

**MINUTES OF MEETING OF THE PUBLIC SERVICES COMMITTEE OF
DUNGANNON AND SOUTH TYRONE BOROUGH COUNCIL HELD ON
TUESDAY 29 APRIL 2008 IN THE COUNCIL OFFICES CIRCULAR ROAD
DUNGANNON**

MEMBERS PRESENT: Councillor R Burton (Chair)

Councillors Badger, Cavanagh, Gillespie,
Greenaway, Hamilton, McGuigan, McLarnon

OFFICERS PRESENT: A Burke, Director of Environmental Health (DEH)
M Edgar, Biodiversity Officer (BDO)
R Lowry, Senior Building Control Officer (SBCO)
R McMinn, Director of Technical Services (DTS)
L Marshall (Secretariat)

The meeting started at 7.32 pm.

1 DUNGANNON & SOUTH TYRONE BIODIVERSITY ACTION PLAN

BDO made presentation (appendix 1) on the Local Biodiversity Action Plan for this Council area. BDO explained that this project falls into 3 stages namely –

- Carrying out an audit of habitats and species in the Borough.
- Development of Habitat Action Plans and Species Action Plans (HAPs and SAPs).
Carry out a number of actions/projects identified from the HAPs and SAPs.
Launch of Local Biodiversity Action Plan document.
- Concentration on implementation of actions and projects identified from HAPs and SAPs.

BDO also explained the definition of a Priority Habitat, Priority Species and Species of Conservation Concern and provided examples of these recorded in the Borough area.

BDO advised that there are various habitat and species groups which can be tapped into for information.

In response to Members question regarding carrying out biodiversity study on proposed lands to be developed BDO advised that these surveys do not take place unless Planning Service ask for them.

Resolved That it be recommended to the Council to liaise with the relevant departments ie. EHS, DARD and Planning Service with regard to carrying out biodiversity surveys on proposed lands to be developed.

2 TECHNICAL SERVICES

The report (appendix 2) of the Director of Technical Services was presented reference being made to the undernoted:

2.1 Aughnacloy Eco Park

DTS stated that contract work should be complete in the next couple of weeks, after this operatives will move in to erect bins and provide ramps for disabled access.

Members complimented the work done at this site to date and stated that public are already starting to make use of the park.

2.2 Willow Planting, Glassmullagh

DTS stated that cutting back of one year growth took place at end of March.

DTS reported that the crop has 85% taken and given that this ground is very wet is pleased with the progress of the crop so far.

2.3 Surplus Lands – Aughnacloy

DTS advised as per report that portion of lands at Lettice Street, Aughnacloy has been valued at £150,000.

Members felt that the cost of this land would be out of the question for Council to purchase. It was suggested that Council write to DRD with a view to requesting the lands be transferred to Council to use as a picnic area.

Proposed by Councillor Hamilton
Seconded by Councillor McGuigan and

Resolved That it be recommended to the Council to write to DRD requesting transfer of lands to Council.

Members also spoke in relation to lands at Monaghan Road, Aughnacloy and putting pressure on those authorities in ownership to tidy this piece of ground.

DTS advised that he believed the land in question has been sold and is now in private ownership.

2.4 Caledon Environmental Improvement Scheme

DTS advised of invoice received from DRD Street Lighting for £30,000 to replace lanterns, poles and embellishment kits for Caledon village. All street lighting works have been carried out apart from painting and DTS recommended payment now be made.

Resolved That it be recommended to the Council to pay invoice of £30,000 to DRD Street Lighting for works carried out in Caledon.

2.5 Recycling Officer

DTS advised that the Recycling Officer has left the employment of this Council. Recruitment process is currently underway.

2.6 Adoption of Report

Proposed by Councillor McGuigan
Seconded by Councillor Badger and

Resolved That it be recommended to the Council that the report of the Director of Technical Services be adopted, and that all recommendations, subject to the foregoing be approved.

3 TULLYVAR UPDATE

DTS updated Members on Tullyvar as per his report (appendix 2).

3.1 Rock Extraction Process

DTS advised that Consulting Engineers RPS are currently preparing contract documents, it is hoped this will be completed in the next weeks in order to move ahead preparing the tender via public advertisement.

