health Business Plan 2011/2012.

T&ES/2011/166 : FOOD SERVICE PLAN

The Environmental Health Manager tabled a copy of the Food Service Plan for the Environmental Health Service Unit for 2011/2012 for Members' information. He went on to say that the Plan reviewed the performance of the food control function in 2010/2011 and included the proposed service delivery for 2011/2012. This Plan demonstrated the Council's commitment to delivering a food control service in accordance with all the relevant legislation and associated guidance.

The Environmental Health Manager stated that the Plan confirmed that more tasks were required than this Service Unit had resources to deliver. However, the continuing use of alternative means of enforcement for lower-risk premises would assist in reducing this imbalance to a manageable level.

RESOLVED: That the Council be recommended to grant approval for the Food Service Plan for the Environmental Health Service Unit for 2011/2012.

T&ES/2011/167 : THE HEALTH & SOCIAL SERVICES (NORTHERN IRELAND) ORDER 1978 – THE CHILDREN AND YOUNG PERSONS (SALE OF TOBACCO ETC) REGULATIONS (NORTHERN IRELAND) 2008

The Environmental Health Manager advised that the Environmental Health Service Unit had carried out a further tobacco underage sales test purchase exercise on Wednesday, 30 March 2011, in accordance with the Council procedures (Minute T&ESC/2006/238 as amended by T&ESC/2008/398 refers). The exercise had surveyed ten retailers and staff at all premises requested identification and refused sales.

The test purchase exercises from 1 April 2010 to 31 March 2011 had surveyed 39 premises and only two premises had failed. A warning letter had been issued to one seller, as the premises had a good historical record in refusing sales. With regard to the other premises, a Formal Caution had been issued to the seller, as the person had recent training and failed to comply. The owners of both premises had a full training policy on underage sales and had been issued advisory letters to ensure full compliance. The other 37 premises had been congratulated on their compliance with the legislation.

Noted.

T&ES/2011/168 : TOBACCO CONTROL STRATEGY FOR NORTHERN IRELAND – CONSULTATION QUESTIONNAIRE

The Environmental Health Manager advised that the above Consultation document had been received on 4 February 2011, asking for comments in relation to ten specific questions and confirming that responses were to be received no later than 22 April 2011. The questionnaire had been considered by the Chief Environmental Health Officers Group and the response was attached for Members' reference. It had also been forwarded to the Department of Health, Social Services & Public Safety as required before the closing date of 22 April 2011.

Noted.

T&ES/2011/169 : HOME ACCIDENT PREVENTION – BEE SAFE 2011 INITIATIVE

The Environmental Health Manager advised that Bee Safe was a proactive, multi-agency community safety initiative specifically aimed at the primary seven age group. The aim of this educational event was to promote safety and develop community awareness as well as prepare pupils for the transition to secondary level education. Participation at Bee Safe event was intended to teach pupils how to react in dangerous situations, make a contribution to crime prevention, avoid becoming the victims of crime, understand the role of the emergency services and also develop good relationships with various authorities. The Police, Northern Ireland Fire & Rescue Service, Home Accident Prevention, Translink, DoE Road Safety, Council's Dog Wardens and Northern Ireland Electricity were all involved in addressing the dangers in the community, issues that would directly affect children and young people in their every day lives.

This year, Bee Safe ran from 3 May 2011 to 4 May 2011 in Knock Presbyterian Church Hall and was attended by ten primary schools in the Castlereagh area. Just over 400 pupils attended the two-day event, compared to last year, when 207 pupils attended. A teacher from each of the schools was provided with goody bags to distribute to the pupils, donated by the various participating organisations, which contained rulers, pencils, pens, bookmarkers, leaflets, erasers and stickers.

Evaluation forms had been forwarded to each school to gain valuable feedback and to give the teachers a chance to express their opinions on how they feel the event had been run.

During the ensuing discussion, Alderman Robinson commented that this was a worthwhile project and he asked that Officers prepare a report in respect of the feedback for a future Committee meeting.

RESOLVED: That Officers prepare a report in respect of feedback received following the Bee Safe 2011 Initiative for a future meeting of the Committee.

T&ES/2011/170 : OIL STAMP SCHEME

The Environmental Health Manager tabled a report in respect of the Oil Stamp Scheme that currently operated in some councils in the Province. For Members' information, he provided the background to the Scheme, benefits of the Scheme, negatives of the Scheme and potential cost of the implementation and maintenance of the Scheme.

Introduction

The oil fuel stamp saving scheme is a method of paying for oil in a staged approach through the purchasing of oil fuel stamps from local retailers over time to assist in the purchase of tank fill of oil from reputable suppliers at a later date.

The oil stamp scheme is similar to the Northern Ireland Electricity Stamp Scheme in which electricity is paid at the Post Office via stamps over a period of time reducing the impact of large bills.

Customers purchase £5.00 oil stamps from local retailers and attach them to an oil stamp card. Customers then use the stamps to make payment (or part payment) for an oil delivery from an oil retailer.

Costs of setting up the scheme and operating

The oil fuel scheme will involve getting retailers and local oil suppliers to become partners in the scheme. Strict terms and conditions will be in place to ensure the scheme is operated fairly and ethically.

Set up costs

Printing of oil stamps and oil stamp cards (Incorporates security measures and set up charges)	
Quantity 20,000	£4,000.00
Leaflets promoting the Scheme (2,000 leaflets)	£170.00
20 Receipt books	£90.00
100 A3 Posters promoting the event	£50.00
Total	£4,310.00

NB: Figures are a representative value in line with neighbouring local authorities already operating a scheme.

The administration of the scheme will result in staff establishing and operating the scheme. It is anticipated this will involve the time of at least one administrative officer. It is estimated that the set up time will be approximately three months in duration and due to the seasonal characteristics of this scheme, the average administrative time involved in the maintenance of the scheme throughout the year would be approximately five hours per week. The cost of this resource would work out as £8,047.13 set up costs required and £4,349.80 required for the annual maintenance of the scheme. This would therefore mean that to set up the scheme and maintain it would involve an outlay of £16,706.93.

Presently operating within the Borough of Castlereagh there are in excess of 60 retailers (where stamps may be purchased) and in excess of 20 oil companies that service the Borough.

Through discussions with some local authorities that are already operating a scheme, it has been concluded that customer feedback is very positive. The storage of stamps, which have a market value of £5.00 per stamp, requires to be covered by

the insurance company of the premises where the stamps are being stored in the event of accident loss or damage.

A neighbouring local authority have advised that, due to the close proximity of the two council areas, some of our residents have availed of their scheme.

Benefits

Many householders find it difficult to pay the large oil fuel bills and many in a low income group suffer a significant impact by not being able to afford fuel. This can result in living in a cold, damp home and suffering poor health and social wellbeing, therefore the ability to spread the financial impact of a fill of oil is very positive.

Oil is a cleaner source of heating compared to the combustion of other fossil fuels, ie coal, and, therefore, can have a positive impact on local air quality. There may be associated positive impact on local businesses that are involved in the scheme through additional purchases while customers purchase stamps.

Negatives

- The financial cost of the scheme
- The operating of the scheme is not a statutory function placing a significant burden on the existing busy frontline service
- Training of officers and businesses involved in the scheme
- Potential security implications in relation to the storage and transportation of fuel stamps which have a monetary value

During the ensuing discussion, Councillor White noted surprise at the costs involved in the scheme, which, he felt, might prevent the Council from running it.

Councillor Chambers stated that many oil suppliers had their own schemes. However, this often involved tying customers to one supplier and high oil prices.

Alderman Rice felt that the proposed scheme would benefit the elderly and vulnerable people who found it difficult to meet the current oil prices, as there would be the opportunity to spread the cost. She added that oil companies could be asked to contribute as they would benefit from the scheme.

Councillor Hanvey agreed that, while the initial cost would be high, it might be worthwhile to consider the scheme. He proposed that Officers contact organisations in the Borough to identify how the scheme would impact on them. He felt that oil companies would be ensured an income and residents would be able to purchase larger quantities of oil, therefore reducing the cost in the long run.

Councillor Spratt left the meeting at 7.01 pm.

Alderman Robinson commented that not enough information was available to enable the Committee to reach a decision, therefore he agreed with Councillor Hanvey's proposal that the Officer contact oil distributors and other organisations in order to ascertain their views.

Councillor Drysdale suggested the possibility of a pilot scheme in one area of the Borough.

Councillor Cochrane returned to the meeting at 7.05 pm.

The Environmental Health Manager suggested to carry out a fuel usage survey in respect of oil, coal and gas in order to gauge the usefulness of the scheme in the Borough. He further suggested that the Council could sign up with the Fuel Poverty Coalition, which provided information and there would be no cost to the Council.

Following some further discussion, it was

RESOLVED:

- (a) That Officers liaise with oil suppliers and various other organisations such as Help the Aged, in order to obtain more detailed information in respect of the usefulness of the Oil Stamp Scheme in the Borough and prepare a report for a future meeting of the Committee.
- (b) That the Council join the Fuel Poverty Coalition at no cost to the Council.

Councillor Spratt returned to the meeting at 7.07 pm.

T&ES/2011/171 : POISONS (NORTHERN IRELAND) ORDER 1976 – REGISTRATION OF PREMISES

The Environmental Health Manager outlined details of applications received of premises for registration in 2011 under the Poisons (Northern Ireland) Order 1976.

RESOLVED: That the Council be recommended to grant approval for the registration of premises for registration in 2011 under the Poisons (Northern Ireland) Order 1976 as outlined in the Environmental Health Manager's report.

T&ES/2011/172 : CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES – DRINKING IN DESIGNATED AREAS

The Environmental Health Manager advised that statements had been provided by the PSNI regarding two offences of persons 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: That the Council be recommended to grant approval for the Environmental Health Manager to instigate legal proceedings against two persons for the consumption of intoxicating liquor in designated areas, in line with the Council's policy.

T&ES/2011/173 : CONSUMPTION OF INTOXICATING LIQUOR IN DESIGNATED PLACES – DRINKING IN DESIGNATED AREAS

The Environmental Health Manager advised that the PSNI had provided notification for February and March 2011 of 11 youths who were being progressed through the PSNI's Youth Diversion Scheme for drinking in a designated area contrary to the

Council's bye-law. A copy of the rolling table of offences had been forwarded to the DPP Manager for consideration.

<u>MONTH</u>	<u>ADULT</u>	<u>JUVENILE</u>	<u>LOCATION</u>
April 2010	1	2	-
May 2010	4	5	-
June 2010	2	7	-
July 2010	0	1	-
August 2010	0	2	-
September 2010	0	5	-
October 2010	0	4	-
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
TOTAL	8	47	

Noted.

T&ES/2011/174 : THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985 – ARTICLE 3 – LICENSING OF PLACES OF ENTERTAINMENT – RENEWAL OF LICENCE

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

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

Councillor Drysdale left the meeting at 7.09 pm.

T&ES/2011/175 : THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NI) ORDER 1985 – ARTICLE 3 – LICENSING OF PLACES OF ENTERTAINMENT – GRANT OF LICENCE

The Environmental Health Manager outlined details of an application for the grant of an Entertainment Licence.

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

T&ES/2011/176 : REGISTRATION OF PREMISES FOR EAR PIERCING

The Environmental Health Manager outlined details of an application for registration to carry out ear piercing at the following premises: Passion Hair and Beauty, Unit 6,

Church Lodge, Church Road, Moneyreagh. He advised that the premises had been inspected and found to comply with the bye-laws under the above Order.

RESOLVED: That the Council be recommended to grant approval for registration to carry out ear piercing at the abovementioned premises.

T&ES/2011/177 : STREET TRADING ACT (NORTHERN IRELAND) 2001 – RENEWAL OF A MOBILE TRADER’S LICENCE

The Environmental Health Manager referred to an application for renewal of a Mobile Trader’s Licence relating to the sale of ice cream, crisps and confectionery between the hours of 12.00 noon and 7.00 pm Monday to Sunday inclusive. He advised that consultations had taken place with the PSNI as required by the legislation.

RESOLVED: That the Council be recommended to grant approval for renewal of a Mobile Trader’s Licence relating to the sale of ice cream, crisps and confectionery between the hours of 12.00 noon and 7.00 pm Monday to Sunday inclusive.

T&ES/2011/178 : STREET TRADING ACT (NORTHERN IRELAND) 2001 – RENEWAL OF A STATIONARY TRADER’S LICENCE

The Environmental Health Manager outlined details of an application for renewal of a Street Trader’s Licence at regarding the sale of hot food at Hillmount Drive, Moneyreagh, between the hours of 4.00 pm and 6.30 pm, Monday to Friday inclusive.

RESOLVED: That the Council be recommended to grant approval for renewal of a Street Traders Licence regarding the sale of hot food Hillmount Drive, Moneyreagh between the hours of 4.00 pm and 6.30 pm, Monday to Friday inclusive.

T&ES/2011/179 : PETROLEUM CONSOLIDATION ACT (NI) 1929 – RENEWAL OF A PETROLEUM LICENCE

The Environmental Health Manager referred to his report which contained details of an application received for the renewal of a Petroleum Licence.

RESOLVED: 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.

Councillor Drysdale returned to the meeting at 7.11 pm.

T&ES/2011/180 : THE DOGS (NORTHERN IRELAND) ORDER 1983 – DOG CONTROL INITIATIVE

The Environmental Health Manager stated that complaints in respect of dog fouling were continually received in the Environmental Health Service Unit. He continued to say that this issue took up much of the Unit’s resources with proactive patrols, educational visits and signage as well as reactive progression of detections and cleansing requirements etc.

The Environmental Health Manager referred to his report to the December 2010 meeting of the Committee (T&ESC/2010/483 refers), where it was resolved that a dog control initiative would take place over three days, involving all professional Officers from the Environmental Health Service Unit. He advised that the initiative had taken place on 24, 25 and 26 May 2011. The Borough had been divided into six areas, each area had been patrolled daily for a total of 216 hours where involved in the initiative. The outcomes of the initiative were as follows:

AREA	TUESDAY 24/05/2011 PERSONS SPOKEN TO AND ADVISED	WEDNESDAY 25/05/2011 PERSONS SPOKEN TO AND ADVISED	THURSDAY 26/05/2011 PERSONS SPOKEN TO AND ADVISED	TOTAL PERSONS SPOKEN TO AND ADVISED
1	3	8	11	22
2	13	8	18	39
3	7	12	10	29
4	13	6	10	29
5	14	5	0	19
6	6	20	8	34
	56	59	57	172

Each person interviewed received an information leaflet and complimentary poop scoop. Officers received a total of five complaints while on patrol.

Councillor White referred to a previous request to reinstall a bin for dog waste at the bottom of Wanstead Road following its removal. He also felt that there was a need in other areas of the Borough. Alderman Robinson concurred and asked that bins should be erected on Craigleith Drive from the Upper Newtownards Road and the green area at the centre of Ballybeen. The Operational Services Manager stated that he had assessed the need at the Enler complex and he intended to raise this matter with the Central Services Committee, ie that landlords provide bins. He went on to say that the Council no longer supplied bins solely for dog waste but that these bins were now intended for mixed waste.

Alderman Rice recalled that bins at Lough Moss had been overflowing and she enquired whether this had been resolved. The Environmental Health Manager replied that this issue had been investigated.