Members stated it is vital that these documents are prepared in time as road development taking place in the area.

3.2 Job Evaluation – Site Manager

Members questioned payment of monies prior to job evaluation being carried out.

DTS advised that this payment of monies is for a one off piece of work which job evaluation won't address.

3.3 SWaMP

Members referred to the continuing issues surrounding Body Corporate and felt it would be useful for Mr Byrne from SWaMP to make presentation on way forward.

Resolved That it be recommended to the Council to invite Mr Byrne to future Public Services meeting.

4 BUILDING CONTROL

The report (appendix 3) of the Director of Building Control was presented reference being made to the undernoted:

4.1 Refusals

The Senior Building Control Officer advised that as further information required had not been received he recommended refusal of the applications listed on appendix 4.

4.2 Energy Performance Certificates

SBCO provided information as per report on forthcoming introduction of regulations relating to energy performance of buildings.

From June all dwellings being sold or let will require an Energy Performance Certificate and from 30 December 2008 there will be a requirement for all public buildings with a floor area of over 1000m² to have an EPC. These certificates will have to be produced by an accredited assessor and SBCO advised that he is to receive training as an accredited assessor to produce certificates for council buildings.

4.3 Adoption of Report

Proposed by Councillor Hamilton
Seconded by Councillor Gillespie and

Resolved That it be recommended to the Council that the report of the Director of Building Control be adopted, and that all recommendations, subject to the foregoing, be approved.

(Councillor Cavanagh and Mr Lowry left the meeting at 8.47 pm)

5 ENVIRONMENTAL HEALTH

The report (appendix 5) of the Director of Environmental Health was presented reference being made to the undernoted:

5.1 Noise at Cravenny Road, Ballygawley

DEH detailed as per his report further complaints received regarding noise from an engineering workshop at Cravenny Road, Ballygawley.

DEH advised that this same engineering workshop was successfully prosecuted by the Council for separate breaches of an Article 38 Abatement Notice in January 2008.

Resolved That it be recommended to the Council to instigate legal proceedings for this further breach.

5.2 Pandemic Flu

DEH advised that Mr Cunningham, Emergency Planning Officer, Southern Group is willing to make presentation to Members on planning for Pandemic Flu.

Resolved That it be recommended to the Council to invite Mr Cunningham to future Public Services meeting.

5.3 Falsely Described/Presented Food

DEH advised that in May 2007 the Food Standards Agency referred a complaint to his department regarding alleged misrepresentation of food. Following a joint investigation with DARD it was found that a small quantity of falsely described food had been sold, this issue was then addressed with management of the company.

A company representative admitted under caution that falsely described produce had been supplied but that the practice had now ceased. Documentation was required to confirm whether practices had ceased and this is still pending.

Resolved That it be recommended to the Council to issue formal caution to company, should this not be complied with legal proceedings are to be instigated.

5.4 Proposed Extension at Granville

DEH advised of correspondence received from residents of the Granville area expressing concern at the planned extension of business at the Industrial Estate in Granville. This correspondence asked for a meeting with Members to discuss their concerns.

It was felt that it would also be useful to have representatives from the business in attendance at the meeting.

Resolved That it be recommended to the Council to hold Special Public Services Meeting to discuss issues regarding proposed extension. Local residents and representatives to be invited.

5.5 Water Sampling

As a result of public concerns being expressed regarding colour and taste of water in the Altmore area water samples were taken for analysis. DEH provided results of this testing which found the sample taken to be clean with no odour.

Members advised that it is the perception of the public in the area that the water is bad.

Resolved That it be recommended to the Council that the Director of Environmental Health and Councillor Gillespie liaise on the matter.

5.6 Adoption of Report

Proposed by Councillor Gillespie
Seconded by Councillor McLarnon and

Resolved That it be recommended to the Council that the report of the Director of Environmental Health be adopted, and that all recommendations, subject to the foregoing, be approved.

6 SUSTAINABILITY SUB COMMITTEE

Resolved That it be recommended to the Council that the minutes of the meeting held on 16 April 2008, having been printed and circulated be taken as read and confirmed as correct.

7 DURATION OF MEETING

The meeting was called for 7.00 pm and ended at 9.05 pm.

MAYOR_____

CHIEF EXECUTIVE _____
(Acting)