Councillor Hanvey commented that there should be more flexibility for staff to patrol areas outside of normal working hours in order to detect any incidents that occurred then. Councillor Spratt also felt that there should be additional Enforcement Officers employed to ensure there was provision to deliver the requirements of new and pending Statute. He further commented that the Environmental Health Manager should provide an additional report on this matter.

RESOLVED: That Officers prepare a further report in respect of dog fouling and bin provision for the next meeting of the Committee.

T&ES/2011/181 : DOGS (AMENDMENT) ACT (NORTHERN IRELAND) 2011

The Environmental Health Manager stated that the above pending Statute was due to come into force in the autumn. Under the Statute, compulsory micro-chipping of dogs would be required prior to a licence being issued. He advised that correspondence had been received from the Dogs Trust, offering support in delivering this pending statutory obligation by entering into a formal contract/agreement. The Environmental Health Manager pointed out that, in principle, the Environmental Health Service Unit would agree with the conditions of support, assuming that some of the local vets would agree to carry out the implants free of charge.

RESOLVED: That the Council be recommended to grant approval to enter into partnership with the Dogs Trust for additional support to meet the statutory obligations of the pending Dogs (Amendment) Act (Northern Ireland) 2011, on the condition that local vets agree to administer the implants free of charge.

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

T&ES/2011/182 : DOGS (AMENDMENT) BILL

The Environmental Health Manager referred to the above pending Statute and advised that correspondence had been received by the Chief Executive from the Minister of Agriculture & Rural Development, along with a guidance document for enforcers (Council staff). The Council would have an opportunity comment on this guidance before it was finalised.

The Environmental Health Manager went on to reiterate concerns regarding the required increase of resources that the new Statute would incur, for example, a three-tier licensing scheme that would require councils to extend risk-based systems to confirm accuracy of the declarations on applications for reduced licence rates as well as micro-chipping requirements. Furthermore, should the Council re-home a dog, it would be the responsibility of the Council to ensure the details of ownership on the micro-chip were up to date.

Dog attacks had been extended to include livestock and domestic animals. 'Attack' was defined as fear of being attacked, not just being physically bitten, therefore the Council would now be required to investigate more complaints, therefore putting a greater burden on an already stretched frontline service.

The biggest change was the introduction of 'Control Orders', which were conditions attached to a licence and valid for the year of that licence. They were also transferable to a new owner should the dog be sold.

One positive from the Statute was the ability to serve a Fixed Penalty Notice for a number of offences, set at a level of £75.00 and retained by the Council for the use of enforcement of the Order.

Although the opportunity to influence the requirements of the Statute had now passed, the Environmental Health Manager suggested to seek further clarity in respect of the following points.

- What does the Department see as appropriate in relation to risk-based systems for confirming the accuracy of declarations on applications for reduced licence rates and micro chipping?
- Who assesses the suitability and appropriateness of training courses required for attendance under Control Conditions?

Following discussion, it was

RESOLVED: That the Environmental Health Manager prepare a draft response to the Dogs (Amendment) Bill and email it to Members for consideration.

T&ES/2011/183 : THE SMOKING (NORTHERN IRELAND) ORDER 2006 – FAILURE TO PROVIDE INFORMATION UNDER ARTICLE 12

The Environmental Health Manager outlined details of an incident where the driver of a lorry had been observed smoking in the vehicle. The registered owner of the vehicle had been traced and contacted to request information regarding the incident. The driver of the vehicle had been identified and a Notice to Obtain Information under Article 12 of the above Order had been issued. There had been no response and the Environmental Health Manager sought approval to instigate legal proceedings against the owner of a lorry who had failed to provide information relating to an incident where the driver of the lorry had been observed smoking while driving under Article 12 of the Smoking (Northern Ireland) Order 2006.

RESOLVED: That the Council be recommended to grant approval for the instigation of legal proceedings against the owner of a lorry who had failed to provide information under Article 12 of the Smoking (Northern Ireland) Order 2006.

T&ES/2011/184 : THE HIGH HEDGES BILL

The Environmental Health Manager tabled correspondence from the Department of the Environment, advising that the High Hedges Bill received Royal Assent on 3 May 2011. The introduction of this Bill would have significant implications for the Council and in particular two Service Units, (Environmental Health and Operational Services) of the Technical & Environmental Services Department. A copy of the statute was available in the Environmental Health Service Unit for Members' perusal. No provision had been made in the current financial year for the following:

- A hedge is defined as two or more evergreen or semi-evergreen trees or shrubs – horticultural training will be required to enable officers to identify evergreen trees and shrubs.
- An authorised officer is required to assess a complaint on the grounds that reasonable enjoyment is adversely affected due to loss of light by the height of a hedge situated on land owned or occupied by another person – consistency will be required to ensure that all complaints are assessed fairly.

- The Council will act as an independent and impartial third party and will adjudicate on reasonable enjoyment.
- The Statute provides powers for the Council to do works by default and recover its costs by placing a charge on the property.
- The maximum level the Council can restrict the height of a hedge that is deemed to be detrimental to enjoyment is two metres – clarity would be required to determine two metres on the complainant's side or the landowner's side.
- The Council will only investigate complaints where there is evidence that both parties have made an attempt to resolve the matter without involving the Council. The Council can reject a complaint should this not be exhausted or if it feels that the complaint is frivolous or vexatious. Should the Council not progress a complaint, it is required to formally advise the complainant. The complainant has rights of appeal.
- The fee will be returned to the complainant should the Council not progress with a Remedial Notice.
- The Council will investigate a complaint when it is accompanied by the appropriate fee (this fee is yet to be determined). The Department have indicated that the level of fee to be levied should be sufficient to recover the costs of the investigation. Where a complaint is being investigated, the Council will serve a Remedial Notice on the tree owner or occupier of land. The Notice has 28 days before it comes into effect. The Notice will state what is required to be done, when, and the implications should the Notice not be adhered to. While the Notice is in force, the Council will register a statutory charge on the property on which the hedge is situated. The Notice is binding on not just the present owners but also their successors.

The Department had allowed only two weeks for consultation. The Environmental Health Manager stated that he had written on Members' behalf to the Department, indicating the inadequate consultation period.

RESOLVED: That the Council note the requirements of the High Hedges Bill, the significant implications and requirement for sufficient resources to enable the Council to comply with its statutory obligations.

REPORT FROM THE CLIENT MANAGER (copy previously circulated)

T&ES/2011/185 : LANDFILL TONNAGES

The Client Manager provided details of tonnages deposited to landfill in April 2011, listing tonnage variances with indicative impact on 2010/11 budgets. At the time of writing the report, a full reconciliation of the tonnage for May 2011 had not been completed.

Noted.

T&ES/2011/186 : EDUCATIONAL TALKS/VISITS 2011/2012

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

DATE	GROUP	AGE	NO	DETAILS
04/02/2011	St Joseph's Nursery	3 – 4 yr olds	52	Mr Rat story, sort it out game and paper potting
09/02/2011	Knockbreda Rainbows	3 – 6 yr olds	12	Mr Rat story, sort it out game and paper potting
01/03/2011	Ballybeen Pre School	3 – 4 yr olds	16	Mr Rat story, sort it out game and paper potting
01/03/2011	Ballybeen Toddlers group	3 yr olds	15	Mr Rat story, sort it out game and paper potting
08/03/2011	St Joseph's Nursery	3 – 4 yr olds	52	arc bus
28/03/2011	Cairnshill PS	5 – 8 yr olds	145	arc bus
29/03/2011	Cairnshill PS	8 – 11 yr olds	143	arc bus
30/03/2011	St Josephs PS	9 – 10 yr olds	60	arc bus
31/03/2011	Moneyreagh PS	4 – 11 yr olds	196	arc bus
01/04/2011	St Bernard's PS	5 – 8 yr olds	174	arc bus
05/04/2011	Gilnahirk PS	9 – 11 yr olds	15	Big Spring Clean litter pick
07/04/2011	Lough View Int Nursery	3 – 4 yr olds	29	Mr Rat story, sort it out game and paper potting
07/04/2011	Cairnshill PS	5 – 7 yr olds	60	Big Spring Clean litter pick
08/04/2011	Newtownbreda High School	11 – 16 yr olds		Big Spring Clean litter pick
19/04/2011	Mount Merrion Church Hall	General public		Big Spring Clean litter pick
11/05/2011	Sleepy Hollow Pre School	3 – 4 yr olds	19	Mr Rat story, sort it out game and paper potting
13/05/2011	St Bernard's Nursery School	3 -4 yr olds	25	Mr Rat story, sort it out game and paper potting
20/05/2011	Belvoir Park PS	4 – 7 yr olds	108	KS1 Assembly
20/05/2011	Belvoir Park PS	8 – 11 yr olds	96	KS 2 Assembly
21/05/2011	Carryduff Scout Group	8 – 16 yr olds	50	Litter pick in Belvoir Forest Park

Noted.

T&ES/2011/187 : UPDATE RE CIVIC CENTRE RECYCLING 2010/2011

The Client Manager recalled that food waste recycling had been introduced in 2010 to compliment existing arrangements for recycling of a range of mixed dry materials. He stated that, since April 2010 more than two tonnes of mixed dry recyclables (paper, cardboard, plastic bottles and cans) had been diverted from landfill for recycling. As well as having environmental benefits, there had been cost savings to the Council in terms of lower treatment and processing costs when compared to the cost of landfill.

Since May 2010, one tonne of food waste had been collected from the Civic Centre kitchens (including Function Suite). This had significant environmental benefits, as food waste was 100% biodegradable (saving almost half a tonne in carbon emissions), but it had also resulted in a further direct cost saving to the Council of £28.50 per tonne, when compared to the cost of landfill. It had also enabled one general 1,100 litre bin to be removed from the bin store, realising a further saving of £1,095.

In addition to the recycling of mixed dry materials and food waste, there was also provision for the recycling of printer cartridges.

Noted.

T&ES/2011/188 : TRIAL FOR THE COLLECTION OF FOOD WASTE FROM HI-RISE PROPERTIES

The Client Manager advised that, as part of the continued roll-out of kerbside recycling to all households within the Borough, preparations were being made to trial the collection of food waste from Breda and Belvoir Hi-Rise Apartments. He stated that hi-rise properties presented a unique set of circumstances in terms of recycling provision. There were various approaches that could be adopted, such as communal areas, door-to-door collections or conventional kerbside collections. Other issues, such as container type to be used, siting and storage locations as well as communication and awareness raising also needed to be given careful consideration.

Given that door-to-door collections raised a number of logistical issues and were more costly in terms of labour provision and that conventional kerbside collections would be unsuitable for hi-rise properties, the Client Manager suggested the adoption of a communal approach similar to that currently provided for the recycling of mixed dry materials. Each householder would be provided with an information leaflet, kitchen caddy, liners and a larger 21-litre caddy for storing the liners when full. Householders would bring their 21-litre caddy to a brown bin located adjacent to the blue recycling bins, where they could be emptied into the brown bin. The larger caddy would be provided for convenience and to allow the householder flexibility when planning their journeys to the recycling area.

Noted.

T&ES/2011/189 : REGISTRATION OF ACTIVITY WITH ANIMAL BY-PRODUCTS UNDER ARTICLE 23 OF EC REGULATION NO 1069/2009, ENFORCED IN NORTHERN IRELAND BY THE ANIMAL BY-PRODUCTS (ENFORCEMENT) REGULATIONS (NI) 2011

The Client Manager tabled correspondence from the Department of Agriculture & Rural Development (DARD) regarding the new Animal By-Products (ABP) Enforcement Regulations (Northern Ireland) 2011, specifically the legal requirement for ABP hauliers to be registered by DARD Veterinary Service. He advised that the new ABP Enforcement Regulations would replace the ABP Regulations 2003.

The Client Manager went on to say that the new Regulations required the Council to register all vehicles used in the transport of ABP – Category 3 material (low risk), such as former foodstuffs (waste from food factories and retail premises such as butchers and supermarkets), catering waste, including domestic kitchen waste. An application for registration of activity had been submitted to DARD on 13 May 2011.

Noted.

Councillors McCoy and Spratt left the meeting at 7.29 pm.

T&ES/2011/190 : TENDER FOR THE COLLECTION, KERBSIDE SORT AND RECYCLING OF MIXED DRY MULTI-MATERIALS (REF T01/11)

The Client Manager referred to previous reports regarding the above service tender (Minutes T&ESC/2010/238 and T&ESC/2010/431 refer), he reiterated that the contract had been advertised on the Council's website and in the OJEU on 11 February 2011, with a closing date of 12.00 noon on 28 March 2011 and the procurement process used had been a fully regulated open procedure. Eleven interested parties had been issued with Invitation to Tender packs for the contract period 1 June 2011 to 31 March 2013, with the option of extension by two periods of one year each, subject to the agreement of both parties.

A number of clarification questions had been received during the tender period and responses had been issued to all recipients of documents. Two tenders had subsequently been submitted by the closing date from Bryson Recycling and Organic Waste Recycling (OWR). Submitted tenders comprised both compliant and variant bids.

The tenders had been evaluated in accordance with the following process, as specified in the Invitation to Tender, and subsequently clarified:

- Compliance with mandatory criteria – certificates and documents
- Satisfactory responses to the Selection Questionnaire
- Satisfactory responses to the Experience, Staff & Resources Questionnaire
- Cost (80%)
- Quality of service delivery proposal (20%)

Following evaluations by the evaluation panel, OWR scored three out of four (15%) on their service delivery proposal, with Bryson Recycling scoring four out of four (20%). Cost scores were calculated based on projected service costs per annum and added to the quality scores:

	Cost	Quality	Total
Bryson Recycling	80%	20%	100%
OWR	21%	15%	36%

In terms of quality and cost, Bryson Recycling's tender scored the highest.

During the ensuing discussion, Councillor Hanvey commented that the Council should monitor Bryson Recycling periodically, as he had received complaints that items had fallen from lorries etc.

Councillor Gregg referred to the various schemes operated in the Borough and enquired whether it was intended to introduce one scheme throughout. Alderman Robinson explained that the Council had tested out different ways to recycle to identify the most suitable. Data was now being analysed to enable the Council to make a final decision. The Client Manager added that, when the current contract with Bryson Recycling closed in two years' time, the Council could decide on the way forward.

Councillor Hanvey left the meeting at 7.33 pm.

Councillor White also recalled that the Committee had agreed to arrange a site visit to Wright Recycling facility in Newtownards and he asked that the Client Manager make arrangements as soon as possible.

RESOLVED:

- (a) That the Council be recommended to grant approval for the award of the service contract for the collection, kerbside sort and recycling of mixed dry multi-materials to Bryson Recycling, subject to receipt of satisfactory references.
- (b) That the Client Manager arrange a site visit to Wright Recycling facility in Newtownards.

T&ES/2011/191 : DE-WATERING OF STREET SWEEPING RESIDUES

The Client Manager referred to previous discussion regarding the current contract for the de-watering of street sweeping residues (Minutes T&ESC/2010/500 and T&ESC/2011/40 refer) and the provision of service beyond the end of the current contract period (30 June 2011). He stated that arc21 had indicated that they would be unable to have a new framework contract in place for 1 July 2011. In order to ensure continuity of service beyond 30 June 2011, Belfast City Council had agreed to extend the current framework contract for a six-month period to enable arc21 to complete the procurement process. The Client Manager sought approval for a six-month extension of the current contract with Belfast City Council, commencing 1 July 2011.

RESOLVED: That the Council be recommended to grant approval to extend the contract with Belfast City Council for the de-watering of street sweeping residues for a six-month period, commencing 1 July 2011.

T&ES/2011/192 : DEPARTMENT OF THE ENVIRONMENT (DOE), ENVIRONMENTAL POLICY DIVISION – A NEW RECYCLING POLICY CONSULTATION DOCUMENT

The Client Manager tabled a consultation document from the DoE regarding a new recycling policy and inviting views by 10 June 2011. The consultation set out a new recycling policy and included more ambitious targets for the recycling of municipal

waste. It also described some of the work that would be necessary to meet targets for commercial, industrial, construction, demolition and excavation waste. The consultation argued that there was a potential for Northern Ireland to achieve municipal recycling rates in the region of 60% over the next ten years – assuming that the 50% household recycling target for 2020 set out in the Waste Framework Directive would be achieved as a key element of the progress towards the municipal targets.

The Department was proposing to set targets at Local Government level for 60% municipal recycling by 2020. Furthermore, the Department was seeking to develop more accurate information on the commercial and industrial recycling rate and would seek to set similar targets for this waste. It was the Department's view that this reflected the need to ensure that all those managing waste should be encouraged to move up the waste hierarchy away from disposal and energy recovery and towards waste prevention, recycling and re-use. It was the Department's intention to establish a comprehensive regime of incentives and sanctions across all sectors of waste management to encourage the best outcomes consistent with these targets.

The Client Manager also tabled draft responses from NILGA and arc21. Subject to any amendments to take account of further contributions prior to closing date, he recommended that the Council endorse these two responses.

RESOLVED: That the Council be recommended to endorse the draft responses from NILGA and arc21 to a consultation document from the DoE regarding a new recycling policy.

**T&ES/2011/193 : ACCEPTABLE ENTERPRISES (LARNE) LIMITED (AEL)-
REQUEST FOR FINANCIAL ASSISTANCE**

The Client Manager outlined details of a request from AEL for a financial contribution towards their running costs. He explained that AEL was a project providing sustained employment, training and work experience for people with a mental health disability or other disadvantage, and they were writing to all their current partner councils in the refurbishment of mobile phones.

Following discussion, it was

RESOLVED: That the Council be recommended to decline the request from AEL for a financial contribution towards their running costs in respect of their project providing sustained employment, training and work experience for people with a mental health disability or other disadvantage.

**T&ES/2011/194 : USE OF DOWN DISTRICT COUNCIL'S LANDFILL SITE AT
DRUMNAKELLY FOR SIDELOADERS / CAGED STREET CLEANSING
VEHICLES**

The Client Manager advised that, at present, all Council sideloaders/caged street cleansing vehicles were using either Mullaghglass or Cottonmount landfill sites under the arc21 contract. However, over the last year there had been an increase in the number of incidents where some vehicles had sustained damage to their under-carriage due to the design of the vehicle and the topography of the landfill,

specifically the tip head, which had resulted in repair bills for the Council. Discussions had taken place with arc21 and the landfill operators in an attempt to seek a solution to the problem, but these had been inconclusive.

Down District Council had offered the use of their landfill site at Drumnakelly at an agreed gate fee of £35/tonne. Whilst this was above the current arc21 gate fee price of £28/tonne, the additional costs should be off-set by savings in maintenance and repair bills. Furthermore, vehicle tonnages were low and would not represent a significant cost to the Council in terms of overall landfill tonnage. It was also anticipated that any additional costs would be capable of being met within existing budgets.

RESOLVED: That the Council be recommended to grant approval for the use of Down District Council's landfill site at Drumnakelly by the Council's sideloaders/caged street cleansing vehicles.

T&ES/2011/195 : NATIONAL RECYCLING WEEK 20-26 JUNE 2011

The Client Manager referred to the annual National Recycle Week event, intended to promote increased recycling. He advised that this year the theme would be 'Work, rest or play: recycle at home and away'. To mark this year's event it was intended to carry out various promotion and awareness raising activities using the arc21 Education Bus, including a press release and information provided on the Council's website. Targeted events being planned included:

- A free-of-charge, re-usable garden waste recycling bag will be given to the first 100 householders recycling their garden waste at Carryduff Household Recycling Centre. It is estimated that the cost of the bags will be £180.00.
- Residents will be able enter a 'Love Food, Hate Waste' competition whereby they will send in their top recipes using left over food. The top two recipes will win either a tumbling composter or Wormery (sponsored by the DOE), with the top ten recipes being published on the Council's website.
- The arc21 Education Bus will also be available for two days during the week and will be sited at Carryduff HRC and Tesco Store, Newtownbreda.

Noted.

T&ES/2011/196 : FORMER LANDFILL SITE AT MOSS ROAD, BALLYGOWAN – UPDATE

The Client Manager recalled that Environmental Impairment Liability Insurance cover at the former Moss Road landfill site had been suspended, partly due to the ongoing breach of discharge consent limits. Meetings had taken place on site between Council Brokers and the Insurer's technical representative and, following that, in the office to discuss this matter.

A clarification email had been received from the Broker and the insurance was now substantially in place, but there was no gradual pollution cover on the sites themselves (given that the sites are already contaminated – being closed landfill

sites and household recycling centres). There was also no cover in relation to pollutants making their way (and in) into the adjacent stream as this was already happening.

The Insurers had asked for certain works to be carried out at the Household Recycling Centres, mostly of a minor nature that could be readily introduced. Furthermore, comfort had been sought by the Insurers from the NIEA in respect of current practices. A meeting had been arranged with NIEA.

Noted.

T&ES/2011/197 : CORRESPONDENCE FROM NI WATER REGARDING AMMONIA LEVELS AND LEACHATE TRANSPORTED FOR TREATMENT

The Client Manager referred to concerns raised by NI Water in respect of ammonia levels within the leachate transported from the landfill site for treatment at the NI Water treatment works. Ongoing attempts were being made to reduce these levels, but it was thought unlikely that it would be possible to reduce these to an acceptable level for NI Water. It was probable that, at some stage, NI Water would refuse to accept the leachate for treatment or would substantially increase their rates. The Council's Finance Department were being kept informed of the current situation.

Noted.

T&ES/2011/198 : BREACH OF DISCHARGE CONSENT LIMITS AND POLLUTION OF ADJACENT STREAMS

The Client Manager advised that monitoring of numerous parameters in the adjacent streams was continuing. Breaches of consent limits did occur from time to time, and this made the Council liable to prosecution. The NI Environment Agency were being kept up to date with developments and a meeting had been arranged to discuss this matter with them.

Noted.

Councillor Jeffers left the meeting at 7.37 pm.

T&ES/2011/199 : STORAGE OF DIESEL FUEL

The Client Manager advised that the Council was currently purchasing approximately 290,000 litres of diesel fuel each year ('white' and 'red'), which was bulk purchased via prices sought on the spot market and resulting in a saving of approximately 6% over normal pump prices. The existing underground storage tanks at Carryduff, where most of the fuel was stored, were approximately 30 and 40 years old. The tanks were pressure-tested every year and, to date, had passed this test satisfactorily. However, the Client Manager stated that waiting until the tanks would fail would not be practical as this could result in loss of fuel and cause significant pollution. The Council would then be faced with very substantial clean up costs and possible substantial fines under recently introduced European Environmental legislation. A review of the current fuel supply arrangements had been carried out in respect of four options:

1. Do nothing. This was thought to be an unsustainable approach due to the financial risk to the Council and to the environment.
2. Tender for the supply of diesel fuel from a local garage. This would reduce the Council's administrative burden by way of purchase and day-to-day management. The environmental risk would also be transferred to another body. There would be an increase in costs anticipated to be in the order of 5%, an increase in administrative burden by way of invoicing and fuel allocation. It was also likely that there would be increased staff costs in driving an RCV to the fuel supply point. There would also be a loss of control and security of supply.
3. Replace the existing tanks at Carryduff. This option was likely to produce the most cost-effective fuel, give reasonable security of supply and allow easy and efficient refuelling of vehicles. The environmental pollution risk would remain with the Council and this would have to be carefully managed.
4. Enter into an arrangement with another Council or similar body. Adjacent Councils were too far away for this to be a viable option, particularly with regards to refuelling the large RCVs which, by their nature, travelled more slowly and consumed fuel at a higher rate. The purchase of fuel from a commercial or similar organisation close by (if available) was likely to result in the loss of benefit from bulk purchase to the Council, increased staff and vehicle time in refuelling and loss of control.

The Client Manager was of the view that the best option be to tender for the supply and installation of replacement fuel storage and management facilities at Carryduff Household Recycling Centre. The cost of these works was estimated at approximately £100,000 and provision had been made in the Estimates process.

RESOLVED: That the Council be recommended to grant approval to tender for the supply and installation of replacement fuel storage and management facilities at Carryduff Household Recycling Centre at a cost of approximately £100,000

T&ES/2011/200 : FINANCIAL PROVISION FOR FUEL IN 2011/2012

The Client Manager reiterated that the Council purchased approximately 290,000 litres of fuel per year. At the time of the Estimates being set, the price had been approximately 108p per litre. Provision in the Estimates was based on a price of 110p per litre, allowing a small cushion for increases in cost. At the time, it was recognised that fuel prices were volatile and that it was possible that they would increase beyond the 110p per litre mark, therefore an additional separate provision of a reserve was made of £10,000. However, fuel prices had risen to 114.2p per litre, then fallen to 111.0p per litre. At a fuel price of 114.2p per litre, there would be a small overspend of the total amount allowed, including the reserve, of approximately £2,000. If the price remained at 111.0p per litre, there would be a

small overspend of approximately £2,000 in the basic allowance, which would use part of the reserve.

Noted.

T&ES/2011/201 : PLAY AUDIT

Alderman Robinson proposed that a special meeting of the Committee be arranged as this was such a large issue.

RESOLVED: That a special meeting of the Committee be arranged for more detailed consideration of the Play Audit.

T&ES/2011/202 : PROPOSED PLAYGROUND IN MONEYREAGH

The Client Manager advised that an alternative funding source had been identified for the construction of a children's playground in Moneyreagh. In order to access this funding, it was necessary to proceed with a planning application at short notice and the Client Manager stated that a Planning Application had now been lodged.

Noted.

T&ES/2011/203 : FORSTER GREEN SITE – QUESTIONNAIRE

The Client Manager tabled the results and analysis of the questionnaire in respect of the Forster Green site for Members' information. He advised that the survey results indicated that there was a strong demand for a playground within the area but there was also a significant minority which felt that there was no need for a playground.

The Play Audit encouraged the development of a strategic overview of play facilities, not only in terms of the number and location but also in terms of type of facility which best met children's needs.

The Client Manager also advised that the Beechgrove Glencregagh Residents Association had written to ask for permission to address the Committee and had submitted a report.

During the ensuing discussion, Alderman Robinson proposed to hold a special meeting of the Committee for more detailed consideration.

RESOLVED: That approval be granted to defer consideration of the questionnaire in respect of the Forster Green site and provision of a playground to the special meeting of the Committee.

T&ES/2011/204 : EMERGENCY FENCING WORKS AT THE GOLF COURSE

The Client Manager referred to legal proceedings with neighbours at the Castlereagh Hills Golf Course that the Council was currently involved in. He advised that it had been necessary to divert Minor Works resources from their planned programme and reactive programme of works to concentrate on the erection of protective fencing. It was anticipated that this work would take approximately five

weeks to complete but that would depend on weather and availability of materials and equipment, therefore it would have an impact on the delivery of non-essential items of work normally carried out by the Minor Works section until the backlog was cleared.

Noted.

T&ES/2011/205 : ANNUAL BUILDING INSPECTION REPORT

The Client Manager advised that the annual building inspections on behalf of various Council client departments had been carried out as an aid to planning and programming essential maintenance. These reports also included energy consumption data to assist the clients in managing energy usage.

Noted.

T&ES/2011/206 : TRAINING REQUEST – NEXT GENERATION LEADERSHIP PROGRAMME

The Client Manager advised that the Recycling & Environment Officer had been successful in gaining a place on the Next Generation Leadership Programme, a non-residential four-day course, to be held on 3-7 October 2011 at Queen's University Belfast. He explained that the course included workshops and seminars on topics such as conflict management, communication skills, leadership skills, team management and work/life balance. This course would assist in the personal development of the Officer and also be of benefit to the Council. The cost was £1,100 per delegate but the Local Government Training Group had agreed to provide subsidy of 50% to the Officer, therefore the cost to the Council would be £550. The Client Manager sought approval for the Recycling & Environment Officer to attend this course.

RESOLVED: That the Council be recommended to grant approval for the Recycling & Environment Officer to attend the Next Generation Leadership Programme on 3-7 October 2011 at Queen's University Belfast, at a cost to Council of £550.

T&ES/2011/207 : TRAINING REQUEST – LEGIONNAIRES DISEASE

The Client Manager pointed out the importance of refresher training for persons appointed to carry out control measures to prevent the outbreak of Legionnaires disease and he advised two Officers in the Technical & Environmental Services Department involved in this work had last been trained in 2007. He went on to say that most refresher courses were held on mainland UK but a series of one-day courses had been arranged locally for 1, 2 and 3 June 2011, at a cost of £300 per person, therefore the Client Manager felt it would be appropriate for the two Officers to attend.

RESOLVED: That the Council be recommended to grant approval for two officers in the Technical & Environmental Services Department to attend a one-day refresher training course in respect of the prevention of an outbreak of Legionnaires disease, to be held on 1, 2 and 3 June 2011, at a cost of £300 per person.

Councillors Jeffers and Spratt returned to the meeting at 7.41 pm.

T&ES/2011/208 : VEHICLE BRAKE TESTING EQUIPMENT

The Client Manager advised that the Driver & Vehicle Agency had produced a 'Guide to Maintaining Road Worthiness' for operators of commercial goods and passenger-carrying vehicles. Compliance with this guide would be essential following the introduction of 'O' Licensing requirements in the near future. The guide required that all operators should 'have access to a means to measure brake efficiency'. The Client Manager explained that, in the past, it had been custom to carry out a dynamic test within the garage but this was no longer acceptable. As it would not be cost-effective to outsource this requirement, the Client Manager sought approval to prepare and advertise tender documents for the supply and installation of brake-testing equipment at the garage.

RESOLVED: That the Council be recommended to grant approval for the preparation and advertising of a tender for the supply and installation of brake-testing and associated equipment at the Council's garage.

Councillor Vitty left the meeting at 7.43 pm.

Councillor McCoy returned to the meeting at 7.43 pm.

T&ES/2011/209 : SIGNAGE – HILLMOUNT GARDEN CENTRE, UPPER BRANIEL ROAD, CASTLEREAGH

The Client Manager tabled correspondence from the Roads Service to Councillor Copeland MLA regarding a request for signage to Hillmount Garden Centre. Councillor Copeland had asked that this matter be raised at the Council's Technical & Environmental Services Committee meeting. The Client Manager stated that the Council's Acting PR & Marketing Manager had raised this with the Tourist Board but the request had been turned down because the Nursery was seen as a tourist utility, ie it would be of use to a tourist but did not in itself constitute an attraction.

During the ensuing discussion, Alderman Robinson stated that there were several issues regarding signage in the Borough and he proposed to arrange a meeting with representatives from the Roads Service and the Tourist Board to discuss this matter.

RESOLVED: That a meeting be arranged with representatives from the Roads Service and the Tourist Board to address issues regarding signage in the Borough.

T&ES/2011/210 : TIDY NORTHERN IRELAND

The Client Manager tabled correspondence from the CEO of Tidy Northern Ireland to the Chief Executive. The CEO had requested permission to address the Technical & Environmental Services Committee and explore how Tidy NI and the Council could work together to positively influence behaviour.

Noted.

Councillor Copeland left the meeting at 7.45 pm.

T&ES/2011/211 : CAPITAL PROJECTS PROCESS UPDATE

The Client Manager advised that the process in which capital projects were delivered was currently being reviewed to ensure that, as much as possible, they were delivered within the timescale, budget and standard that the Council required. The points being considered were:

- Update of the capital projects list
- Development of a project inception document to capture initial important project information
- Agreed single Committee approval route for capital projects (eg Estimates Working Group to Finance & General Purposes to Council)
- Range of detailed issues to be addressed by various departments

Noted.

T&ES/2011/212 : GRITTING OF FOOTWAYS

Councillor Spratt declared an interest as Chairman of the Regional Development Committee.

The Client Manager referred to previous discussion in respect of gritting of footways, when he had been requested to obtain advice from the Council's solicitors, write to other councils to enquire as to their assessment of insurance implications and write to the Department to seek clarification as to their interpretation of the situation regarding insurances. He stated that further correspondence had been received from the Department to which the Chief Executive had issued an interim reply. This matter was still being progressed.

Noted.

Alderman Rice returned to the meeting at 7.47 pm.

ADDENDUM TO THE REPORT FROM THE CLIENT MANAGER (copy previously circulated)

T&ES/2011/213 : LAND AT 92A COMBER ROAD, DUNDONALD

The Client Manager referred to a request received some time ago from a resident to purchase a piece of land from the Council. At that time, the resident appeared to be making the case that he had been occupying this portion of land from approximately 1991 onwards. In 2007 the Land & Property Services recommended a value of £140,000, subject to clean title, planning permission for residential development and no onerous land conditions. The valuation had been obtained when it was considered that there might be development of the site and the value of property was at the height of the market.

The resident had approached the council again recently, this time with no intention of developing the site but only wishing to sell the property as a single unit and to

regularise boundaries. His legal representatives had offered £5,000. However, the Council would wish to confirm that this sum was representative of the current value.

The council's solicitors had advised that *'The legal position is that if the resident has been in possession of the portion of land since in or about 1991 then, insofar as the portion of land is concerned, it will be difficult for the Council to avoid his claim for adverse possession'*.

It was not possible to determine when the site had been adjoined to the resident's garden but tree growth would be consistent with a date of approximately 1991.

It would appear that the Council now had the opportunity to agree a valuation for the land and possibly introduce a restrictive covenant limiting development.

Following discussion, it was

RESOLVED:

- (a) That the Council be recommended to grant approval that the Land & Property Services enter into negotiations on the Council's behalf with the resident at 92A Comber Road, Dundonald, in respect of the transfer of a small portion of ground that he was currently occupying but which is owned by the Council.
- (b) That the Council be recommended to grant approval for the placement of a covenant on the above portion of ground in order to restrict development of the site.

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

T&ES/2011/214 : REPORTS AVAILABLE

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

- Source Testing Association, Annual Guide 2011
- The William Keown Trust Newsletter, 40th edition, December 2010
- The Spec Newsletter of Criminal Justice Inspection, March 2011
- Corporate Plan 2011-14, the Charity Commission for Northern Ireland
- Insight, ADAS Publication, Spring 2011, Issue 18

Noted.

T&ES/2011/215 : NEWS RELEASES

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

Cut the noise out, warns Environment Minister (DoE News Release)

The Director of Technical & Environmental Services advised that the Minister was speaking following the release of a report entitled 'Noise Complaint Statistics for Northern Ireland 2009/2010', produced by the Department of the Environment's Environmental Policy Division. The report revealed that noise complaints in Northern Ireland had risen by 5% during the period 2009/2010.

Poots announces boost for home improvements (DoE News Release)

The Director of Technical & Environmental Services advised new arrangements had been introduced, which meant that many homeowners would no longer need to apply for planning permission to extend their homes. The new planning rules, which came into operation on 6 April 2011, would extend the scope of minor household development that could be carried out without submitting a planning application. A new guide entitled 'Your Home and Planning Permission' had also been published.

Poots urges people to have their say on new recycling policy (DoE News Release)

The Director of Technical & Environmental Services advised that views were being sought in respect of setting more ambitious targets for the recycling of municipal waste. The consultation was putting forward the view that there was potential for Northern Ireland to achieve municipal recycling rates of approximately 60% in the next ten years.

Noted.

T&ES/2011/216 : ARC21 JOINT COMMITTEE – MINUTES OF THE MEETING HELD ON 27 JANUARY 2011

The Director of Technical & Environmental Services tabled the Minutes of the Joint Committee meeting held on 27 January 2011, hosted by North Down Borough Council. The Minutes had been ratified at the meeting of the Joint Committee held on 24 February 2011, hosted by Ards Borough Council.

Some of the business addressed at the above meeting has been outlined below:

- Matters Arising
- Calls for Conflict of Interest
- Contracts and Performance Update
- Performance Indicators
- Bring Centre Service Contract
- Residual Waste Treatment Project
- Residual Waste Treatment Project – Departmental Draft Budget 2011-15 Consultation
- Arc 21 Corporate Response to the Review of Planning Policy Statement PPS11
- Call for Evidence on the Planning Bill
- Annual Performance Review 2009-2010
- Consultation with the Local Government Sector on the Framework for a Flytipping Protocol

- Consultation on the Draft Site Waste Management Plans Regulations (NI)
- Waste Programme Board
- Freedom of Information Act 2000. Update of Arc 21 Procedures
- 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/2011/217 : ARC21 JOINT COMMITTEE – MINUTES OF THE MEETING HELD ON 24 FEBRUARY 2011

The Director of Technical & Environmental Services tabled the Minutes of the Joint Committee meeting held on 24 February 2011, hosted by Ards Borough Council. The Minutes had been ratified at the meeting of the Joint Committee held on 31 March 2011, hosted by Antrim Borough Council.

Some of the business addressed at the above mentioned meeting has been outlined below:

- Matters Arising
- Residual Waste Treatment Project – Presentation
- Call for Conflict of Interest
- Contracts and Performance Update
- Supply and Delivery of Wheeled Refuse Containers, 55L Kerbside Boxes, Bottle Banks, Home Compost Units, Kitchen Caddies and Compostable Kitchen Caddy Liners
- Residual Waste Treatment Project
- Education Vehicle Update
- Consultation on the Landspreading of Wastes from Abattoirs and the Preparation and Processing of Meat, Fish and Other Foods of Animal Origin in Northern Ireland
- Stakeholder Engagement on the Strategy for the Management of Solid Low Level Radioactive Waste from the Non-Nuclear Industry in the UK
- 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/2011/218 : ARC21 JOINT COMMITTEE – MINUTES OF THE MEETING HELD ON 31 MARCH 2011

The Director of Technical & Environmental Services tabled the Minutes of the Joint Committee meeting held on 31 March 2011, hosted by Antrim Borough Council. The Minutes had been ratified at the meeting of the Joint Committee held on 21 April 2011, hosted by Ballymena Borough Council.

Some of the business addressed at the above meeting has been outlined below:

- Matters Arising
- Calls for Conflict of Interest
- Contracts and Performance Update
- Residual Waste Treatment Project
- Bryson Recycling MRF Capital Investment Scheme
- Annual Audit Letter
- Consultation on the Regional Development Strategy (RDS) 2025- 10 Year Review
- Financial Performance April to December 2010
- Arc 21 Key Performance Indicators April to December 2010
- Northern Ireland Association of Independent Recyclers (NIAIR)
- 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.

The Director of Technical & Environmental Services also sought Members' views regarding a presentation by arc21 at the September meeting of the Committee.

RESOLVED:

- (a) That the Minutes of the Joint Committee meeting held on 31 March 2011, hosted by Antrim Borough Council, be noted.
- (b) That approval be granted for representatives from arc21 to give a presentation to the Committee at its September 2011 meeting.

T&ES/2011/219 : ARC21 JOINT COMMITTEE – CHIEF EXECUTIVE BULLETINS

The Director of Technical & Environmental Services tabled three Chief Executive Bulletins as follows:

- Chief Executives Monthly Bulletin – 24 February 2011
- Chief Executives Special Bulletin – March 2011
- Chief Executives Monthly Bulletin – 21 April 2011

He advised that these Bulletins provided key information in summary form relating to the work of the arc21 Joint Committee. The Director of Technical & Environmental Services also drew Members' attention to the need to peruse the contents of the above Bulletins and acquaint themselves with the contents there in.

Noted.

T&ES/2011/220 : DEPARTMENTAL MANAGEMENT PLAN FOR 2011/2012

The Director of Technical & Environmental Services tabled a copy of the Departmental Management Plan for 2011/2012 for the Technical & Environmental Services Department. This matter had been referred to at the Technical & Environmental Services Committee meeting of 1 March 2011.

This Management Plan for the Technical & Environmental Services Department was now in draft copy. As had previously been highlighted, the preparation of the Departmental Management Plan and the associated ongoing quarterly reviews were important tasks. Issues addressed in the Plan including the following:

- Takes account of the Council's core values and strategic aims
- Provides a Departmental overview
- Provides an overview of the services provided to the Department's customers
- The locations from which such services are delivered
- Methods of service delivery
- An overview of the four Service Units (i.e. Building Control Service, Environmental Health Service, Client Services and Operational Services)
- The purpose, management and reporting arrangements, and responsibilities of each Service Unit
- The objectives and key tasks, outputs and indicators for each of the four Service Units
- A recognition that the Review of Public Administration (RPA) and the Improvement Collaboration and Efficiency (ICE) agenda and programme will have an impact on existing Council arrangements

The Director of Technical & Environmental Services advised that discussion accompanying each Service Unit concluded with the identification of Departmental objectives, key tasks and time scales. Members' comments arising from the perusal of this Management Plan, by way of guidance and direction, was clearly recognised as important. Furthermore, the Management Plan tasks that had been outlined were important in that they provided a basis for meeting Departmental and Council objectives. However, Members' attention was drawn to the fact that these important tasks placed new and additional demands on existing scarce staff resources and, consequently, there was an impact on Department service provision.

The Department's estimated total gross expenditure for 2011/2012 was £7,912,346 and the estimated gross income was £809,187. This represented a total net expenditure of £7,103,159 for 2011/2012, approximately 55% of the Council's total net expenditure of £12,835,601.

During the ensuing discussion, Alderman Robinson commented that the need for a drive-in recycling centre in Dundonald had been raised by residents. He recalled that a site evaluation had taken place and two sites had been identified, one at the back of the Ice Bowl and the other close to the caravan park.

RESOLVED: That the Council be recommended to grant approval for the adoption of the Technical & Environmental Services Management Plan for 2011/2012.

Councillor Copeland returned to the meeting at 7.56 pm.
Councillors Beattie and McCoy left the meeting at 7.56 pm.

T&ES/2011/221 : DEPARTMENTAL RISK REGISTERS FOR 2011/2012

The Director of Technical & Environmental Services tabled a copy of the current Technical & Environmental Services Department's risk registers for Members' information. He added that they had been referred to in the Departmental Management Plan for 2011/2012.

The Director of Technical & Environmental Services stated that the risks impinging on the Department did not remain static but were subject to ongoing change. For this reason, the Departmental Risk Registers were subject to ongoing review and, in turn, informed the Council's corporate risk register.

Noted.

Councillor Vitty returned to the meeting at 7.57 pm.

T&ES/2011/222 : VEHICLE FUEL MANAGEMENT

The Director of Technical & Environmental Services advised that a number of measures had been introduced in the past two years by the Technical & Environmental Services Department to enhance and strengthen the governance arrangements for vehicle fuel management, including the following:

- Enhanced fuel dispensing arrangements
- Developments/upgrades to fuel management software
- Training programmes for all fuel users and fuel management software users
- Tank reading and recording procedures
- Circulation of fuel usage reports to all relevant council departmental managers so that fuel usage is included within their management arrangements

The Director of Technical & Environmental Services stated that, as part of the implementation of these internal controls, Technical & Environmental Services staff had identified problems with the red-diesel fuel tank gauge. This tank was used only periodically and involved much smaller volumes of fuel than those contained within the white-diesel tanks.

A recognised calibration company had been tasked with investigating the red-diesel fuel gauge and they had concluded that the gauge was malfunctioning. The Finance Department were informed of this situation and the implications for the year-end stock journal. This was confirmed by the end-of-year audit. Arrangements had been made to replace the malfunctioning fuel gauge and to recalibrate and recheck stock levels in conjunction with Finance Department staff. To further enhance governance arrangements, periodic checks would be reviewed between fuel tank meter readings and the fuel management software readings. Discussions had taken place with the Director of Finance regarding this incident and circumstances as well as the enhanced governance arrangements. The Management Team had also been apprised of the situation.

Councillor Drysdale left the meeting at 7.58 pm.

During the ensuing discussion, Councillor Spratt referred to a previous incident of fuel theft and he enquired what measures the Council had put in place to prevent this happening. Furthermore, he raised concerns that vehicles were required to refuel in Carryduff. He felt that a refuelling facility should be provided closer by, for example, at Castlereagh Hills Golf Club.

Noted.

Councillors Beattie, Drysdale and McCoy returned to the meeting at 8.02 pm.

T&ES/2011/223 : DRAFT LANDFILL FRAMEWORK AGREEMENT

The Director of Technical & Environmental Services referred to previous discussions in respect of the draft Landfill Framework Agreement (Minutes T&ES/2011/120 and 2011/208 refer). The Framework Agreement, together with a covering letter, signed by the Chief Executive and the Mayor, and dated 25 March 2011, had subsequently been issued to Mr D McMahon of the Environmental Policy Division of the Department of the Environment (NI).

A reply, dated 11 April 2011, had been received from Mr D. McMahon and the Director of Technical & Environmental Services drew Members' attention to the contents of this letter, in particular the penultimate paragraph.

A meeting of the five councils involved in this matter had been held on 18 May 2011. Four of the five councils had been represented at that meeting. A letter of response from the councils is currently being prepared to rebut the assertions made in Mr McMahon's letter of 11 April 2011 and to refocus attention on the Department's responsibilities.

The Director of Technical & Environmental Services also tabled a copy of correspondence, dated 3 June 2011, from the Chief Executive to Mr D McMahon, outlining that responsibility for the transposition of the Landfill Directive rested squarely with the Department of the Environment.

Noted.

ANY OTHER BUSINESS

T&ES/2011/224 : FENCING AT MOAT PARK

Councillor Drysdale enquired when the fencing at Moat Park was due to be erected. The Operational Services Manager replied that the material had been purchased and the Minor Works Section was due to begin the works as soon as possible.

Noted.

There being no further business, the meeting ended at 8.05 p.m.

CHAIRMAN

CHIEF EXECUTIVE

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

MAYOR